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A bill to be entitled
 An act relating to the Florida Department of Law
 Enforcement; amending s. 943.61, F.S.; revising the powers
 and duties of the Capitol Police; amending s. 943.611,
 F.S.; revising duties of the director of the Capitol
 Police; amending s. 943.62, F.S.; revising provisions
 relating to investigations by the Capitol Police; amending
 s. 943.64, F.S.; revising provisions relating to
 designation of other law enforcement officers as ex
 officio agents of the Capitol Police; amending s. 943.68,
 F.S.; revising provisions relating to transportation and
 protective services of the Capitol Police; amending s.
 316.640, F.S.; revising provisions relating to enforcement
 of traffic laws; providing an effective date.

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

Section 1. Subsections (1) and (4) of section 943.61,
 Florida Statutes, are amended to read:

943.61 Powers and duties of the Capitol Police.--

(1) There is created the Capitol Police within the
 Department of Law Enforcement, to serve the safety and security
 needs of both the legislative and executive branches of state
 government. It is the intent of the Legislature that the Capitol
 Police serve as a specially trained and highly effective
 security and law enforcement agency serving the Capitol Complex
and the state. It shall be the primary responsibility of the
 Capitol Police to protect the security of the Governor, the

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29 Lieutenant Governor, the members of the Cabinet, and the members
30 of the Senate and of the House of Representatives, and those
31 employees assigned to assist such state officials in the
32 performance of their official duties, and to ensure their access
33 to buildings and premises within the Capitol Complex, thereby
34 providing for the continuous operation of the government of the
35 State of Florida. ~~The provision of other law enforcement~~
36 ~~services and protection of property shall be secondary~~
37 ~~responsibilities.~~

38 (4) The Capitol Police shall have the following
39 responsibilities, powers, and duties:

40 (a) To develop, in consultation with the Governor, Cabinet
41 officers, the President of the Senate, and the Speaker of the
42 House of Representatives, written operational plans for basic
43 and enhanced security measures and actions related to the
44 Capitol Complex. Such plans and any changes or amendments
45 thereto shall not be implemented unless presented in writing in
46 final form to the Governor, the President of the Senate, and the
47 Speaker of the House of Representatives and all three grant
48 their approval in writing. The approval of any officer required
49 herein shall expire 60 days after such officer vacates his or
50 her office, and the written approval of the successor in office
51 must be obtained prior to the continuation of operations under
52 such plans. Upon the request of the Governor, a Cabinet officer,
53 the President of the Senate, or the Speaker of the House of
54 Representatives, the Capitol Police shall activate previously
55 approved enhanced security measures and actions in accordance
56 with the approved operational plans specific to the requesting

57 officer's responsibilities and to the facilities occupied by
58 such officer and employees responsible to such officer. Upon an
59 emergency threatening the immediate safety and security of
60 occupants of the Capitol Complex, so declared by the Governor,
61 plans not approved as required by this paragraph may be
62 implemented for a period not to exceed 15 days, provided such
63 plans do not substantially interfere with the ability of the
64 Senate and the House of Representatives to assemble for any
65 constitutional purpose.

66 (b) To provide and maintain the security of all property
67 located in the Capitol Complex in a manner consistent with the
68 security plans developed and approved under paragraph (a) and,
69 in consultation with the State Fire Marshal, to provide for
70 evacuations, information, and training required for firesafety
71 on such property in a manner consistent with s. 633.085.

72 (c) To develop plans for reporting incidents involving
73 buildings and property within the Capitol Complex, emergency
74 procedures and evacuation routes in the event of fire, security
75 threats, incidents prompting a need for evacuation, acts of
76 terrorism, or natural or manmade disaster and to make such
77 procedures and routes known to those persons occupying such
78 buildings.

79 (d) To employ officers who hold certification as law
80 enforcement officers in accordance with the minimum standards
81 and qualifications as set forth in s. 943.13 and the provisions
82 of chapter 110, and who have the authority to bear arms, make
83 arrests, except as may be limited in the security plans
84 established under paragraph (a), and apply for arrest warrants.

85 (e) To hire guards and administrative, clerical,
86 technical, and other personnel as may be required.

87 (f) To train all officers and other employees in fire
88 prevention, firesafety, emergency medical procedures, and
89 preventing and responding to acts of terrorism.

90 (g) To respond to all complaints relating to criminal
91 activity or security threats within the Capitol Complex, or
92 against the Governor, the Lieutenant Governor, a member of the
93 Cabinet, a member of the Senate or of the House of
94 Representatives, or an employee assisting such official.

