

1                   A bill to be entitled  
 2           An act relating to Florida College System institution  
 3           police officers; amending s. 23.1225, F.S.; providing  
 4           for mutual aid agreements involving Florida College  
 5           System institution police officers; amending s.  
 6           316.640, F.S.; providing for enforcement of traffic  
 7           laws in certain areas by Florida College System  
 8           institution police officers; amending s. 1012.88,  
 9           F.S.; revising provisions relating to the  
 10          jurisdictional authority of Florida College System  
 11          institution police officers; providing an effective  
 12          date.

14 Be It Enacted by the Legislature of the State of Florida:

16           Section 1. Paragraph (a) of subsection (1) of section  
 17           23.1225, Florida Statutes, is amended to read:

18           23.1225 Mutual aid agreements.—

19           (1) The term "mutual aid agreement," as used in this part,  
 20           refers to one of the following types of agreement:

21           (a) A voluntary cooperation written agreement between two  
 22           or more law enforcement agencies, which agreement permits  
 23           voluntary cooperation and assistance of a routine law  
 24           enforcement nature across jurisdictional lines. The agreement  
 25           must specify the nature of the law enforcement assistance to be  
 26           rendered, the agency or entity that shall bear any liability  
 27           arising from acts undertaken under the agreement, the procedures  
 28           for requesting and for authorizing assistance, the agency or

29 | entity that has command and supervisory responsibility, a time  
30 | limit for the agreement, the amount of any compensation or  
31 | reimbursement to the assisting agency or entity, and any other  
32 | terms and conditions necessary to give it effect. Examples of  
33 | law enforcement activities that may be addressed in a voluntary  
34 | cooperation written agreement include, but are not limited to,  
35 | establishing a joint city-county task force on narcotics  
36 | smuggling, authorizing school safety officers to enforce laws in  
37 | an area within 1,000 feet of a school or school board property,  
38 | authorizing state university or Florida College System  
39 | institution police officers to enforce laws within a specified  
40 | jurisdictional area as agreed upon in a ~~the~~ voluntary  
41 | cooperation written agreement, or establishing a joint city-  
42 | county traffic enforcement task force.

43 |       Section 2. Paragraph (a) of subsection (1) of section  
44 | 316.640, Florida Statutes, is amended to read:

45 |       316.640 Enforcement.—The enforcement of the traffic laws  
46 | of this state is vested as follows:

47 |       (1) STATE.—

48 |       (a)1.a. The Division of Florida Highway Patrol of the  
49 | Department of Highway Safety and Motor Vehicles; the Division of  
50 | Law Enforcement of the Fish and Wildlife Conservation  
51 | Commission; and the agents, inspectors, and officers of the  
52 | Department of Law Enforcement each have authority to enforce all  
53 | of the traffic laws of this state on all the streets and  
54 | highways thereof and elsewhere throughout the state wherever the  
55 | public has a right to travel by motor vehicle.

56 |       b. University police officers may enforce all of the

57 traffic laws of this state when violations occur on or within  
58 1,000 feet of any property or facilities that are under the  
59 guidance, supervision, regulation, or control of a state  
60 university, a direct-support organization of such state  
61 university, or any other organization controlled by the state  
62 university or a direct-support organization of the state  
63 university, or when such violations occur within a specified  
64 jurisdictional area as agreed upon in a mutual aid agreement  
65 entered into with a law enforcement agency pursuant to s.  
66 23.1225(1). Traffic laws may also be enforced off-campus when  
67 hot pursuit originates on or within 1,000 feet of any such  
68 property or facilities, or as agreed upon in accordance with the  
69 mutual aid agreement.

70 c. Florida Community College System institution police  
71 officers may enforce all the traffic laws of this state only  
72 when such violations occur on or within 1,000 feet of any  
73 property or facilities that are under the guidance, supervision,  
74 regulation, or control of the Florida College System  
75 institution, or when such violations occur within a specified  
76 jurisdictional area as agreed upon in a mutual aid agreement  
77 entered into with a law enforcement agency pursuant to s.  
78 23.1225. Traffic laws may also be enforced off-campus when hot  
79 pursuit originates on or within 1,000 feet of any such property  
80 or facilities, or as agreed upon in accordance with the mutual  
81 aid agreement ~~community college system.~~

82 d. Police officers employed by an airport authority may  
83 enforce all of the traffic laws of this state only when such  
84 violations occur on any property or facilities that are owned or

85 | operated by an airport authority.

