

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation and Economic Development Appropriations Committee

BILL: SB 558

INTRODUCER: Senator Wise

SUBJECT: Auxiliary Law Enforcement Officer

DATE: April 11, 2007

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Davis</u>	<u>Meyer</u>	<u>TR</u>	Favorable
2.	<u>Cellon</u>	<u>Cannon</u>	<u>CJ</u>	Favorable
3.	<u>Weaver</u>	<u>Noble</u>	<u>TA</u>	Favorable
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

In an effort to honor certain retiring Florida Highway Patrol Auxiliary (FHPA) officers, this bill authorizes the director of the Florida Highway Patrol (FHP) to present a uniform, service handgun, and identification card to a member of the FHPA who retires after at least 20 years' service. In addition, the bill removes the provision prohibiting compensation to individuals who volunteer for the FHPA.

Based on information and estimates received by the Department of Highway Safety and Motor Vehicles (DHSMV), this bill will have an average annual fiscal impact of \$8,603.80.

This bill substantially amends s. 321.24 and reenacts s. 943.10(8) of the Florida Statutes.

II. Present Situation:

Section 321.24, F.S., provides for the existence and duties of an auxiliary to the FHP.

Specifically, the FHPA is a professionally trained, all volunteer law enforcement organization dedicated to providing direct assistance and operational support to the FHP, without compensation. In addition, the FHPA is responsible for promoting public safety for the citizens of and the visitors to Florida.

The FHPA was established in 1957 and since that time, Auxiliary Troopers have assisted the FHP in the performance of its daily duties which include:

- Patrolling the streets and highways of the state;

- Providing timely assistance to disabled motorists;
- Participating in vehicle equipment and license checkpoints;
- Operating the FHP Breath Alcohol Testing Unit (BAT mobile);
- Participating in specialized details; and
- Responding to natural disasters and other emergency situations.

Currently, over 400 Auxiliary Troopers serve in both sworn (auxiliary law enforcement) or non-sworn (support service) roles. Members are assigned to Troops and Units based upon geographical residence and FHP organizational boundaries. There are 10 Troops with 30 FHPA Units across the state. In 2006, FHPA members volunteered 169,005 hours with 36 hours the average hours volunteered each month.

Auxiliary Trooper candidates must undergo a rigorous hiring process and training similar to a full-time State Trooper. Each person who applies to become a member of the FHPA must:

- Make a formal application;
- Successfully pass the Basic Aptitude Test for law enforcement;
- Undergo a physical examination;
- Undergo a thorough background investigation;
- Pass a polygraph test;
- Be a United States citizen;
- Be at least 19 years of age;
- Have a high school diploma or General Educational Development (GED); and
- Possess a valid Florida drivers' license.

Every member of the FHPA is required to receive law enforcement training at a state approved training center by state certified instructors. The FHP currently requires a minimum of 125 hours of training by FHP approved instructors. There are over 100 recruits and applicants in-process to become members of the FHPA.

Section 943.10(8), F.S., defines an "auxiliary law enforcement officer" to mean any person employed or appointed, with or without compensation, who aids or assists a full-time or part-time law enforcement officer and who, while under the direct supervision of a full-time or part-time law enforcement officer, has the authority to arrest and perform law enforcement functions.

III. Effect of Proposed Changes:

Section 1 amends s. 321.24, F.S., to:

- Incorporate by reference the definition of the term "auxiliary law enforcement officer" and removes the provision prohibiting compensation to individuals who volunteer; and
- Authorize the director of the FHP to present to an officer who retires from the FHPA after a minimum of 20 years of service one complete uniform, including the badge worn

by that officer; the officer's service handgun, if one was issued as part of the officer's equipment; and an identification card clearly marked "retired."

Section 2 reenacts s. 943.10(8), F.S., which defines the term "auxiliary law enforcement officer."

Section 3 provides the bill shall take effect July 1, 2007.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The DHSMV does not have an appropriation or funding to compensate individuals who volunteer for the Florida Highway Patrol Auxiliary.

According to the DHSMV there are currently 428 FHPA members including 105 of those members having 20 or more years of service. The cost for one complete uniform, including a badge, service weapon, and accessories totals \$860.38. The DHSMV provided on average, approximately 10 FHPA members with 20 or more years of service will retire each year. Therefore, the average annual fiscal impact the DHSMV will incur totals \$8,603.80.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

None.

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