95 (h) As provided by the security plans developed and
96 approved under paragraph (a), upon request of the presiding
97 officer of either house of the Legislature, the director may
98 assign one or more officers for the protection of a member of
99 the house served by such presiding officer. Per diem and
100 subsistence allowance for department employees traveling with a
101 member of the Legislature away from Tallahassee shall be
102 computed by payment of a sum up to the amounts permitted in s.
103 112.061 for meals, plus actual expenses for lodging to be
104 substantiated by paid bills therefor.

105 (i) To enforce rules of the Department of Management
106 Services governing the regulation of traffic and parking within
107 the Capitol Complex and to impound illegally or wrongfully
108 parked vehicles.

109 (j) To establish policies for the organizational
110 structure, principles of command, and internal operations of the
111 Capitol Police, provided that such policies are not inconsistent

112 with the provisions of ss. 943.61-943.68 or the security plans
 113 developed and approved under paragraph (a).

114 (k) To carry out the transportation and protective
 115 services functions described in s. 943.68.

116 Section 2. Subsection (6) is added to section 943.611,
 117 Florida Statutes, to read:

118 943.611 Director of Capitol Police.--

119 (6) The director shall serve as the director of the unit
 120 within the department providing transportation and protective
 121 services as set forth in s. 943.68.

122 Section 3. Subsection (1) of section 943.62, Florida
 123 Statutes, is amended to read:

124 943.62 Investigations by the Capitol Police.--

125 (1) In addition to, and in conjunction with, the other
 126 powers and duties specified by law, the Capitol Police shall
 127 conduct traffic accident investigations and investigations
 128 relating to felonies and misdemeanors occurring within the
 129 Capitol Complex. Any matters may be referred to the department's
 130 special agents or inspectors or another appropriate law
 131 enforcement agency for further investigation. Such referrals
 132 shall include transmittal of records, reports, statements, and
 133 all other information relating to such matters.

134 Section 4. Section 943.64, Florida Statutes, is amended to
 135 read:

136 943.64 Ex officio agents.--Law enforcement officers of the
 137 Department of Highway Safety and Motor Vehicles, special agents
 138 or inspectors of the Department of Law Enforcement, and law
 139 enforcement officers of other state agencies, counties, and

140 municipalities are ex officio agents of the Capitol Police, and
 141 may, when authorized by the executive director of the department
 142 or the executive director's designee ~~Capitol Police~~, enforce
 143 rules and laws applicable to the powers and duties of the
 144 Capitol Police to provide and maintain the security required by
 145 ss. 943.61-943.68.

146 Section 5. Subsections (3), (6), and (9) of section
 147 943.68, Florida Statutes, are amended to read:

148 943.68 Transportation and protective services.--

149 (3) The director of Capitol Police, acting under the
 150 direction of the executive director, shall assign agents for the
 151 performance of the duties prescribed in this section. The
 152 assignment of such agents shall be subject to continuing
 153 approval of the Governor. Upon request of the Governor, the
 154 director of Capitol Police, acting under the direction of the
 155 executive director, shall reassign an agent from continued
 156 performance of such duties.

157 (6) The department shall provide security or
 158 transportation services to other persons when requested by the
 159 Governor, the Lieutenant Governor, a member of the Cabinet, the
 160 Speaker of the House of Representatives, the President of the
 161 Senate, or the Chief Justice of the Supreme Court, subject to
 162 certification by the requesting party ~~agency head~~ that such
 163 services are in the best interest of the state. The requesting
 164 party ~~agency head~~ may delegate certification authority to the
 165 executive director of the department. The requesting party
 166 ~~agency head~~ shall limit such services to persons:

167 (a) Who are visiting the state; for whom such services are
 168 requested by the Governor, the Lieutenant Governor, a member of
 169 the Cabinet, the Speaker of the House of Representatives, the
 170 President of the Senate, or the Chief Justice of the Supreme
 171 Court; and for whom the primary purpose of the visit is for a
 172 significant public purpose or ~~and~~ to promote the development of
 173 the state; or

174 (b) For whom the failure to provide security or
 175 transportation could result in a clear and present danger to the
 176 personal safety of such persons, ~~or~~ could result in public
 177 embarrassment to the state, or could endanger the safety of
 178 persons or property within the state.

179 (9) The department shall submit a report each ~~reports on~~
 180 ~~July 15 and January 15 of each year~~ to the President of the
 181 Senate, Speaker of the House of Representatives, Governor, and
 182 members of the Cabinet, detailing all transportation and
 183 protective services provided under subsections (1), (5), and (6)
 184 within the preceding fiscal year ~~6 months~~. Each report shall
 185 include a detailed accounting of the cost of such transportation
 186 and protective services, including the names of persons provided
 187 such services and the nature of state business performed.

