

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: CS/SB 1460

INTRODUCER: Criminal Justice Committee and Senator Montford

SUBJECT: State Agency Law Enforcement Radio System

DATE: January 23, 2018

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------|----------------|-----------|--------|
| 1. | Erickson | Jones | CJ | Fav/CS |
| 2. | | | RC | |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1460 adds a representative of the Florida Sheriffs Association to the Joint Task Force on State Agency Law Enforcement Communications. This representative must be appointed by the president of the Florida Sheriffs Association.

The per diem and travel expenses incurred by the member of the task force who represents the Florida Sheriffs Association in attending task force meetings and in attending to task force affairs shall be paid by the sheriff's office that employs the representative.

II. Present Situation:

Florida's Statewide Law Enforcement Radio System

Florida's Statewide Law Enforcement Radio System (SLERS) is a single, unified digital radio network that meets the radio voice communications needs of state law enforcement officers and other participating agencies throughout the state. The SLERS is a 800/700 (aircraft) MHz system consisting of 200 microwave sites, RF multi-sites, and RF simulcast sites. The SLERS all-digital radio network covers over 60,000 square miles (including 25 miles offshore) with 98 percent mobile coverage and portable coverage in selected areas. The Department of Management

Services (DMS) was tasked with implementing the SLERS and is responsible for ensuring the proper operation and maintenance of all common system equipment.¹

Joint Task Force on State Agency Law Enforcement Communications

The Joint Task Force on State Agency Law Enforcement Communications (task force) is created within the DMS to advise the DMS of member-agency needs relating to the planning, designing, and establishment of the SLERS.² The task force consists of the following members:

- A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who is appointed by the secretary of the department.
- A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who is appointed by the executive director of the department.
- A representative of the Department of Law Enforcement who is appointed by the executive director of the department.
- A representative of the Fish and Wildlife Conservation Commission who is appointed by the executive director of the commission.
- A representative of the Department of Corrections who is appointed by the secretary of the department.
- A representative of the Department of Financial Services who is appointed by the Chief Financial Officer.
- A representative of the Department of Agriculture and Consumer Services who is appointed by the Commissioner of Agriculture.³

Each appointed member of the task force must serve at the pleasure of the appointing official. Any vacancy on the task force is to be filled in the same manner as the original appointment. A task force member may, upon notification to the chair before the beginning of any scheduled meeting, appoint an alternative to represent the member on the task force and vote on task force business in his or her absence.⁴

The task force must elect a chair from among its members to serve a one-year term. A vacancy in the chair of the joint task force must be filled for the remainder of the unexpired term by an election of the joint task force members.⁵

The task force is required to meet as necessary, but at least quarterly, at the call of the chair and at the time and place designated by him or her.⁶ The per diem and travel expenses incurred by a member of the task force in attending its meetings and in attending to its affairs must be paid from funds budgeted to the state agency that the member represents.⁷

¹ “Statewide Law Enforcement Radio System (SLERS),” Department of Management Services, available at https://www.dms.myflorida.com/business_operations/telecommunications/radio_communications_services/statewide_law_enforcement_radio_system_slers (last visited on Jan. 16, 2018).

² Section 282.709(2), F.S.

³ Section 282.709(2)(a), F.S.

⁴ Section 282.709(2)(b), F.S.

⁵ Section 282.709(2)(c), F.S.

⁶ Section 282.709(2)(d), F.S.

⁷ Section 282.709(2)(e), F.S.

III. Effect of Proposed Changes:

The bill amends s. 282.709, F.S., to add a representative of the Florida Sheriffs Association to the Joint Task Force on State Agency Law Enforcement Communications. This representative must be appointed by the president of the Florida Sheriffs Association. Currently, there are 20 sheriff's offices using the SLERS.⁸

The per diem and travel expenses incurred by the member of the task force who represents the Florida Sheriffs Association in attending task force meetings and in attending to task force affairs shall be paid by the sheriff's office that employs the representative.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not appear to have any fiscal impact on state government. However, s. 282.709(2)(e), F.S., provides that per diem and travel expenses incurred by a member of the task force in attending its meetings and in attending to its affairs must be paid from funds budgeted to the *state agency* that the member represents. The sheriff representative does not represent a *state agency*, and the bill does not specify how per diem and travel expenses for this representative are to be paid.

⁸ Email from Department of Management Services staff to staff of the House Oversight, Transparency & Administration Subcommittee (Jan. 11, 2018) (on file with the Senate Committee on Criminal Justice).

VI. Technical Deficiencies:

Section 282.709(2)(e), F.S., provides that per diem and travel expenses incurred by a member of the task force in attending its meetings and in attending to its affairs must be paid from funds budgeted to the *state agency* that the member represents. The sheriff representative does not represent a *state agency*, and the bill does not specify how per diem and travel expenses for this representative are to be paid.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 282.709 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal Justice on January 22, 2018:

The committee substitute provides that the per diem and travel expenses incurred by the member of the Joint Task Force on State Agency Law Enforcement Communications who represents the Florida Sheriffs Association in attending task force meetings and in attending to task force affairs shall be paid by the sheriff's office that employs the representative.

B. Amendments:

None.