

1 A bill to be entitled
2 An act relating to local law enforcement agencies;
3 providing a short title; amending ss. 943.10 and
4 943.11, F.S.; redesignating the Criminal Justice
5 Standards and Training Commission as the Public Safety
6 Standards, Training, and Accreditation Commission;
7 revising the membership of the commission; limiting
8 members terms; revising meeting requirements;
9 requiring the Legislature to appropriate funds;
10 authorizing the commission to seek legislative
11 authority to charge fees; providing for implementation
12 of membership changes; providing a directive to the
13 Division of Law Revision; creating ch. 953, F.S.;
14 requiring cities and counties to create public safety
15 departments; specifying divisions of such departments;
16 limiting when law enforcement officers may initiate
17 traffic stops; providing for duties of law enforcement
18 officers at accident scenes; providing for rulemaking;
19 providing for the hiring of traffic monitors;
20 providing for certification; providing for
21 qualification and duties of monitors; providing
22 training requirements; authorizing traffic monitors to
23 request assistance from law enforcement officers in
24 certain situations; requiring body and dashboard
25 cameras; prohibiting chases; providing exceptions;

26 | prohibiting use of criminal history information;
27 | providing exceptions; providing requirements for
28 | vehicles and uniforms; prohibiting the carrying of
29 | firearms; providing for nonlethal weapons; providing
30 | requirements for use of force; prohibiting employment
31 | of law enforcement officers as traffic monitors;
32 | specifying duties of traffic monitoring divisions;
33 | requiring collection and publication of certain data;
34 | specifying uses of traffic fines; providing
35 | requirements for supervision of monitors; providing
36 | for establishment of local hiring and training
37 | standards; prohibiting contracting for services;
38 | providing exceptions; providing for traffic
39 | enforcement training schools; providing for
40 | certification; providing for rulemaking; requiring
41 | schools to make certain information available;
42 | requiring naming requirements; providing for
43 | injunctions and fines for violations; providing for
44 | crisis response and intervention teams; providing for
45 | qualification and duties of crisis interveners;
46 | specifying duties of law enforcement officers in
47 | certain situations; authorizing crisis interveners to
48 | request assistance from law enforcement officers in
49 | certain situations; requiring body cameras; providing
50 | for certification; providing qualification and

51 training requirements; providing requirements for
52 vehicles and uniforms; prohibiting the carrying of
53 firearms; providing for nonlethal weapons; providing
54 requirements for use of force; prohibiting the hiring
55 of a law enforcement officer as a crisis intervener;
56 specifying duties of crisis responder divisions;
57 requiring collection and publication of certain data;
58 providing requirements for supervision of monitors;
59 providing for establishment of local hiring and
60 training standards; prohibiting contracting for
61 services; providing exceptions; authorizing interlocal
62 agreements for services; providing for crisis response
63 and intervention training schools; providing for
64 certification; providing for rulemaking; requiring
65 schools to make certain information available;
66 requiring naming requirements; providing for
67 injunctions and fines for violations; providing for
68 public safety answering points; providing for
69 certification; providing qualification and training
70 requirements; prohibiting contracting for services;
71 providing exceptions; authorizing interlocal
72 agreements for services; creating s. 30.001, F.S.;
73 providing that a county's sheriff shall serve as the
74 law enforcement division of the county's public safety
75 department; amending s. 30.49, F.S.; revising

76 requirements for proposed budgets for county sheriffs;
 77 requiring sheriffs to provide additional information
 78 when requested; deleting provisions relating to
 79 budgeting decision appeals by petition; amending ss.
 80 316.008 and 316.640, F.S.; conforming provisions to
 81 changes made by the act; providing effective dates.
 82

83 Be It Enacted by the Legislature of the State of Florida:
 84

85 Section 1. This act may be cited as the "Public Safety
 86 Innovation Act."

87 Section 2. Subsection (5) of section 943.10, Florida
 88 Statutes, is amended to read:

89 943.10 Definitions; ss. 943.085-943.255.—The following
 90 words and phrases as used in ss. 943.085-943.255 are defined as
 91 follows:

92 (5) "Commission" means the Public Safety Standards,
 93 Training, and Accreditation ~~Criminal Justice Standards and~~
 94 ~~Training~~ Commission.

95 Section 3. Effective upon this act becoming a law, section
 96 943.11, Florida Statutes, is amended to read:

97 943.11 Public Safety Standards, Training, and Accreditation
 98 ~~Criminal Justice Standards and Training~~ Commission; membership;
 99 meetings; compensation.—

100 (1) (a) There is created a Public Safety Standards,

101 Training, and Accreditation ~~Criminal Justice Standards and~~
102 Training Commission which shall be an independent public body
103 ~~within the Department of Law Enforcement.~~ The commission shall
104 be composed of 19 members, consisting of two members appointed
105 by the Secretary of Corrections or a designated assistant; the
106 Attorney General ~~or a designee;~~ ~~the Director of the Division of~~
107 ~~the Florida Highway Patrol;~~ and four ~~16~~ members appointed by the
108 Governor, consisting of four law enforcement officers from any
109 local law enforcement agency of the rank lieutenant or higher;
110 six members appointed by the Florida Mental Health Counselors
111 Association, consisting of two persons holding state licenses in
112 mental health counseling, two persons holding state licenses in
113 clinical social work, and two persons holding state licenses in
114 marriage and family therapy; two members appointed by the
115 America Civil Liberties Union of Florida; two members appointed
116 by the NAACP Florida State Conference, neither of whom may be
117 current or former law enforcement or corrections officers; one
118 member appointed by the Florida Association of Counties, which
119 member may not be a current or former law enforcement or
120 corrections officer; one member appointed by the Florida League
121 of Cities, which member may not be a current or former law
122 enforcement or corrections officer; and one member appointed by
123 the Florida Legislative Black Caucus ~~3 sheriffs;~~ ~~3 chiefs of~~
124 ~~police;~~ ~~5 law enforcement officers who are of the rank of~~
125 ~~sergeant or below within the employing agency;~~ ~~2 correctional~~

126 ~~officers, 1 of whom is an administrator of a state correctional~~
127 ~~institution and 1 of whom is of the rank of sergeant or below~~
128 ~~within the employing agency; 1 training center director; 1~~
129 ~~person who is in charge of a county correctional institution;~~
130 ~~and 1 resident of the state who falls into none of the foregoing~~
131 ~~classifications. Prior to the appointment, the sheriff, chief of~~
132 ~~police, law enforcement officer, and correctional officer~~
133 ~~members must have had at least 4 years' experience as law~~
134 ~~enforcement officers or correctional officers.~~

135 (b) The Governor, in making appointments under this
136 section, shall take into consideration representation by
137 geography, population, and other relevant factors in order that
138 the representation on the commission be apportioned to give
139 representation to the state at large rather than to a particular
140 area. Of the appointed members, and except for correctional
141 officers of a state institution, there may be only one
142 appointment from any employing agency.

143 ~~1. In appointing the three sheriffs, the Governor shall~~
144 ~~choose each appointment from a list of six nominees submitted by~~
145 ~~the Florida Sheriffs Association. The Florida Sheriffs~~
146 ~~Association shall submit its list of six nominees at least 3~~
147 ~~months before the expiration of the term of any sheriff member.~~

148 ~~2. In appointing the three chiefs of police, the Governor~~
149 ~~shall choose each appointment from a list of six nominees~~
150 ~~submitted by the Florida Police Chiefs Association. The Florida~~

151 ~~Police Chiefs Association shall submit its list of six nominees~~
152 ~~at least 3 months before the expiration of the term of any~~
153 ~~police chief member.~~

154 ~~3. In appointing the five law enforcement officers and one~~
155 ~~correctional officer of the rank of sergeant or below, the~~
156 ~~Governor shall choose each appointment from a list of six~~
157 ~~nominees submitted by a committee comprised of three members of~~
158 ~~the collective bargaining agent for the largest number of~~
159 ~~certified law enforcement bargaining units, two members of the~~
160 ~~collective bargaining agent for the second largest number of~~
161 ~~certified law enforcement bargaining units, and one member of~~
162 ~~the collective bargaining agent representing the largest number~~
163 ~~of state law enforcement officers in certified law enforcement~~
164 ~~bargaining units. At least one of the names submitted for each~~
165 ~~of the five appointments who are law enforcement officers must~~
166 ~~be an officer who is not in a collective bargaining unit.~~

167 ~~(c) Members of the Public Safety Standards, Training, and~~
168 ~~Accreditation Commission appointed by the Governor shall be~~
169 ~~appointed for terms of 4 years, and no member shall serve beyond~~
170 ~~the time he or she ceases to hold the office, or employment, or~~
171 ~~professional license by reason of which the member was eligible~~
172 ~~for appointment to the commission. Any member appointed to fill~~
173 ~~a vacancy occurring because of death, resignation, or~~
174 ~~ineligibility for membership shall serve only for the unexpired~~
175 ~~term of his or her predecessor. A member may not be appointed~~

176 more than three times consecutively, or serve more than 12
177 consecutive years.

