

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Moskowitz offered the following:

**Amendment (with title amendment)**

Remove lines 326-2736 and insert:

Section 5. Paragraph (c) of subsection (9) of section 121.091, Florida Statutes, is amended, and paragraph (f) is added to that subsection to read:

121.091 Benefits payable under the system.—Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39) (a) or begun participation in the Deferred Retirement Option Program as provided in subsection (13), and a proper application has been filed in the manner prescribed by the department. The department

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

14 may cancel an application for retirement benefits when the  
15 member or beneficiary fails to timely provide the information  
16 and documents required by this chapter and the department's  
17 rules. The department shall adopt rules establishing procedures  
18 for application for retirement benefits and for the cancellation  
19 of such application when the required information or documents  
20 are not received.

21 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

22 (c) Any person whose retirement is effective on or after  
23 July 1, 2010, or whose participation in the Deferred Retirement  
24 Option Program terminates on or after July 1, 2010, who is  
25 retired under this chapter, except under the disability  
26 retirement provisions of subsection (4) or as provided in s.  
27 121.053, may be reemployed by an employer that participates in a  
28 state-administered retirement system and receive retirement  
29 benefits and compensation from that employer. However, a person  
30 may not be reemployed by an employer participating in the  
31 Florida Retirement System before meeting the definition of  
32 termination in s. 121.021 and may not receive both a salary from  
33 the employer and retirement benefits for 6 calendar months after  
34 meeting the definition of termination, except as provided in  
35 paragraph (f). However, a DROP participant shall continue  
36 employment and receive a salary during the period of  
37 participation in the Deferred Retirement Option Program, as  
38 provided in subsection (13).

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

39 1. The reemployed retiree may not renew membership in the  
40 Florida Retirement System, except as provided in s. 121.122.

41 2. The employer shall pay retirement contributions in an  
42 amount equal to the unfunded actuarial liability portion of the  
43 employer contribution that would be required for active members  
44 of the Florida Retirement System in addition to the  
45 contributions required by s. 121.76.

46 3. A retiree initially reemployed in violation of this  
47 paragraph and an employer that employs or appoints such person  
48 are jointly and severally liable for reimbursement of any  
49 retirement benefits paid to the retirement trust fund from which  
50 the benefits were paid, including the Florida Retirement System  
51 Trust Fund and the Public Employee Optional Retirement Program  
52 Trust Fund, as appropriate. The employer must have a written  
53 statement from the employee that he or she is not retired from a  
54 state-administered retirement system. Retirement benefits shall  
55 remain suspended until repayment is made. Benefits suspended  
56 beyond the end of the retiree's 6-month reemployment limitation  
57 period shall apply toward the repayment of benefits received in  
58 violation of this paragraph.

59 (f) A retired law enforcement officer may be reemployed as  
60 a school resource officer by an employer that participates in  
61 the Florida Retirement System and receive compensation from that  
62 employer and retirement benefits after meeting the definition of  
63 termination in s. 121.021, but may not receive both a salary

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

64 from the employer and retirement benefits for 6 calendar months  
65 immediately subsequent to the date of retirement. The reemployed  
66 retired law enforcement officer may not renew membership in the  
67 Florida Retirement System, except as provided in s. 121.122.

68 Section 6. Paragraphs (c) and (d) of subsection (2) of  
69 section 394.463, Florida Statutes, are amended to read:

70 394.463 Involuntary examination.—

71 (2) INVOLUNTARY EXAMINATION.—

72 (c) A law enforcement officer acting in accordance with an  
73 ex parte order issued pursuant to this subsection may:

74 1. Serve and execute such order on any day of the week, at  
75 any time of the day or night; and

76 2. Use such reasonable physical force as is necessary to  
77 gain entry to the premises, and any dwellings, buildings, or  
78 other structures located on the premises, and take custody of  
79 the person who is the subject of the ex parte order. When  
80 practicable, a law enforcement officer who has received crisis  
81 intervention team (CIT) training shall be assigned to serve and  
82 execute the ex parte order.

83 (d)1. A law enforcement officer taking custody of a person  
84 under this subsection may seize and hold a firearm or any  
85 ammunition the person possesses at the time of taking him or her  
86 into custody if the person poses a potential danger to himself  
87 or herself or others and has made a credible threat of violence  
88 against another person.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

89        2. If the law enforcement officer takes custody of the  
90 person at the person's residence and the criteria in  
91 subparagraph 1. have been met, the law enforcement officer may  
92 seek the voluntary surrender of firearms or ammunition kept in  
93 the residence which have not already been seized under  
94 subparagraph 1. If such firearms or ammunition are not  
95 voluntarily surrendered, or if the person has other firearms or  
96 ammunition that were not seized or voluntarily surrendered when  
97 he or she was taken into custody, a law enforcement officer may  
98 petition the appropriate court under s. 790.401 for a risk  
99 protection order against the person.