188 Section 6. Paragraph (a) of subsection (1) of section
 189 316.640, Florida Statutes, is amended to read:

190 316.640 Enforcement.--The enforcement of the traffic laws
 191 of this state is vested as follows:

192 (1) STATE.--

193 (a)1.a. The Division of Florida Highway Patrol of the
 194 Department of Highway Safety and Motor Vehicles; 7 the Division

195 of Law Enforcement of the Fish and Wildlife Conservation
 196 Commission;~~7~~ the Division of Law Enforcement of the Department
 197 of Environmental Protection;~~7~~~~and~~ and law enforcement officers of
 198 the Department of Transportation; and the agents, inspectors,
 199 and officers of the Department of Law Enforcement each have
 200 authority to enforce all of the traffic laws of this state on
 201 all the streets and highways thereof and elsewhere throughout
 202 the state wherever the public has a right to travel by motor
 203 vehicle.

204 b. University police officers shall have authority to
 205 enforce all of the traffic laws of this state when such
 206 violations occur on or about any property or facilities that are
 207 under the guidance, supervision, regulation, or control of a
 208 state university, a direct-support organization of such state
 209 university, or any other organization controlled by the state
 210 university or a direct-support organization of the state
 211 university, except that traffic laws may be enforced off-campus
 212 when hot pursuit originates on or adjacent to any such property
 213 or facilities.

214 c. Community college police officers shall have the
 215 authority to enforce all the traffic laws of this state only
 216 when such violations occur on any property or facilities that
 217 are under the guidance, supervision, regulation, or control of
 218 the community college system.

219 d. Police officers employed by an airport authority shall
 220 have the authority to enforce all of the traffic laws of this
 221 state only when such violations occur on any property or
 222 facilities that are owned or operated by an airport authority.

223 (I) An airport authority may employ as a parking
 224 enforcement specialist any individual who successfully completes
 225 a training program established and approved by the Criminal
 226 Justice Standards and Training Commission for parking
 227 enforcement specialists but who does not otherwise meet the
 228 uniform minimum standards established by the commission for law
 229 enforcement officers or auxiliary or part-time officers under s.
 230 943.12. Nothing in this sub-sub-subparagraph shall be construed
 231 to permit the carrying of firearms or other weapons, nor shall
 232 such parking enforcement specialist have arrest authority.

233 (II) A parking enforcement specialist employed by an
 234 airport authority is authorized to enforce all state, county,
 235 and municipal laws and ordinances governing parking only when
 236 such violations are on property or facilities owned or operated
 237 by the airport authority employing the specialist, by
 238 appropriate state, county, or municipal traffic citation.

239 e. The Office of Agricultural Law Enforcement of the
 240 Department of Agriculture and Consumer Services shall have the
 241 authority to enforce traffic laws of this state.

242 f. School safety officers shall have the authority to
 243 enforce all of the traffic laws of this state when such
 244 violations occur on or about any property or facilities which
 245 are under the guidance, supervision, regulation, or control of
 246 the district school board.

247 2. An agency of the state as described in subparagraph 1.
 248 is prohibited from establishing a traffic citation quota. A
 249 violation of this subparagraph is not subject to the penalties
 250 provided in chapter 318.

251 3. Any disciplinary action taken or performance evaluation
252 conducted by an agency of the state as described in subparagraph
253 1. of a law enforcement officer's traffic enforcement activity
254 must be in accordance with written work-performance standards.
255 Such standards must be approved by the agency and any collective
256 bargaining unit representing such law enforcement officer. A
257 violation of this subparagraph is not subject to the penalties
258 provided in chapter 318.

259 4. The Division of the Florida Highway Patrol may employ
260 as a traffic accident investigation officer any individual who
261 successfully completes instruction in traffic accident
262 investigation and court presentation through the Selective
263 Traffic Enforcement Program as approved by the Criminal Justice
264 Standards and Training Commission and funded through the
265 National Highway Traffic Safety Administration or a similar
266 program approved by the commission, but who does not necessarily
267 meet the uniform minimum standards established by the commission
268 for law enforcement officers or auxiliary law enforcement
269 officers under chapter 943. Any such traffic accident
270 investigation officer who makes an investigation at the scene of
271 a traffic accident may issue traffic citations, based upon
272 personal investigation, when he or she has reasonable and
273 probable grounds to believe that a person who was involved in
274 the accident committed an offense under this chapter, chapter
275 319, chapter 320, or chapter 322 in connection with the
276 accident. This subparagraph does not permit the officer to carry
277 firearms or other weapons, and such an officer does not have
278 authority to make arrests.

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Section 7. This act shall take effect July 1, 2005.