178 (d) Each member appointed by the Governor shall be
179 accountable to the Governor for the proper performance of the
180 duties of his or her office. The Governor may remove from office
181 any such member for malfeasance, misfeasance, neglect of duty,
182 incompetence, or permanent inability to perform official duties
183 or for pleading guilty or nolo contendere to, or being found
184 guilty of, a felony.

185 (e) Membership on the commission shall be construed as an
186 extension of the duties of the office by which the member was
187 appointed to the commission. Membership on the commission does
188 not disqualify a member from holding any other public office or
189 being employed by a public entity, except that no member of the
190 Legislature shall serve on the commission. The Legislature finds
191 that the commission serves a state, county, and municipal
192 purpose and that service on the commission is consistent with a
193 member's principal service in a public office or employment.

194 (f) Members of the commission shall serve without
195 compensation but shall be entitled to be reimbursed for per diem
196 and travel expenses as provided by s. 112.061.

197 (2) The commission shall annually elect its chair and
198 other officers. The commission shall hold at least one regular
199 meeting each month. In addition to monthly regular meetings, the
200 commission may meet ~~four regular meetings each year~~ at the call

201 of the chair or upon the written request of three members of the
202 commission. A majority of the members of the commission
203 constitutes a quorum.

204 (3) The Department of Legal Affairs shall serve as legal
205 counsel to the commission at the request of the commission, or
206 the commission may hire its own counsel.

207 (4) The Legislature shall annually appropriate funds
208 sufficient for the commission to operate and conduct its
209 business.

210 (5) The commission may seek Legislative authority to
211 charge fees for its accreditation services.

212 Section 4. The implementation of the changes to the
213 composition of the Public Safety Standards, Training, and
214 Accreditation Commission required by the amendments to s.
215 943.11, Florida Statutes, made by this act must be completed no
216 later than July 1, 2021.

217 Section 5. The Division of Law Revision is directed to
218 prepare a reviser's bill for the 2022 Regular Session of the
219 Legislature to:

220 (1) Redesignate the Criminal Justice Standards and
221 Training Commission as the "Public Safety Standards, Training,
222 and Accreditation Commission" wherever that term appears in the
223 Florida Statutes.

224 (2) Correct any cross-references in the Florida Statutes
225 that need revision due to the changes made by this act.

226 Section 6. Chapter 953, Florida Statutes, consisting of
 227 ss. 953.101-953.111, is created to read:

228 CHAPTER 953

229 PUBLIC SAFETY DEPARTMENTS

230 953.101 Public safety departments.—

231 (1) No later than July 1, 2023, each city and county shall
 232 establish and organize, within its government a department to be
 233 known as the "Public Safety Department."

234 (2) Each municipal public safety department must
 235 establish, within that department, distinct operational
 236 divisions devoted to the following public safety functions:

- 237 (a) Law enforcement.
- 238 (b) Traffic enforcement.
- 239 (c) Crisis response and intervention.
- 240 (d) Emergency call answering and dispatch.

241 (3) The public safety department of each county must
 242 establish within that department operational divisions devoted
 243 to the following public safety functions:

- 244 (a) Traffic enforcement.
- 245 (b) Crisis response and intervention.
- 246 (c) Emergency call answering and dispatch.

247 (4) (a) Each traffic enforcement division shall be
 248 responsible for monitoring vehicular and pedestrian traffic,
 249 enforcing applicable state and local traffic laws, and
 250 investigating vehicular crashes. The division shall employ

251 persons to be known as "traffic monitors" to carry out the
252 responsibilities of the division.

253 (b) Each crisis response and intervention division shall
254 be responsible for initiating contact with members of the public
255 in circumstances specified in s. 953.106(1). Crisis response and
256 intervention divisions shall employ persons to be known as
257 "crisis responders," or alternatively as "crisis interveners,"
258 to carry out the primary responsibilities of the division. In
259 the field, crisis responders shall work in teams to carry out to
260 the responsibilities of their employing division. The teams
261 shall be known as "crisis response and intervention teams."

262 (5) Each public safety department and each division
263 thereof, must seek and obtain accreditation from the Public
264 Safety Standards, Training, and Accreditation Commission.

265 953.102 Law enforcement officers prohibited from
266 initiating traffic stops; exceptions; assistance provided to
267 traffic monitors.-

268 (1) Except as provided in subsection (2), a law
269 enforcement officer may not initiate a traffic stop for moving
270 infractions.

271 (2) A law enforcement officer may initiate a traffic stop
272 only if the officer:

273 (a) Has knowledge that the driver or passenger of the
274 vehicle that he or she is stopping, has an outstanding felony
275 warrant, and the warrant is for a violent offense listed in s.

276 775.084(1)(b)1.

277 (b) Has proof that the driver or passenger is involved in
278 an ongoing, nontraffic-related felony, the vehicle accurately
279 matches the description of a suspect vehicle in a felony
280 offense, or the vehicle is a stolen vehicle.

281 (c) Observes the driver committing one of the following:

282 1. Reckless driving as defined in s. 316.192(1)(a).

283 2. Racing.

284 3. Speeding in excess of 30 mph of the posted speed limit.

285 4. Driving under the influence.

286 (3) A law enforcement officer may assist a traffic monitor
287 in traffic stop but only if such officer is asked to assist by
288 the traffic monitor, in accordance with other provisions of this
289 chapter or rules created by the public safety commission.

290 (4) If a law enforcement officer happens upon an accident
291 scene involving a vehicle, he or she may secure the scene, and
292 then call for assistance from the traffic enforcement division
293 or paramedics. If no one is injured, and if there's no evidence
294 that the crash involved any kind of criminal act, then the
295 officer shall give a written statement of his or her
296 observations to the traffic monitor when he or she arrives, and
297 then the officer shall leave the scene.

298 (5) The public safety commission shall, by rule, create
299 standards and training for new and current law enforcement
300 officers to implement the standards specified in this chapter.

301 953.103 Traffic monitors.-

302 (1) A traffic monitor employed by a traffic enforcement
303 division of a municipal or county public safety agency may a
304 traffic initiate stop for any moving violation that he or she
305 observes and may issue citations for any such violation.

306 (2) A person must be certified by the Public Safety
307 Standards, Training, and Accreditation Commission in order to be
308 employed by any agency as a traffic monitor. To be certified by
309 the Public Safety Commission as traffic monitor, a person must:

310 (a) Be at least 19 years old.

311 (b) Be a high school graduate, or its equivalent as
312 defined by the commission.

313 (c) Not have been convicted of any felony or of a
314 misdemeanor involving perjury or a false statement, or have
315 received a dishonorable discharge from any of the Armed Forces
316 of the United States. Any person who has pleaded guilty or nolo
317 contendere to or has been found guilty of any felony or of a
318 misdemeanor involving perjury or a false statement is not
319 eligible for certification as a traffic monitor, notwithstanding
320 suspension of sentence or withholding of adjudication.

321 Notwithstanding this subsection, any person who has pleaded nolo
322 contendere to a misdemeanor involving a false statement, and has
323 had such record sealed or expunged shall not be deemed
324 ineligible for employment or appointment as a traffic monitor.

325 (d) Have good moral character as determined by a history

326 investigation under procedures established by the commission.

327 (e) Execute and submit to the employing governmental
328 entity an affidavit-of-applicant form, adopted by the
329 commission, attesting to his or her compliance with paragraphs
330 (a) through (d). The affidavit shall be executed under oath and
331 constitutes an official statement within the purview of s.
332 837.06. The affidavit shall include conspicuous language that
333 the intentional false execution of the affidavit constitutes a
334 misdemeanor of the second degree. The affidavit shall be
335 retained by the employing agency.

