

## CHAPTER 2010-254

### House Bill No. 1055

An act relating to Brevard County; amending chapter 87-423, Laws of Florida, as amended; changing the name of the Brevard Police Testing and Certification Center to the Brevard Police Testing and Selection Center; providing for change in composition and membership of the board of directors; providing the board has authority to recommend approval of agreements with and acceptance of funds or services from any federal, state, or local governmental entity or political subdivision, any college or university, or any private or civic source; clarifying the center's primary mission; providing for applicant testing, screening, and information services for criminal justice and public safety positions; authorizing certain applicant fees; revising provisions relating to establishment, approval, and use of user fees; providing an effective date.

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

Section 1. Sections 1, 2, 4, 6, and 7 of chapter 87-423, as amended by chapter 89-520, Laws of Florida, are amended to read:

Section 1. There is hereby created at Brevard Community College an organization to be known as the "Brevard Police Testing and Selection Certification Center," hereinafter called the "center." The center, under the direction and control of the college, shall provide standardized testing of law enforcement officers for all units of local government in Brevard County and a pool of qualified candidates for employment of law enforcement officers throughout Brevard County.

Section 2. The center shall be administered by the college through a board of directors comprised of the following 16 members:

(1) The chief of police from each law enforcement agency employing law enforcement officers as defined in chapter 943, Florida Statutes, having its headquarters in Brevard County, or his or her designee. ~~The chiefs of police of the municipalities of Titusville, Cocoa, Rockledge, Cocoa Beach, Satellite Beach, Indian Harbour Beach, Indialantic, Melbourne Beach, Melbourne, West Melbourne, Melbourne Village, and Palm Bay.~~

(2) The Sheriff of Brevard County or his or her designee.

(3) The State Attorney for Brevard County or a prosecuting attorney appointed by the State Attorney.

(4) The President of Brevard Community College or his or her designee.

(5) The director of the Law Enforcement Academy of Brevard Community College or his or her designee.

Section 4. The board of directors shall recommend to the college board for approval the following:

- (1) Criteria for testing, physical examination, and background investigation for police officers.
- (2) The amounts of any user fees charged by the center.
- (3) The annual budget for the center.
- (4) The number and types of employees employed by the center.
- (5) Agreements to accept and expend funds or services from any federal, state, or local governmental entity or political subdivision; any colleges or universities, including Brevard Community College; and any private or civic sources.
- ~~(6)~~(5) Any other criteria or requirements for proper administration of the center.

Section 6. (1) The center shall develop, establish, and maintain a centralized information center on prospective candidates for law enforcement officers in Brevard County. The center's primary mission center shall be to provide and undertake standardized screening, testing, physical examination, and background investigation of law enforcement applicants.

(2) Upon the request of any law enforcement agency in Brevard County, the center shall provide a list of qualified applicants for employment as law enforcement officers and report all information gathered during the testing, screening, and investigation of each applicant.

(3) No report or information concerning any applicant shall be released to any law enforcement agency or to any other party without the consent of the applicant.

(4) In addition to the foregoing, the center may make recommendations concerning uniform standards for the recruitment and testing of law enforcement officers.

(5) The center may enter into contracts and agreements to carry out its purposes. Any such contracts shall require approval by the board of directors and Brevard Community College.

(6) The activities of the center shall not generate full-time equivalent (FTE) students for the college as a part of the community college's enrollment. Classes which are part of the regular program of the college to train law enforcement officers are not affected by this prohibition.

(7) The board of directors may elect to provide, in whole or in part, similar applicant testing, screening, and information services, as outlined in this section, for the state and its agencies, colleges, and universities, including

Brevard Community College, Brevard County, and the several municipalities and agencies within Brevard County that provide criminal justice or public safety related services through contract with any of the foregoing, for prospective candidates for law enforcement, law enforcement support, corrections, and other public safety positions, including, but not limited to, law enforcement officer, corrections officer, firefighter, emergency medical technician or paramedic, public safety answering point call taker, dispatcher, communications operator, crime scene technician, or other criminal justice or public safety position as deemed appropriate by the board. The board may enter into agreements necessary to carry out this work, with the costs of such screening, including a reasonable allowance for overhead being paid by the agency receiving the service. Such agreements may provide reasonable fees to be paid by applicants to offset a portion of the screening costs.

Section 7. (1) There is hereby created the Brevard Police Testing and ~~Selection Certification~~ account within the auxiliary fund at Brevard Community College, which account within the auxiliary fund shall be used exclusively for the operation and administration of the center. Moneys deposited into the account within the auxiliary fund shall consist of the following:

(a) A sum of \$3 which shall be assessed as a court cost by both the circuit court and the county court in Brevard County against every person who is convicted or who has had adjudication withheld for a violation of a state criminal statute or a municipal or county ordinance or who pays a fine or civil penalty for any violation of chapter 316, Florida Statutes. The said cost of \$3 shall be assessed in addition to any fine, civil penalty, or other court cost and shall not be deducted from the proceeds of that portion of any fine or civil penalty which is received by a municipality in Brevard County or by Brevard County in accordance with the provisions of ss. 316.660 and 318.21, Florida Statutes. The \$3 cost shall specifically be added to any civil penalty paid for a violation of chapter 316, Florida Statutes, whether such penalty is paid by mail, paid in person without request for a hearing, or paid after hearing and determination by the county court. However, no such \$3 assessment shall be made against a person for a violation of any state statute, county ordinance, or municipal ordinance relating to the parking of vehicles. The Clerk of the Court of Brevard County shall collect the respective \$3 court costs established in this paragraph and shall remit the same to the center on a monthly basis.

(b) Such user fees as are established from time to time by the center's board of directors and approved by the Brevard Community College Board of Trustees for use of the services of the center pursuant to section 6(7) ~~by law enforcement agencies in Brevard County.~~

(c) Such donations and grants as the center may receive.

(d) No funds shall be transferred from the general current fund, the restricted current fund, or any other auxiliary fund for the operation of this center.

(2) Brevard Community College shall prepare an annual budget for the operation and administration of the center, which budget shall be for the period beginning July 1 and ending June 30 each year. The budget for any such fiscal year shall be submitted to the board of directors of the center for its consideration and approval no later than June 1 of the previous fiscal year. The total expenditures for any fiscal year shall not exceed the funds available from the account within the auxiliary fund described in subsection (1), and no program for the center shall be approved by the board of directors unless all funds for such program are available from the said account within the auxiliary fund.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 26, 2010.

Filed in Office Secretary of State May 26, 2010.