

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1829 (PCB SA 03-28) w/CS Chief of Domestic Security Initiatives
SPONSOR(S): State Administration and Mack
TIED BILLS: None **IDEN./SIM. BILLS:** None

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) State Administration	6 Y, 0 N	Bond	Everhart
2) State Administration	4 Y, 0 N w/CS	Bond	Everhart
3) Appropriations			
4)			
5)			

SUMMARY ANALYSIS

This bill requires the state Chief of Domestic Security Initiatives to collect from state agencies, state universities, and community colleges, a security assessment of all buildings, facilities, and structures owned or leased, by December 1, 2003. The security assessments are to be conducted by employees of the state agencies, state universities, and community colleges, on a form to be distributed by the chief. This bill also requires the chief to encourage local governments to conduct security assessments.

This bill does not appear to have a fiscal impact on state or local governments.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h1829b.sa.doc
DATE: April 14, 2003

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|--|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

This bill requires the Chief of Domestic Security Initiatives to conduct a comprehensive study of state agencies, state universities, and community colleges.

B. EFFECT OF PROPOSED CHANGES:

Background

In Special Session in late 2001, not long after the attack of September 11th, the Legislature created the office of Chief of Domestic Security Initiatives within the Florida Department of Law Enforcement. Section 943.0311, F.S., gave the Chief of Domestic Security Initiatives the power and duty to assess state and local plans to secure the state against terrorism.

Effect of Bill

This bill modifies the powers and duties of the Chief of Domestic Security Initiatives. It requires every state agency, state university, and community college, to conduct a security assessment of every building, facility, and structure owned or leased by the agency, university or college. The assessment is to be performed by employees in a format to be created by the chief. The chief represented to the committee that the assessment will take the form of a questionnaire, understandable by ordinary employees, that is to be returned over the internet. The first assessment must be completed by December 1, 2003; subsequent assessments may be scheduled by the chief. The chief must report to the Governor and the Legislature any agency, university, or college that substantially fails to cooperate in providing a required security assessment.

Current law provides that the chief may perform security assessments of local government properties. This bill removes the ability of the chief to conduct security assessments of local government properties; and adds that the chief is to encourage local governments to conduct security assessments.

Current law contains duplicative reporting requirements. This bill consolidates the reporting requirements of the chief into one subsection.

C. SECTION DIRECTORY:

Section 1 amends s. 943.0311, F.S., regarding the Chief of Domestic Security.

Section 2 provides an effective date of upon becoming law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None.

2. Expenditures:

None. See fiscal comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None.

2. Expenditures: None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

This bill was amended to specify that security assessments are to be conducted by existing employees and within existing resources. FDLE represents that the initial security assessments contemplated by this bill are to be in the form of a questionnaire filled in by employees and returned to FDLE over the internet. FDLE believes that existing employees can work this analysis into existing work schedules. The bill was amended on April 14, 2003, to reflect this understanding of how this process is to work.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: Not applicable.

2. Other: None.

B. RULE-MAKING AUTHORITY: None.

C. DRAFTING ISSUES OR OTHER COMMENTS: None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On April 14, 2003, the Committee on State Administration adopted one "remove everything after the enacting clause" amendment. The amendment:

- Removed the unnecessary references to the public records laws.
- Specified that security assessments are to be conducted within existing resources.
- Added "structures" to the phrase "buildings and facilities" to specify that structures (such as radio towers and bridges) should also have a security assessment conducted.
- Specified that the state agencies required to make a security assessment includes the state universities and the community colleges.

- Eliminated duplicative reporting requirements, condensing all reporting requirements into one subsection.
- Removed the provision whereby the chief was to publish a list of private vendors who can assist local governments and private entities with their own security assessments.

The bill was then reported favorably with a committee substitute.