336 (f) Complete a commission-approved basic training program
337 for new recruits as traffic monitors and achieve an acceptable
338 score on the traffic monitor certification exam.

339 (3) The public safety commission shall create standards
340 and a curriculum for the basic training of new traffic monitors
341 as well as a certification exam for new traffic monitors. The
342 basic training standards and the certification exam must cover
343 at least the following content areas:

344 (a) Traffic laws and citation issuance procedures.

345 (b) When and how to coordinate on a scene with armed law
346 enforcement officers as well as crisis responders.

347 (c) Violence prevention, verbal deescalation tactics, and
348 self-defense. The training must put emphasis on these situations
349 and how to deal with uncooperative and belligerent individuals.

350 (d) Identifying DUI drivers and handling DUI driving

351 situations.

352 (e) Conducting accident investigations.

353 (f) Implicit bias, procedural justice, and civil rights
354 law.

355 (g) The use of automated traffic enforcement technology.

356 (4) The public safety commission shall, by rule, adopt a
357 program that requires all traffic monitors, as a condition of
358 continued employment, to receive periodic commission-approved
359 continuing training or education. Such continuing training or
360 education shall be required at a rate of 40 hours annually. A
361 traffic monitor may not be denied a reasonable opportunity by
362 the employing agency to comply with this continuing education
363 requirement. The employing agency must document that the
364 continuing training or education is job-related and consistent
365 with the needs of the employing agency. The employing agency
366 must maintain and submit, or electronically transmit, the
367 documentation to the commission, in a format approved by the
368 public safety commission. The continuing education program
369 devised by the public safety commission must address at least
370 the following areas:

371 (a) Traffic laws and citation issuance procedures.

372 (b) When and how to coordinate on a scene with armed law
373 enforcement officers as well as crisis responders.

374 (c) Violence prevention, verbal deescalation tactics, and
375 self-defense. The training must put emphasis on these situations

376 and how to deal with uncooperative and belligerent individuals.

377 (d) Identifying DUI drivers and handling DUI driving
378 situations.

379 (e) Conducting accident investigations.

380 (f) Implicit bias, procedural justice, and civil rights
381 law.

382 (g) The use of automated traffic enforcement technology.

383 (5) A traffic monitor may request the assistance of law
384 enforcement in initiating or conducting a traffic stop only in
385 the following circumstances:

386 (a) If he or she as a reasonable suspicion that the driver
387 is in the process of committing a nontraffic-related, felony
388 criminal act involving violence or an imminent threat of
389 violence.

390 (b) If the driver is physically violent toward the monitor
391 and deescalation has failed or the situation is such that a
392 reasonable person would conclude that deescalation would be
393 futile.

394 (c) If the driver has hit a person or property.

395 (6) A traffic monitor may conduct a DUI investigation if
396 he or she has a reasonable suspicion that the driver is under
397 the influence.

398 (7) Each traffic enforcement division must equip each
399 monitor with a body camera and their vehicles with dashboard
400 cameras and must require these cameras to be turned on upon the

401 initiation of a traffic stop. Traffic monitors should be trained
402 to notify the driver that they are being recorded.

403 (8) Traffic monitors have the primary responsibility for
404 conducting accident investigations.

405 (9) If a driver refuses to stop or flees after stopping,
406 and has not committed an offense described in subsection (5),
407 then the traffic monitor may not chase the driver. The vehicle
408 owner is subject to 5 times the amount of the original fine for
409 the violation.

410 (a) A traffic monitor may only chase a driver, if, based
411 on his or her observations, he or she has reasonable suspicion
412 that the driver or a person in the vehicle has committed an
413 offense described in subsection (5).

414 (b) While a monitor is engaged in a chase under paragraph
415 (a), he or she shall call for assistance from law enforcement.

416 (10) (a) Traffic monitors may ask for documentation needed
417 for the purpose of enforcing motor vehicle laws, including
418 license, registration, and proof of insurance.

419 (b) Traffic monitors may not detain, search, or arrest an
420 individual; or conduct criminal investigations except for DUI
421 investigations and investigations necessary to ascertain whether
422 a driver or vehicle occupant has committed an offense as
423 described in paragraph (5) (a) or paragraph (5) (c).

424 (c) Traffic monitors may not run criminal history checks.
425 Traffic monitors and the traffic enforcement agencies they are

426 employed by may not obtain access to criminal history data
427 except for data needed to determine whether someone has
428 previously had a DUI or has committed an offense described in
429 subsection (5).

430 (d) Traffic monitors may not request assistance from the
431 law enforcement officers except as provided for in paragraphs
432 subsection (5).

433 (11) The Public Safety Standards, Training, and
434 Accreditation Commission shall, by rule, adopt standards and
435 guidance for local traffic enforcement divisions to ensure that
436 the vehicles driven by traffic monitors, as well their uniforms,
437 are unique and distinct from law enforcement vehicles and
438 uniforms such that civilians can quickly and clearly distinguish
439 traffic monitors from law enforcement officers. Traffic monitors
440 shall identify themselves as traffic monitors, not as law
441 enforcement officers, when interacting with the public.

442 (12) Traffic monitors may not be carry firearms, but they
443 may be armed with dart-firing stun guns or mace, which may be
444 used only in self-defense or in the defense of another person in
445 accordance with training standards created by the public safety
446 commission.

447 (13) A person who is employed as a law enforcement officer
448 may not also be employed as a traffic monitor.

449 953.104 Traffic enforcement divisions.—

450 (1) Traffic enforcement divisions shall operate

451 independently of law enforcement agencies.

452 (2) Traffic enforcement divisions must collect certain
453 data and publish data quarterly. The data collected by the
454 divisions must include at least the following:

455 (a) Demographic characteristics of stopped drivers,
456 characteristics such as race, gender, and age.

457 (b) The basis for each stop.

458 (c) The location of each stop.

459 (d) The disposition of each stop.

460 (e) Whether and why traffic monitors requested assistance
461 from law enforcement, and what happened thereafter.

462 (3) Funds resulting from payment of citations made by
463 traffic monitors, other than funds statutorily to be provided to
464 clerks of court, shall be placed in their own account by the
465 local government whose employee issued the citation. The funds
466 may only be spent on public transit or on pedestrian or cycling
467 safety infrastructure.

468 (4) Traffic enforcement divisions may not require traffic
469 monitors to meet citation quotas. Supervisors are prohibited
470 from favorably or unfavorably evaluating traffic monitors based
471 on how many or how few citations they issue.

472 (5) Supervisors of traffic monitors must review, at least
473 semiannually, the data from subsection (2) for each traffic
474 monitor under their supervision to identify and address possible
475 instances of racial profiling or unequal and inequitable traffic

476 enforcement patterns, including stops on the basis of race, sex
477 or gender, age, and geographic area.

478 (6) (a) A traffic enforcement division may establish
479 qualifications and standards for employment, appointment,
480 training, or promotions of traffic monitors that exceed the
481 minimum requirements set by this chapter or the public safety
482 commission.

483 (b) The qualifications of a traffic enforcement division
484 that exceed the minimum employment or basic training course
485 established by the commission shall be recognized by the public
486 safety commission.

487 (7) (a) Each local government entity with a public safety
488 agency and a traffic enforcement division within that agency
489 must seek and obtain accreditation of that agency with the
490 public safety standards, training, and accreditation commission.

491 (b) The public safety commission shall, by rule, adopt an
492 accreditation program for all traffic enforcement divisions
493 within local government public safety departments. The
494 accreditation program shall adopt by rule, policies for the
495 traffic monitors, including policies to ensure that the traffic
496 enforcement division is independent of law enforcement influence
497 and that there is proof that the training is used in the field
498 and the policies and written directives are being followed.

499 (c)1. All the written policies and directives required by
500 paragraph (b) shall be adopted in effect no later than July 1,

501 2023. Each traffic enforcement division must obtain a
502 certification, indicating that its written policies and
503 directives are in compliance with the rules promulgated by the
504 public safety commission before they may take effect.

505 2. Given that proof of compliance and fidelity to the
506 written policies and directives is need to gain accreditation,
507 each traffic enforcement division will have until July 1, 2024,
508 to acquire the proofs necessary for full accreditation.