86 |       (I) An airport authority may employ as a parking  
87 | enforcement specialist any individual who successfully completes  
88 | a training program established and approved by the Criminal  
89 | Justice Standards and Training Commission for parking  
90 | enforcement specialists but who does not otherwise meet the  
91 | uniform minimum standards established by the commission for law  
92 | enforcement officers or auxiliary or part-time officers under s.  
93 | 943.12. This sub-sub-subparagraph may not be construed to permit  
94 | the carrying of firearms or other weapons, nor shall such  
95 | parking enforcement specialist have arrest authority.

96 |       (II) A parking enforcement specialist employed by an  
97 | airport authority may enforce all state, county, and municipal  
98 | laws and ordinances governing parking only when such violations  
99 | are on property or facilities owned or operated by the airport  
100 | authority employing the specialist, by appropriate state,  
101 | county, or municipal traffic citation.

102 |       e. The Office of Agricultural Law Enforcement of the  
103 | Department of Agriculture and Consumer Services may enforce  
104 | traffic laws of this state.

105 |       f. School safety officers may enforce all of the traffic  
106 | laws of this state when such violations occur on or about any  
107 | property or facilities that are under the guidance, supervision,  
108 | regulation, or control of the district school board.

109 |       2. An agency of the state as described in subparagraph 1.  
110 | is prohibited from establishing a traffic citation quota. A  
111 | violation of this subparagraph is not subject to the penalties  
112 | provided in chapter 318.

113           3. Any disciplinary action taken or performance evaluation  
114 conducted by an agency of the state as described in subparagraph  
115 1. of a law enforcement officer's traffic enforcement activity  
116 must be in accordance with written work-performance standards.  
117 Such standards must be approved by the agency and any collective  
118 bargaining unit representing such law enforcement officer. A  
119 violation of this subparagraph is not subject to the penalties  
120 provided in chapter 318.

121           4. The Division of the Florida Highway Patrol may employ  
122 as a traffic accident investigation officer any individual who  
123 successfully completes instruction in traffic accident  
124 investigation and court presentation through the Selective  
125 Traffic Enforcement Program as approved by the Criminal Justice  
126 Standards and Training Commission and funded through the  
127 National Highway Traffic Safety Administration or a similar  
128 program approved by the commission, but who does not necessarily  
129 meet the uniform minimum standards established by the commission  
130 for law enforcement officers or auxiliary law enforcement  
131 officers under chapter 943. Any such traffic accident  
132 investigation officer who makes an investigation at the scene of  
133 a traffic accident may issue traffic citations, based upon  
134 personal investigation, when he or she has reasonable and  
135 probable grounds to believe that a person who was involved in  
136 the accident committed an offense under this chapter, chapter  
137 319, chapter 320, or chapter 322 in connection with the  
138 accident. This subparagraph does not permit the officer to carry  
139 firearms or other weapons, and such an officer does not have  
140 authority to make arrests.

141 Section 3. Subsection (2) of section 1012.88, Florida  
142 Statutes, is amended to read:

143 1012.88 Florida College System institution police.—

144 (2) Each Florida College System institution police officer  
145 is a law enforcement officer of the state and a conservator of  
146 the peace who has the authority to arrest, in accordance with  
147 the laws of this state, any person for a violation of state law  
148 or applicable county or municipal ordinance if that violation  
149 occurs on or in any property or facilities or within 1,000 feet  
150 of any property of the Florida College System institution by  
151 which he or she is employed or any property or facilities of a  
152 direct-support organization of such Florida College System  
153 institution or any other organization controlled by the Florida  
154 College System institution, or when such violations occur within  
155 a specified jurisdictional area as agreed upon in a mutual aid  
156 agreement entered into with a law enforcement agency pursuant to  
157 s. 23.1225. A Florida College System institution police officer  
158 may also arrest a person off campus for a violation committed on  
159 campus after a hot pursuit of that person that began on or  
160 within 1,000 feet of any such property or facilities. A Florida  
161 College System institution police officer may bear arms in the  
162 performance of his or her duties and carry out a search pursuant  
163 to a search warrant on the campus where he or she is employed.  
164 Florida College System institution police, upon request of the  
165 sheriff or local police authority, may serve subpoenas or other  
166 legal process and may make arrests of persons against whom  
167 arrest warrants have been issued or against whom charges have  
168 been made for violations of federal or state laws or county or

CS/HB 399

2013

169 | municipal ordinances.

170 |       Section 4. This act shall take effect July 1, 2013.