100       3. Firearms or ammunition seized or voluntarily  
101 surrendered under this paragraph must be made available for  
102 return no later than 24 hours after the person taken into  
103 custody can document that he or she is no longer subject to  
104 involuntary examination and has been released or discharged from  
105 any inpatient or involuntary outpatient treatment provided or  
106 ordered under paragraph (g), unless a risk protection order  
107 entered under s. 790.401 directs the law enforcement agency to  
108 hold the firearms or ammunition for a longer period or the  
109 person is subject to a firearm purchase disability under s.  
110 790.065(2), or a firearm possession and firearm ownership  
111 disability under s. 790.064. The process for the actual return  
112 of firearms or ammunition seized or voluntarily surrendered  
113 under this paragraph may not take longer than 7 days.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

114           4. Law enforcement agencies must develop policies and  
115 procedures relating to the seizure, storage, and return of  
116 firearms or ammunition held under this paragraph. A law  
117 ~~enforcement officer acting in accordance with an ex parte order~~  
118 ~~issued pursuant to this subsection may use such reasonable~~  
119 ~~physical force as is necessary to gain entry to the premises,~~  
120 ~~and any dwellings, buildings, or other structures located on the~~  
121 ~~premises, and to take custody of the person who is the subject~~  
122 ~~of the ex parte order.~~

123           Section 7. Section 394.495, Florida Statutes, is amended  
124 to read:

125           394.495 Child and adolescent mental health system of care;  
126 programs and services.-

127           (1) The department shall establish, within available  
128 resources, an array of services to meet the individualized  
129 service and treatment needs of children and adolescents who are  
130 members of the target populations specified in s. 394.493, and  
131 of their families. It is the intent of the Legislature that a  
132 child or adolescent may not be admitted to a state mental health  
133 facility and such a facility may not be included within the  
134 array of services.

135           (2) The array of services must include assessment services  
136 that provide a professional interpretation of the nature of the  
137 problems of the child or adolescent and his or her family;  
138 family issues that may impact the problems; additional factors

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

139 that contribute to the problems; and the assets, strengths, and  
140 resources of the child or adolescent and his or her family. The  
141 assessment services to be provided shall be determined by the  
142 clinical needs of each child or adolescent. Assessment services  
143 include, but are not limited to, evaluation and screening in the  
144 following areas:

145 (a) Physical and mental health for purposes of identifying  
146 medical and psychiatric problems.

147 (b) Psychological functioning, as determined through a  
148 battery of psychological tests.

149 (c) Intelligence and academic achievement.

150 (d) Social and behavioral functioning.

151 (e) Family functioning.

152

153 The assessment for academic achievement is the financial  
154 responsibility of the school district. The department shall  
155 cooperate with other state agencies and the school district to  
156 avoid duplicating assessment services.

157 (3) Assessments must be performed by:

158 (a) A professional as defined in s. 394.455(5), (7), (32),  
159 (35), or (36);

160 (b) A professional licensed under chapter 491; or

161 (c) A person who is under the direct supervision of a  
162 qualified professional as defined in s. 394.455(5), (7), (32),  
163 (35), or (36) or a professional licensed under chapter 491.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

164 (4) The array of services may include, but is not limited  
165 to:

- 166 (a) Prevention services.
  - 167 (b) Home-based services.
  - 168 (c) School-based services.
  - 169 (d) Family therapy.
  - 170 (e) Family support.
  - 171 (f) Respite services.
  - 172 (g) Outpatient treatment.
  - 173 (h) Day treatment.
  - 174 (i) Crisis stabilization.
  - 175 (j) Therapeutic foster care.
  - 176 (k) Residential treatment.
  - 177 (l) Inpatient hospitalization.
  - 178 (m) Case management.
  - 179 (n) Services for victims of sex offenses.
  - 180 (o) Transitional services.
  - 181 (p) Trauma-informed services for children who have  
182 suffered sexual exploitation as defined in s. 39.01(71)(g).
- 183 (5) In order to enhance collaboration between agencies and  
184 to facilitate the provision of services by the child and  
185 adolescent mental health treatment and support system and the  
186 school district, the local child and adolescent mental health  
187 system of care shall include the local educational multiagency

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

188 network for severely emotionally disturbed students specified in  
189 s. 1006.04.

190 (6) The department shall contract for community action  
191 treatment teams throughout the state with the managing entities.