509 3. After July 1, 2024, each traffic enforcement division
510 shall be reaccredited every 2 years.

511 (8) (a) Except as provided in paragraph (b), traffic
512 divisions, or the local governments under which they exist, may
513 not contract with a private entity for any of the traffic
514 enforcement functions described in this chapter. Traffic
515 monitors must be public employees, and any automated traffic
516 enforcement technology must be overseen and used by public
517 employees.

518 (b) Nonmonitoring services, including accounting, legal
519 work, cleaning, and information technology services may be
520 contracted with private entities.

521 (9) Local governments may agree to perform traffic
522 monitoring at a regional level by interlocal agreement, whereby
523 one local government contracts with another local government so
524 as to allow that local government to perform traffic enforcement
525 in their area.

526 | 953.105 Traffic enforcement training schools.-

527 | (1) Each traffic enforcement training school approved by
 528 | the public safety commission shall obtain from the commission a
 529 | certificate of compliance, with rules of the commission, signed
 530 | by the chair of the commission.

531 | (2) Any certificate or diploma issued by any traffic
 532 | enforcement training school which relates to completion,
 533 | graduation, or attendance in traffic enforcement training or
 534 | educational subjects, or related matters, must be approved by
 535 | commission staff in the department's public safety
 536 | professionalism program.

537 | (3) The commission shall establish, by rule, procedures
 538 | for the certification and discipline of all instructors in any
 539 | traffic enforcement training school.

540 | (4) Before the issuance of a certificate of compliance, or
 541 | as a condition of continuing certification, all records of any
 542 | traffic enforcement training school that relate to training and
 543 | all financial and personnel records of the school shall be made
 544 | available to the commission upon request.

545 | (5) A private traffic enforcement training school may not
 546 | include within its name the word "commission," "bureau," or
 547 | "division" together with the word "Florida" or "state," the name
 548 | of any county or municipality, or any misleading derivative
 549 | thereof which might be construed to represent a government
 550 | agency or an entity authorized by a government agency.

551 (6) If a traffic enforcement training school or person
552 violates this section, or any rule adopted of the department
553 implementing this section, the Department of Legal Affairs, at
554 the request of the chair of the public safety commission, shall
555 apply to the circuit court in the county in which the violation
556 or violations occurred for injunctive relief prohibiting the
557 traffic enforcement training school or person from operating
558 contrary to this section.

559 (7) (a) In addition to any injunctive relief available
560 under subsection (6). The commission may impose a civil fine
561 upon any traffic enforcement training school or person who
562 violates subsection (1) or subsection (5), or any rule
563 implementing them, of up to \$10,000 for each violation. The
564 commission may impose a civil fine upon any traffic enforcement
565 training school or person who violates subsection (2),
566 subsection (3), or subsection (4), or any rule adopted
567 implementing them, of up to \$1,000 for each violation.

568 (b) A proceeding under this paragraph shall comply with
569 chapter 120, and the final order of the commission constitutes
570 final agency action for the purposes of chapter 120. When the
571 public safety commission imposes a civil fine and the fine is
572 not paid within a reasonable time, the Department of Legal
573 Affairs, at the request of the chair of the public safety
574 commission, shall bring a civil action under s. 120.69 to
575 recover the fine. The public safety commission and the

576 Department of Legal Affairs are not required to post any bond in
 577 any proceeding herein.

578 953.106 Crisis response and intervention teams.-

579 (1) Crisis response and intervention teams are responsible
 580 for responding to and initiating contact with members of the
 581 public in the circumstances specified in this subsection, and
 582 law enforcement officers may not initiate contact with a member
 583 of public under these circumstances. The public safety
 584 commission shall, by rule, implement this section to provide a
 585 clear understanding of such circumstances. A law enforcement
 586 officer may not initiate contact with a member of the public in
 587 situations of:

588 (a) Attempted or threatened suicide, if the person is
 589 medically stabilized and there is no threat of immediate harm.

590 (b) Encountering:

591 1. A mentally ill person, if the person is not violent.

592 2. Drug use, including drug overdoses.

593 3. Public intoxication or public drinking.

594 4. Trespassing and loitering.

595 5. An injured person, if the person is not in need of
 596 immediate first aid.

597 (2) This section does not prevent a law enforcement
 598 officer from responding and initiating contact in a situation
 599 listed in this subsection, but, if a situation combines elements
 600 from either paragraph (1) (a) or paragraph (1) (b), as well as

601 elements of this subsection, then a crisis response and
602 intervention team must respond with a law enforcement officer in
603 the following circumstances:

604 (a) Calls requiring immediate medical attention.

605 (b) Calls involving a person using or brandishing a gun,
606 knife, or weapon, especially when there is a credible threat of
607 violence.

608 (c) Calls involving physical domestic abuse and assault or
609 battery.

610 (d) A call involving a reportedly violent individual other
611 than a threatened or attempted suicide.

612 (3) Crisis response and intervention teams must also be
613 dispatched to domestic abuse and assault and battery scenes, at
614 which scenes, law enforcement officers are to take direction
615 from the crisis response and intervention team.

616 (4) Law enforcement officers may provide support and
617 assistance to crisis teams in cases described in subsection (1),
618 but only if they are asked by a crisis intervention team leader
619 to provide that assistance and support. When on the scene at the
620 request of a crisis response and intervention team, the law
621 enforcement officers must take direction from the leader of that
622 crisis response and intervention team.

623 (5) Crisis response and intervention teams may not request
624 support from a law enforcement officer at the discretion of a
625 team leader except in limited circumstances. The public safety

626 commission shall, by rule, implement this section to provide a
627 clear understanding of such circumstances.

628 (a) Crisis response and intervention teams may request the
629 assistance of law enforcement if they have a reasonable
630 suspicion that a person is in the process of committing a felony
631 criminal offense involving violence or an imminent threat of
632 violence, including kidnapping, aggravated battery or assault,
633 child neglect or abuse, or human trafficking.

634 (b) A crisis response and intervention team may request
635 the assistance of law enforcement if the person is physically
636 violent and deescalation has failed or the situation is such
637 that a reasonable person would conclude that deescalation would
638 be futile.

639 (6) The employers of crisis response and intervention
640 teams shall equip team members with body-worn cameras and other
641 mobile video devices, and must require these cameras to be
642 turned on upon initiating contact with a member of the public.
643 Crisis responders shall be trained to notify the members of the
644 public that they are being recorded.

645 (7) In responding to a call, as long as the behavior or
646 condition of the person of concern gave rise to the call is not
647 violent or making credible threats of violence under subsection
648 (5), the role and function of the crisis response and
649 intervention team is to provide the following services:

650 (a) On-site evaluation of the person of concern.

651 (b) Crisis intervention and brief counseling services.

652 (c) Linkage and referral.

653 (d) Follow-up as needed to promote crisis resolution.

654 (e) Evaluation and arrangement for inpatient

655 hospitalization, as needed.

656 (f) Deescalation of situations that have the potential to
 657 endanger the safety of the public.

658 953.107 Training and certification of crisis responders.-

659 (1) A person must be certified by the Public Safety
 660 Standards, Training, and Accreditation Commission in order to be
 661 employed by any agency to work on a crisis response and
 662 intervention team. To be certified by the Public Safety
 663 Commission to work on a crisis response and intervention team, a
 664 person must:

665 (a) Be at least 25 years old.

666 (b) Have a Florida license in mental health counseling,
 667 clinical social work, or marriage and family therapy.

668 (c) Not have been convicted of any felony or of a
 669 misdemeanor involving perjury or a false statement, or have
 670 received a dishonorable discharge from any of the Armed Forces
 671 of the United States. Any person who has pleaded guilty or nolo
 672 contendere to or has been found guilty of any felony or of a
 673 misdemeanor involving perjury or a false statement is not
 674 eligible for certification to work on a crisis response and
 675 intervention team, notwithstanding suspension of sentence or

676 withholding of adjudication. Notwithstanding this subsection,
677 any person who has pleaded nolo contendere to a misdemeanor
678 involving a false statement, and has had such record sealed or
679 expunged shall not be deemed ineligible for employment or
680 appointment as crisis intervener.

681 (d) Have good moral character as determined by a history
682 investigation under procedures established by the commission.

