

HB 399

2013

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

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Paragraph (a) of subsection (1) of section  
15 23.1225, Florida Statutes, is amended to read:

16 23.1225 Mutual aid agreements.—

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

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

HB 399

2013

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

41 Section 2. Paragraph (a) of subsection (1) of section  
42 316.640, Florida Statutes, is amended to read:

43 316.640 Enforcement.—The enforcement of the traffic laws  
44 of this state is vested as follows:

45 (1) STATE.—

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

54 b. University police officers may enforce all of the  
55 traffic laws of this state when violations occur on or within  
56 1,000 feet of any property or facilities that are under the

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

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

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

84 (I) An airport authority may employ as a parking

HB 399

2013

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

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

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

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

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

111 3. Any disciplinary action taken or performance evaluation  
112 conducted by an agency of the state as described in subparagraph

113 1. of a law enforcement officer's traffic enforcement activity  
114 must be in accordance with written work-performance standards.  
115 Such standards must be approved by the agency and any collective  
116 bargaining unit representing such law enforcement officer. A  
117 violation of this subparagraph is not subject to the penalties  
118 provided in chapter 318.

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

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

HB 399

2013

141 1012.88 Florida College System institution police.—  
142 (2) Each Florida College System institution police officer  
143 is a law enforcement officer of the state and a conservator of  
144 the peace who has the authority to arrest, in accordance with  
145 the laws of this state, any person for a violation of state law  
146 or applicable county or municipal ordinance if that violation  
147 occurs on or in any property or facilities or within 1,000 feet  
148 of any property of the Florida College System institution by  
149 which he or she is employed or any property or facilities of a  
150 direct-support organization of such Florida College System  
151 institution or any other organization controlled by the Florida  
152 College System institution, or when such violations occur within  
153 a specified jurisdictional area as agreed upon in a mutual aid  
154 agreement entered into with a law enforcement agency pursuant to  
155 s. 23.1225. A Florida College System institution police officer  
156 may also arrest a person off campus for a violation committed on  
157 campus after a hot pursuit of that person that began on or  
158 within 1,000 feet of any such property or facilities. A Florida  
159 College System institution police officer may bear arms in the  
160 performance of his or her duties and carry out a search pursuant  
161 to a search warrant on the campus where he or she is employed.  
162 Florida College System institution police, upon request of the  
163 sheriff or local police authority, may serve subpoenas or other  
164 legal process and may make arrests of persons against whom  
165 arrest warrants have been issued or against whom charges have  
166 been made for violations of federal or state laws or county or  
167 municipal ordinances.  
168 Section 4. This act shall take effect July 1, 2013.