192 A community action treatment team shall:

193 (a) Provide community-based behavioral health and support  
194 services to children from 11 to 13 years of age, adolescents,  
195 and young adults from 18 to 21 years of age with serious  
196 behavioral health conditions who are at risk of out-of-home  
197 placement as demonstrated by:

198 1. Repeated failures at less intensive levels of care;

199 2. Two or more behavioral health hospitalizations;

200 3. Involvement with the Department of Juvenile Justice;

201 4. A history of multiple episodes involving law

202 enforcement; or

203 5. A record of poor academic performance or suspensions.

204  
205 Children younger than 11 years of age who otherwise meet the  
206 criteria in this paragraph may be candidates for such services  
207 if they demonstrate two or more of the characteristics listed in  
208 subparagraph 1.-5.

209 (b) Use an integrated service delivery approach to  
210 comprehensively address the needs of the child, adolescent, or  
211 young adult and strengthen his or her family and support systems  
212 to assist the child, adolescent, or young adult to live

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

213 successfully in the community. A community action treatment team  
214 shall address the therapeutic needs of the child, adolescent, or  
215 young adult receiving services and assist parents and caregivers  
216 in obtaining services and support. The community action  
217 treatment team shall make referrals to specialized treatment  
218 providers if necessary, with follow up by the community action  
219 treatment team to ensure services are received.

220 (c) Focus on engaging the child, adolescent, or young  
221 adult and his or her family as active participants in every  
222 phase of the treatment process. Community action treatment teams  
223 shall be available to the child, adolescent, or young adult and  
224 his or her family at all times.

225 (d) Coordinate with other key entities providing services  
226 and supports to the child, adolescent, or young adult and his or  
227 her family, including, but not limited to, the child's,  
228 adolescent's, or young adult's school, the local educational  
229 multiagency network for severely emotionally disturbed students  
230 under s. 1006.04, the child welfare system, and the juvenile  
231 justice system. Community action treatment teams shall also  
232 coordinate with the managing entity in their service location.

233 (e)1. Subject to appropriations and at a minimum,  
234 individually serve each of the following counties or regions:

235 a. Alachua.

236 b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and  
237 Suwannee.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

- 238 | c. Bay.
- 239 | d. Brevard.
- 240 | e. Collier.
- 241 | f. DeSoto and Sarasota.
- 242 | g. Duval.
- 243 | h. Escambia.
- 244 | i. Hardee, Highlands, and Polk.
- 245 | j. Hillsborough.
- 246 | k. Indian River, Martin, Okeechobee, and St. Lucie.
- 247 | l. Lake and Sumter.
- 248 | m. Lee.
- 249 | n. Manatee.
- 250 | o. Marion.
- 251 | p. Miami-Dade.
- 252 | q. Okaloosa.
- 253 | r. Orange.
- 254 | s. Palm Beach.
- 255 | t. Pasco.
- 256 | u. Pinellas.
- 257 | v. Walton.
- 258 | 2. Subject to appropriations, the department shall
- 259 | contract for additional teams through the managing entities to
- 260 | ensure the availability of community action treatment team
- 261 | services in the remaining areas of the state.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

262 Section 8. Section 790.064, Florida Statutes, is created  
263 to read:

264 790.064 Firearm possession and firearm ownership  
265 disability.-

266 (1) A person who has been adjudicated mentally defective  
267 or who has been committed to a mental institution, as those  
268 terms are defined in s. 790.065(2), may not own a firearm or  
269 possess a firearm until relief from the firearm possession and  
270 firearm ownership disability is obtained.

271 (2) The firearm possession and firearm ownership  
272 disability runs concurrently with the firearm purchase  
273 disability provided in s. 790.065(2).

274 (3) A person may petition the court that made the  
275 adjudication or commitment, or that ordered that the record be  
276 submitted to the Department of Law Enforcement pursuant to s.  
277 790.065(2), for relief from the firearm possession and firearm  
278 ownership disability.

279 (4) The person seeking relief must follow the procedures  
280 set forth in s. 790.065(2) for obtaining relief from the firearm  
281 purchase disability in seeking relief from the firearm  
282 possession and firearm ownership disability.

283 (5) The person may seek relief from the firearm possession  
284 and firearm ownership disability simultaneously with the relief  
285 being sought from the firearm purchase disability, if such

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

286 relief is sought, pursuant to the procedure set forth in s.  
287 790.065(2).