683 (e) Execute and submit to the employing governmental
684 entity an affidavit-of-applicant form, adopted by the
685 commission, attesting to his or her compliance with paragraph
686 (a) through (d). The affidavit shall be executed under oath and
687 constitutes an official statement within the purview of s.
688 837.06. The affidavit shall include conspicuous language that
689 the intentional false execution of the affidavit constitutes a
690 misdemeanor of the second degree. The affidavit shall be
691 retained by the employing agency.

692 (f) Complete a commission-approved basic training program
693 for new crisis responder recruits and achieve an acceptable
694 score on the crisis response and intervention certification
695 exam.

696 (2) The public safety commission shall create standards
697 and curriculum for the basic training of new crisis responder
698 recruits as well as a certification exam for new crisis
699 responder recruits. The basic training standards and the
700 certification exam must cover at least the following content

701 areas:

702 (a) When and how to coordinate on a scene with armed law
703 enforcement officers as well as traffic monitors.

704 (b) Violence prevention, verbal deescalation tactics, and
705 self-defense. The training must put emphasis on these situations
706 and how to deal with uncooperative and belligerent individuals.

707 (c) Intervention techniques, counseling, and short-term
708 therapy.

709 (d) Implicit bias, procedural justice, and civil rights
710 law.

711 (3) Comply with the continuing training and education
712 requirements of the public safety commission.

713 (4) The commission shall, by rule, require all persons
714 working on crisis response and intervention teams, as a
715 condition of continued employment, to receive periodic
716 commission-approved continuing training or education. Such
717 continuing training or education shall be required at a rate of
718 40 hours annually. Crisis responders may not be denied a
719 reasonable opportunity by the employing agency to comply with
720 this continuing education requirement. The employing agency must
721 document that the continuing training or education is job-
722 related and consistent with the needs of the employing agency.
723 The employing agency must maintain and submit, or electronically
724 transmit, the documentation to the commission, in a format
725 approved by the public safety commission. The continuing

726 education program devised by the public safety commission must
727 address at least the following areas:

728 (a) When and how to coordinate on a scene with armed law
729 enforcement officers as well as traffic monitors.

730 (b) Violence prevention, verbal deescalation tactics, and
731 self-defense. The training must put emphasis on these situations
732 and how to deal with uncooperative and belligerent individuals.

733 (c) Intervention techniques, counseling, and short-term
734 therapy.

735 (d) Implicit bias, procedural justice, and civil rights
736 law.

737 (5) The Public Safety Standards, Training, and
738 Accreditation Commission shall, by rule, adopt standards and
739 guidance for local crisis response and intervention divisions to
740 ensure the vehicles driven by traffic monitors, as well their
741 uniforms, are unique and distinct from law enforcement vehicles
742 and uniforms such that civilians can quickly and clearly
743 distinguish crisis responders from law enforcement officers.
744 People working as crisis interveners are to identify themselves
745 as such, not as law enforcement officers, when dealing with the
746 public.

747 (6) A crisis responder may not carry firearms, but they
748 may be armed with dart-firing stun guns or mace, which may be
749 used only in self-defense or in the defense of another person in
750 accordance with training standards created by the public safety

751 commission.

752 (7) A person who is employed as a law enforcement officer
753 may not also be employed as a crisis responder.

754 953.108 Crisis response and intervention divisions.—

755 (1) Crisis response and intervention divisions are to
756 operate independently of law enforcement agencies.

757 (2) Crisis response and intervention divisions must
758 collect certain data and publish data quarterly. Such data must
759 include at least the following:

760 (a) Demographic characteristics of persons they interact
761 with, including characteristics such as race, gender, and age.

762 (b) The bases for each interaction.

763 (c) Whenever possible, the demographics of the persons who
764 made the emergency call to which crisis responders were
765 dispatched.

766 (d) Location of the intervention.

767 (e) The disposition of each intervention.

768 (f) Whether and why crisis interveners requested
769 assistance from law enforcement, and what happened thereafter.

770 (3) Supervisors at crisis response and intervention
771 divisions must review, at least semiannually, the data from
772 subsection (2) for each crisis interveners under their
773 supervision in order to identify and address possible instances
774 of racial profiling or unequal patterns of conduct, including
775 conduct based on race, sex or gender, age, or geographic area.

776 (4) Establishment of qualifications and standards stricter
777 than the minimum set by the public safety commission:

778 (a) A crisis response and intervention division may
779 establish qualifications and standards for employment,
780 appointment, training, or promotions of crisis interveners that
781 exceed the minimum requirements set by this chapter or by the
782 public safety commission.

783 (b) The qualifications of a crisis response and
784 intervention division that exceed the minimum employment or
785 basic training course established by the commission are binding
786 on individuals it affects, and shall be recognized by the public
787 safety commission.

788 (5) (a) Every local government entity with a public safety
789 agency and a crisis response and intervention division within
790 that agency must seek and obtain accreditation of that agency
791 with the public safety standards, training, and accreditation
792 commission.

793 (b) The public safety commission shall, by rule, adopt an
794 accreditation program for all crisis response and intervention
795 divisions within local government public safety departments. The
796 accreditation program shall adopt, by rule, policies for the
797 crisis responders, including policies to ensure that the crisis
798 response and intervention division is independent of law
799 enforcement influence and that there is proof that the training
800 is used in the field and the policies and written directives are

801 being followed.

802 (c)1. All the written policies and directives required by
803 paragraph (b) shall be adopted in effect no later than July 1,
804 2023. Each crisis response and intervention division must obtain
805 a certification, indicating that its written policies and
806 directives are in compliance with the rules promulgated by the
807 public safety commission before they may take effect.

808 2. Given that proof of compliance and fidelity to the
809 written policies and directives is need to gain accreditation,
810 each crisis response and intervention division will have until
811 July 1, 2024, to acquire the proofs necessary for full
812 accreditation.

813 3. After July 1, 2024, each crisis response and
814 intervention division shall be reaccredited every 2 years.

815 (6) (a) Except as provided in paragraph (b), crisis
816 response and intervention divisions, or the local governments
817 under which they exist, may not contract with private entities
818 for any of the crisis response and intervention functions as
819 described in this chapter. The crisis responders must be public
820 employees.

821 (b) Noncrisis-intervention for, including accounting,
822 legal work, cleaning, and information technology services may be
823 contracted for with private entities.

824 (7) Local governments may agree to perform crisis response
825 and intervention at a regional level by interlocal agreement,

826 whereby one local government contracts with another local
827 government so as to allow that local government to perform
828 crisis response and intervention in their area.

829 953.109 Crisis response and intervention training
830 schools.-

831 (1) Each crisis response and intervention training school
832 approved by the public safety commission shall obtain from the
833 commission a certificate of compliance with rules of the
834 commission, signed by the chair of the commission.

835 (2) Any certificate or diploma issued by any crisis
836 response and intervention training school which relates to
837 completion, graduation, or attendance in crisis response and
838 intervention training or educational subjects, or related
839 matters, must be approved by commission staff in the
840 department's public safety professionalism program.

841 (3) The commission shall establish, by rule, procedures
842 for the certification and discipline of all instructors in any
843 crisis responder training school.

844 (4) Before the issuance of a certificate of compliance, or
845 as a condition of continuing certification, all records of any
846 crisis response and intervention training school that relate to
847 training and all financial and personnel records of the school
848 shall be made available to the commission upon request.

849 (5) A private crisis response and intervention training
850 school may not include within its name the word "commission,"

851 "bureau," or "division" together with the word "Florida" or
852 "state," the name of any county or municipality, or any
853 misleading derivative thereof which might be construed to
854 represent a government agency or an entity authorized by a
855 government agency.

856 (6) If a crisis response and intervention training school
857 or person violates this section, or any rule adopted pursuant
858 hereto, the Department of Legal Affairs, at the request of the
859 chair of the public safety commission, shall apply to the
860 circuit court in the county in which the violation or violations
861 occurred for injunctive relief prohibiting the crisis response
862 and intervention training school or person from operating
863 contrary to this section.

864 (7) (a) In addition to any injunctive relief available
865 under subsection (6), the commission may impose a civil fine
866 upon any crisis response and intervention training school or
867 person who violates subsection (1) or subsection (5), or any
868 rule implementing them, of up to \$10,000 for each violation. The
869 commission may impose a civil fine upon any crisis response and
870 intervention training school or person who violates subsection
871 (2), subsection (3), or subsection (4), or any rule implementing
872 them, of up to \$1,000 for each violation.

873 (b) A proceeding under this paragraph shall comply with
874 chapter 120, and the final order of the commission constitutes
875 final agency action for the purposes of chapter 120. When the

876 public safety commission imposes a civil fine and the fine is
877 not paid within a reasonable time, the Department of Legal
878 Affairs, at the request of the chair of the public safety
879 commission, shall bring a civil action under s. 120.69 to
880 recover the fine. The public safety commission and the
881 Department of Legal Affairs are not required to post any bond in
882 any proceeding herein.

883 953.111 Public safety answering points.—

884 (1) A public safety answering point may not be operated by
885 a law enforcement agency.

886 (2) A person must be certified by the Public Safety
887 Standards, Training, and Accreditation Commission in order to
888 work as an emergency dispatcher. To be certified by the Public
889 Safety Commission a person must:

890 (a) Be at least 19 years old.

891 (b) Have a high school diploma or equivalent as determined
892 by the public safety commission.

893 (c) Not have been convicted of any felony or of a
894 misdemeanor involving perjury or a false statement, or have
895 received a dishonorable discharge from any of the Armed Forces
896 of the United States. Any person who has pleaded guilty or nolo
897 contendere to or has been found guilty of any felony or of a
898 misdemeanor involving perjury or a false statement is not
899 eligible for certification to work as an emergency dispatcher,
900 notwithstanding suspension of sentence or withholding of

901 adjudication. Notwithstanding this subsection, any person who
902 has pleaded nolo contendere to a misdemeanor involving a false
903 statement, and has had such record sealed or expunged shall not
904 be deemed ineligible for employment or appointment as an
905 emergency dispatcher.

906 (d) Have good moral character as determined by a history
907 investigation under procedures established by the commission.

908 (e) Execute and submit to the employing governmental
909 entity an affidavit-of-applicant form, adopted by the
910 commission, attesting to his or her compliance with paragraphs
911 (a) through (d). The affidavit shall be executed under oath and
912 constitutes an official statement within the purview of s.
913 837.06. The affidavit shall include conspicuous language that
914 the intentional false execution of the affidavit constitutes a
915 misdemeanor of the second degree. The affidavit shall be
916 retained by the employing agency.

917 (f) Complete a commission-approved basic training program
918 for new emergency dispatcher recruits and achieve an acceptable
919 score on the emergency dispatch certification exam.

920 (3) The public safety commission shall create standards
921 and curriculum for the basic training of new emergency
922 dispatchers as well as a certification exam for new emergency
923 dispatchers. The basic training standards and the certification
924 exam must cover at least the following content areas:

925 (a) Cross disciplinary procedures and protocols.

926 (b) How best to facilitate coordination between law
 927 enforcement, traffic enforcement, and crisis response and
 928 intervention personnel.

929 (c) Implicit bias, procedural justice, and civil rights
 930 law.

931 (4) Comply with the continuing training and education
 932 requirements of the public safety commission.

933 (5) The public safety commission shall, by rule, adopt a
 934 program that requires emergency dispatchers, as a condition of
 935 continued employment in that work, to receive periodic
 936 commission-approved continuing training or education. Such
 937 continuing training or education shall be required at a rate of
 938 40 hours annually. A person working as an emergency dispatcher
 939 may not be denied a reasonable opportunity by the employing
 940 agency to comply with this continuing education requirement. The
 941 employing agency must document that the continuing training or
 942 education is job-related and consistent with the needs of the
 943 employing agency. The employing agency must maintain and submit,
 944 or electronically transmit, the documentation to the commission,
 945 in a format approved by the public safety commission. The
 946 continuing education program devised by the public safety
 947 commission must address at least the following areas:

948 (a) Cross disciplinary procedures and protocols.

949 (b) How best to facilitate coordination between law
 950 enforcement, traffic enforcement, and crisis response and

951 intervention personnel.

952 (c) Implicit bias, procedural justice, and civil rights
953 law.

954 (6) (a) Each local government entity with a public safety
955 agency and an emergency answering and dispatch division within
956 that agency must seek and obtain accreditation of that agency
957 with the public safety standards, training, and accreditation
958 commission.

959 (b) The public safety commission shall, by rule, adopt an
960 accreditation program for all emergency answering and dispatch
961 divisions within local government public safety departments. The
962 accreditation program shall adopt by rule, policies for the
963 traffic monitors, including policies to ensure that the traffic
964 enforcement division is independent of law enforcement influence
965 and that there is proof that the training is used in the field
966 and the policies and written directives are being followed.

967 (c)1. All the written policies and directives required by
968 paragraph (b) shall be adopted in effect no later than July 1,
969 2023. Each emergency answering and dispatch division must obtain
970 a certification, indicating that its written policies and
971 directives are in compliance with the rules promulgated by the
972 public safety commission before they may take effect.

973 2. Given that proof of compliance and fidelity to the
974 written policies and directives is need to gain accreditation,
975 each emergency answering and dispatch division has until July 1,

976 2024, to acquire the proofs necessary for full accreditation.

977 3. After July 1, 2024, each emergency answering and
 978 dispatch division shall be reaccredited every 2 years.

979 (7) (a) Except as provided in paragraph (b), emergency
 980 answering points, or the local governments under which they
 981 exist, may not contract with a private entity for any of the key
 982 emergency dispatch functions.

983 (b) Nonemergency-answering-point services, including
 984 accounting, legal work, cleaning, and information technology
 985 services may be contracted with private entities.

986 (8) The public safety commission must, by rule, create
 987 standards and training for new and currently officers to reflect
 988 the reforms discussed above.

989 Section 7. Section 30.001, Florida Statutes, is created to
 990 read:

991 30.001 Sheriff as part of the public safety department.—
 992 The sheriff of each county sheriff shall serve as the law
 993 enforcement division of the county's public safety department.

994 Section 8. Section 30.49, Florida Statutes, is amended to
 995 read:

996 30.49 Budgets.—

997 (1) Pursuant to s. 129.03(2), each sheriff shall annually
 998 prepare and submit to the board of county commissioners a
 999 proposed budget for carrying out the powers, duties, and
 1000 operations of the office for the next fiscal year. The fiscal

1001 year of the sheriff commences on October 1 and ends September 30
 1002 of each year.

1003 (2) (a) The proposed budget must show the estimated amounts
 1004 of all proposed expenditures for operating and equipping the
 1005 sheriff's office and jail, excluding the cost of construction,
 1006 repair, or capital improvement of county buildings during the
 1007 fiscal year. The expenditures must be categorized at the
 1008 appropriate fund level in accordance with the following
 1009 functional categories:

- 1010 1. General law enforcement.
- 1011 2. Corrections and detention alternative facilities.
- 1012 3. Court services, excluding service of process.

1013 (b) The sheriff shall submit a sworn certificate along
 1014 with the proposed budget stating that the proposed expenditures
 1015 are reasonable and necessary for the proper and efficient
 1016 operation of the office for the next fiscal year.

1017 (c) Within the appropriate fund and functional category,
 1018 expenditures must be itemized at the subobject code level and in
 1019 accordance with the uniform accounting system prescribed by the
 1020 Department of Financial Services, as follows:

- 1021 1. Personnel services.
- 1022 2. Operating expenses.
- 1023 3. Capital outlay.
- 1024 4. Debt service.
- 1025 5. Grants and aids.

1026 | 6. Other uses.

1027 | (d) The sheriff shall submit to the board of county
 1028 | commissioners for consideration and inclusion in the county
 1029 | budget, as deemed appropriate by the county, requests for
 1030 | construction, repair, or capital improvement of county buildings
 1031 | operated or occupied by the sheriff.

1032 | (e) The subobject code level categories for spending shall
 1033 | be those contained in the 2020-2021 uniform accounting system
 1034 | prescribed by the Department of Financial Services. If the
 1035 | department subsequently changes the subobject code level
 1036 | categories for expenditures in a way that would allow the
 1037 | sheriff to provide a less detailed budget, the level of detail
 1038 | prescribed by the 2020-2021 uniform accounting system shall
 1039 | continue to be required.

1040 | (3) The sheriff shall furnish to the board of county
 1041 | commissioners or the budget commission, if there is a budget
 1042 | commission in the county, all relevant and pertinent information
 1043 | concerning expenditures made in previous fiscal years and
 1044 | proposed expenditures which the board or commission deems
 1045 | necessary, including expenditures at the subobject code level in
 1046 | accordance with the uniform accounting system prescribed by the
 1047 | Department of Financial Services. The board of county
 1048 | commissioners or the budget commission, if there is a budget
 1049 | commission in the county, may request additional detail on
 1050 | expenditures within an itemized subobject code level. The

HB 1531

2021

1051 sheriff must provide all additional details requested by the
1052 board or the commission if there is a budget commission in the
1053 county. The board or commission may amend expenditures in the
1054 budget presented by the sheriff at any level of detail. The
1055 ~~board or commission may not amend, modify, increase, or reduce~~
1056 ~~any expenditure at the subobject code level.~~ The board or
1057 commission may not require confidential information concerning
1058 details of investigations which is exempt from s. 119.07(1).

1059 (4) The board of county commissioners or the budget
1060 commission, as appropriate, may require the sheriff to correct
1061 mathematical, mechanical, factual, and clerical errors and
1062 errors as to form in the proposed budget. At the hearings held
1063 pursuant to s. 200.065, the board or commission may amend,
1064 modify, increase, or reduce any or all items of expenditure in
1065 the proposed budget, as certified by the sheriff pursuant to
1066 paragraphs (2)(a)-(c), and shall approve such budget, as
1067 amended, modified, increased, or reduced. The board or
1068 commission must give written notice of its action to the sheriff
1069 and specify in such notice the specific items amended, modified,
1070 increased, or reduced. The budget must include the salaries and
1071 expenses of the sheriff's office, cost of operation of the
1072 county jail, purchase, maintenance and operation of equipment,
1073 including patrol cars, radio systems, transporting prisoners,
1074 court duties, and all other salaries, expenses, equipment, and
1075 investigation expenditures of the entire sheriff's office for

1076 the previous year.

1077 ~~(a) The sheriff, within 30 days after receiving written~~
1078 ~~notice of such action by the board or commission, in person or~~
1079 ~~in his or her office, may file an appeal by petition to the~~
1080 ~~Administration Commission. The petition must set forth the~~
1081 ~~budget proposed by the sheriff, in the form and manner~~
1082 ~~prescribed by the Executive Office of the Governor and approved~~
1083 ~~by the Administration Commission, and the budget as approved by~~
1084 ~~the board of county commissioners or the budget commission and~~
1085 ~~shall contain the reasons or grounds for the appeal. Such~~
1086 ~~petition shall be filed with the Executive Office of the~~
1087 ~~Governor, and a copy served upon the board or commission from~~
1088 ~~the decision of which appeal is taken by delivering the same to~~
1089 ~~the chair or president thereof or to the clerk of the circuit~~
1090 ~~court.~~

1091 ~~(b) The board or commission shall have 5 days following~~
1092 ~~delivery of a copy of such petition to file a reply with the~~
1093 ~~Executive Office of the Governor, and shall deliver a copy of~~
1094 ~~such reply to the sheriff.~~

1095 ~~(5) Upon receipt of the petition, the Executive Office of~~
1096 ~~the Governor shall provide for a budget hearing at which the~~
1097 ~~matters presented in the petition and the reply shall be~~
1098 ~~considered. A report of the findings and recommendations of the~~
1099 ~~Executive Office of the Governor thereon shall be promptly~~
1100 ~~submitted to the Administration Commission, which, within 30~~

HB 1531

2021

1101 ~~days, shall either approve the action of the board or commission~~
1102 ~~as to each separate item, or approve the budget as proposed by~~
1103 ~~the sheriff as to each separate item, or amend or modify the~~
1104 ~~budget as to each separate item within the limits of the~~
1105 ~~proposed board of expenditures and the expenditures as approved~~
1106 ~~by the board of county commissioners or the budget commission,~~
1107 ~~as the case may be. The budget as approved, amended, or modified~~
1108 ~~by the Administration Commission shall be final.~~

1109 (5)~~(6)~~ The board of county commissioners and the budget
1110 commission, if there is a budget commission within the county,
1111 shall include in the county budget the items of proposed
1112 expenditures as set forth in the budget required by this section
1113 to be submitted, after the budget has been reviewed and approved
1114 as provided herein; and the board or commission, as the case may
1115 be, shall include the reserve for contingencies provided herein
1116 for each budget of the sheriff in the reserve for contingencies
1117 in the budget of the appropriate county fund.

1118 (6)~~(7)~~ The reserve for contingencies in the budget of a
1119 sheriff shall be governed by the same provisions governing the
1120 amount and use of the reserve for contingencies appropriated in
1121 the county budget, except that the reserve for contingency in
1122 the budget of the sheriff shall be appropriated upon written
1123 request of the sheriff.

1124 (7)~~(8)~~ The items placed in the budget of the board of
1125 county commissioners pursuant to this section ~~law~~ shall be

1126 subject to the same provisions of law as the county annual
1127 budget; ~~except that no amendments may be made to the~~
1128 ~~appropriations for the sheriff's office except as requested by~~
1129 ~~the sheriff.~~

1130 (8)~~(9)~~ The proposed expenditures in the budget shall be
1131 submitted to the board of county commissioners or budget
1132 commission, if there is a budget commission within the county,
1133 by June 1 each year; and the budget shall be included by the
1134 board or commission, as the case may be, in the budget of either
1135 the general fund or the fine and forfeiture fund, or in part of
1136 each.

1137 (9)~~(10)~~ If in the judgment of the sheriff an emergency
1138 should arise by reason of which the sheriff would be unable to
1139 perform his or her duties without the expenditure of larger
1140 amounts than those provided in the budget, he or she may apply
1141 to the board of county commissioners for the appropriation of
1142 additional amounts. ~~If the board of county commissioners~~
1143 ~~approves the sheriff's request, no further action is required on~~
1144 ~~either party. If the board of county commissioners disapproves a~~
1145 ~~portion or all of the sheriff's request, the sheriff may apply~~
1146 ~~to the Administration Commission for the appropriation of~~
1147 ~~additional amounts. The sheriff shall at the same time deliver a~~
1148 ~~copy of the application to the Administration Commission, the~~
1149 ~~board of county commissioners, and the budget commission, if~~
1150 ~~there is a budget commission within the county. The~~

HB 1531

2021

1151 ~~Administration Commission may require a budget hearing on the~~
1152 ~~application, after due notice to the sheriff and to the boards,~~
1153 ~~and may grant or deny an increase or increases in the~~
1154 ~~appropriations for the sheriff's offices. If any increase is~~
1155 ~~granted, the board of county commissioners, and the budget~~
1156 ~~commission, if there is a budget commission in the county, shall~~
1157 ~~amend accordingly the budget of the appropriate county fund or~~
1158 ~~funds. Such budget shall be brought into balance, if possible,~~
1159 ~~by application of excess receipts in such county fund or funds.~~
1160 ~~If such excess receipts are not available in sufficient amount,~~
1161 ~~the county fund budget or budgets shall be brought into balance~~
1162 ~~by adding an item of "Vouchers unpaid" in the appropriate amount~~
1163 ~~to the receipts side of the budget, and provision for paying~~
1164 ~~such vouchers shall be made in the budget of the county fund for~~
1165 ~~the next fiscal year.~~

1166 (10) ~~(11)~~ Notwithstanding any provision of law to the
1167 contrary, a sheriff may include a clothing and maintenance
1168 allowance for plainclothes deputies within his or her budget.

1169 Section 9. Paragraph (b) of subsection (1) and subsection
1170 (2) of section 316.008, Florida Statutes, are amended to read:

1171 316.008 Powers of local authorities.—

1172 (1) The provisions of this chapter shall not be deemed to
1173 prevent local authorities, with respect to streets and highways
1174 under their jurisdiction and within the reasonable exercise of
1175 the police power, from:

1176 (b) Regulating traffic by means of traffic monitors ~~police~~
 1177 ~~officers~~ or official traffic control devices.

1178 (2) The municipality, through its duly authorized
 1179 officers, shall have nonexclusive jurisdiction over the
 1180 prosecution, trial, adjudication, and punishment of violations
 1181 of this chapter when a violation occurs within the municipality
 1182 and the person so charged is charged by a traffic monitor
 1183 ~~municipal police officer~~. The disposition of such matters in the
 1184 municipality shall be in accordance with the charter of that
 1185 municipality. This subsection does not limit those counties
 1186 which have the charter power to provide and regulate arterial,
 1187 toll, and other roads, bridges, tunnels, and related facilities
 1188 from the proper exercise of those powers pertaining to the
 1189 consolidation and unification of a traffic court system within
 1190 such counties.

1191 Section 10. Subsections (3), (4), and (5) of section
 1192 316.640, Florida Statutes, are amended to read:

1193 316.640 Enforcement.—The enforcement of the traffic laws
 1194 of this state is vested as follows:

1195 (3) MUNICIPALITIES.—

1196 (a) ~~The police department of~~ Each chartered municipality
 1197 shall enforce the traffic laws of this state on all the streets
 1198 and highways thereof and elsewhere throughout the municipality
 1199 wherever the public has the right to travel by motor vehicle
 1200 through the use of traffic monitors as provided in s. 953.103.

1201 In addition, ~~the police department may be required by a~~
 1202 municipality may require traffic monitors to enforce the traffic
 1203 laws of this state on any private or limited access road or
 1204 roads over which the municipality has jurisdiction pursuant to a
 1205 written agreement entered into under s. 316.006(2)(b). However,
 1206 nothing in this chapter shall affect any law, general, special,
 1207 or otherwise, in effect on January 1, 1972, relating to "hot
 1208 pursuit" without the boundaries of the municipality.

1209 (b) ~~The police department of~~ A chartered municipality may
 1210 employ as a traffic crash investigation officer any individual
 1211 who successfully completes instruction in traffic crash
 1212 investigation and court presentation through the Selective
 1213 Traffic Enforcement Program (STEP) as approved by the Criminal
 1214 Justice Standards and Training Commission and funded through the
 1215 National Highway Traffic Safety Administration (NHTSA) or a
 1216 similar program approved by the commission, but who does not
 1217 otherwise meet the uniform minimum standards established by the
 1218 commission for law enforcement officers or auxiliary law
 1219 enforcement officers under chapter 943. Any such traffic crash
 1220 investigation officer who makes an investigation at the scene of
 1221 a traffic crash is authorized to issue traffic citations when,
 1222 based upon personal investigation, he or she has reasonable and
 1223 probable grounds to believe that a person involved in the crash
 1224 has committed an offense under the provisions of this chapter,
 1225 chapter 319, chapter 320, or chapter 322 in connection with the

1226 crash. This paragraph does not permit the carrying of firearms
1227 or other weapons, nor do such officers have arrest authority.

1228 (c)1. A chartered municipality or its authorized agency or
1229 instrumentality may employ as a parking enforcement specialist
1230 any individual who successfully completes a training program
1231 established and approved by the Criminal Justice Standards and
1232 Training Commission for parking enforcement specialists, but who
1233 does not otherwise meet the uniform minimum standards
1234 established by the commission for law enforcement officers or
1235 auxiliary or part-time officers under s. 943.12.

1236 2. A parking enforcement specialist employed by a
1237 chartered municipality or its authorized agency or
1238 instrumentality is authorized to enforce all state, county, and
1239 municipal laws and ordinances governing parking within the
1240 boundaries of the municipality employing the specialist, or,
1241 pursuant to a memorandum of understanding between the county and
1242 the municipality, within the boundaries of the county in which
1243 the chartered municipality or its authorized agency or
1244 instrumentality is located, by appropriate state, county, or
1245 municipal traffic citation.

1246 3. A parking enforcement specialist employed pursuant to
1247 this subsection may not carry firearms or other weapons or have
1248 arrest authority.

1249 ~~(4) (a) Any sheriff's department, or any police department~~
1250 ~~of a municipality, may employ as a traffic control officer any~~

HB 1531

2021

1251 ~~individual who successfully completes at least 8 hours of~~
1252 ~~instruction in traffic control procedures through a program~~
1253 ~~approved by the Division of Criminal Justice Standards and~~
1254 ~~Training of the Department of Law Enforcement, or through a~~
1255 ~~similar program offered by the local sheriff's department or~~
1256 ~~police department, but who does not necessarily otherwise meet~~
1257 ~~the uniform minimum standards established by the Criminal~~
1258 ~~Justice Standards and Training Commission for law enforcement~~
1259 ~~officers or auxiliary law enforcement officers under s. 943.13.~~
1260 ~~A traffic control officer employed pursuant to this subsection~~
1261 ~~may direct traffic or operate a traffic control device only at a~~
1262 ~~fixed location and only upon the direction of a fully qualified~~
1263 ~~law enforcement officer; however, it is not necessary that the~~
1264 ~~traffic control officer's duties be performed under the~~
1265 ~~immediate supervision of a fully qualified law enforcement~~
1266 ~~officer.~~

1267 ~~(b) In the case of a special event or activity in relation~~
1268 ~~to which a nongovernmental entity is paying for traffic control~~
1269 ~~on public streets, highways, or roads, traffic control officers~~
1270 ~~may be employed to perform such traffic control responsibilities~~
1271 ~~only when off-duty, full-time law enforcement officers, as~~
1272 ~~defined in s. 943.10(1), are unavailable to perform those~~
1273 ~~responsibilities. However, this paragraph may not be construed~~
1274 ~~to limit the use of traffic infraction enforcement officers for~~
1275 ~~traffic enforcement purposes.~~

1276 ~~(c) This subsection does not permit the carrying of~~
1277 ~~firearms or other weapons, nor do traffic control officers have~~
1278 ~~arrest authority.~~

1279 ~~(5)(a) Any sheriff's department or police department of a~~
1280 ~~municipality may employ, as a traffic infraction enforcement~~
1281 ~~officer, any individual who successfully completes instruction~~
1282 ~~in traffic enforcement procedures and court presentation through~~
1283 ~~the Selective Traffic Enforcement Program as approved by the~~
1284 ~~Division of Criminal Justice Standards and Training of the~~
1285 ~~Department of Law Enforcement, or through a similar program, but~~
1286 ~~who does not necessarily otherwise meet the uniform minimum~~
1287 ~~standards established by the Criminal Justice Standards and~~
1288 ~~Training Commission for law enforcement officers or auxiliary~~
1289 ~~law enforcement officers under s. 943.13. Any such traffic~~
1290 ~~infraction enforcement officer who observes the commission of a~~
1291 ~~traffic infraction or, in the case of a parking infraction, who~~
1292 ~~observes an illegally parked vehicle may issue a traffic~~
1293 ~~citation for the infraction when, based upon personal~~
1294 ~~investigation, he or she has reasonable and probable grounds to~~
1295 ~~believe that an offense has been committed which constitutes a~~
1296 ~~noncriminal traffic infraction as defined in s. 318.14. In~~
1297 ~~addition, any such traffic infraction enforcement officer may~~
1298 ~~issue a traffic citation under s. 316.0083. For purposes of~~
1299 ~~enforcing s. 316.0083, any sheriff's department or police~~
1300 ~~department of a municipality may designate employees as traffic~~

HB 1531

2021

1301 ~~infraction enforcement officers. The traffic infraction~~
1302 ~~enforcement officers must be physically located in the county of~~
1303 ~~the respective sheriff's or police department.~~

1304 ~~(b) The traffic infraction enforcement officer shall be~~
1305 ~~employed in relationship to a selective traffic enforcement~~
1306 ~~program at a fixed location or as part of a crash investigation~~
1307 ~~team at the scene of a vehicle crash or in other types of~~
1308 ~~traffic infraction enforcement under the direction of a fully~~
1309 ~~qualified law enforcement officer; however, it is not necessary~~
1310 ~~that the traffic infraction enforcement officer's duties be~~
1311 ~~performed under the immediate supervision of a fully qualified~~
1312 ~~law enforcement officer.~~

1313 ~~(c) This subsection does not permit the carrying of~~
1314 ~~firearms or other weapons, nor do traffic infraction enforcement~~
1315 ~~officers have arrest authority other than the authority to issue~~
1316 ~~a traffic citation as provided in this subsection.~~

1317 Section 11. Except as otherwise expressly provided in this
1318 act and except for this section, which shall take effect upon
1319 this act becoming a law, this act shall take effect July 1,
1320 2021.