288 Section 9. Present subsection (13) of section 790.065,  
289 Florida Statutes, is redesignated as subsection (14), and a new  
290 subsection (13) is added to that section, to read:

291 790.065 Sale and delivery of firearms.—

292 (13) A person younger than 21 years of age may not  
293 purchase a firearm. The sale or transfer of a firearm to a  
294 person younger than 21 years of age may not be made or  
295 facilitated by a licensed importer, licensed manufacturer, or  
296 licensed dealer. A person who violates this subsection commits a  
297 felony of the third degree, punishable as provided in s.  
298 775.082, s. 775.083, or s. 775.084. The prohibitions of this  
299 subsection do not apply to the purchase of a rifle or shotgun by  
300 a law enforcement officer or correctional officer, as those  
301 terms are defined in s. 943.10(1), (2), (3), (6), (7), (8), or  
302 (9), or a servicemember as defined in s. 250.01.

303 Section 10. Section 790.0655, Florida Statutes, is amended  
304 to read:

305 790.0655 Purchase and delivery of firearms ~~handguns~~;  
306 mandatory waiting period; exceptions; penalties.—

307 (1) (a) ~~There shall be~~ A mandatory ~~3-day~~ waiting period is  
308 imposed between the purchase and delivery of a firearm. The  
309 mandatory waiting period is, which shall be 3 days, excluding  
310 weekends and legal holidays, or expires upon the completion of

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

311 the records checks required under s. 790.065, whichever occurs  
312 later between the purchase and the delivery at retail of any  
313 handgun. "Purchase" means the transfer of money or other  
314 valuable consideration to the retailer. "~~Handgun~~" means a  
315 ~~firearm capable of being carried and used by one hand, such as a~~  
316 ~~pistol or revolver.~~ "Retailer" means and includes a licensed  
317 importer, licensed manufacturer, or licensed dealer ~~every person~~  
318 engaged in the business of making firearm sales at retail or for  
319 distribution, or use, or consumption, or storage to be used or  
320 consumed in this state, as defined in s. 212.02(13).

321 (b) Records of firearm ~~handgun~~ sales must be available for  
322 inspection by any law enforcement agency, as defined in s.  
323 934.02, during normal business hours.

324 (2) The ~~3-day~~ waiting period does ~~shall~~ not apply in the  
325 following circumstances:

326 (a) When a firearm ~~handgun~~ is being purchased by a holder  
327 of a concealed weapons permit as defined in s. 790.06.

328 (b) To a trade-in of another firearm ~~handgun~~.

329 (c) To the purchase of a rifle or shotgun, upon a person's  
330 successfully completing a minimum of a 16-hour hunter safety  
331 course and possessing a hunter safety certification card issued  
332 under s. 379.3581. A person who is exempt from the hunter safety  
333 course requirements under s. 379.3581 and holds a valid Florida  
334 hunting license, is exempt from the mandatory waiting period  
335 under this section for the purchase of a rifle or shotgun.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

336 (d) When a rifle or shotgun is being purchased by a law  
337 enforcement officer or correctional officer, as those terms are  
338 defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a  
339 servicemember as defined in s. 250.01.

340 (3) It is a felony of the third degree, punishable as  
341 provided in s. 775.082, s. 775.083, or s. 775.084:

342 (a) For any retailer, or any employee or agent of a  
343 retailer, to deliver a firearm handgun before the expiration of  
344 the ~~3-day~~ waiting period, subject to the exceptions provided in  
345 subsection (2).

346 (b) For a purchaser to obtain delivery of a firearm  
347 ~~handgun~~ by fraud, false pretense, or false representation.

348 Section 11. Effective October 1, 2018, section 790.222,  
349 Florida Statutes, is created to read:

350 790.222 Bump-fire stocks prohibited.—A person may not  
351 import into this state or transfer, distribute, sell, keep for  
352 sale, offer for sale, possess, or give to another person a bump-  
353 fire stock. A person who violates this section commits a felony  
354 of the third degree, punishable as provided in s. 775.082, s.  
355 775.083, or s. 775.084. As used in this section, the term "bump-  
356 fire stock" means a conversion kit, a tool, an accessory, or a  
357 device used to alter the rate of fire of a firearm to mimic  
358 automatic weapon fire or which is used to increase the rate of  
359 fire to a faster rate than is possible for a person to fire such

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

360 semiautomatic firearm unassisted by a kit, a tool, an accessory,  
361 or a device.

362 Section 12. (1) Section 790.401, Florida Statutes, is  
363 intended to temporarily prevent individuals who are at high risk  
364 of harming themselves or others from accessing firearms or  
365 ammunition by allowing law enforcement officers to obtain a  
366 court order when there is demonstrated evidence that a person  
367 poses a significant danger to himself or herself or others,  
368 including significant danger as a result of a mental health  
369 crisis or violent behavior.

370 (2) The purpose and intent of s. 790.401, Florida  
371 Statutes, is to reduce deaths and injuries as a result of  
372 certain individuals' use of firearms while respecting  
373 constitutional rights by providing a judicial procedure for law  
374 enforcement officers to obtain a court order temporarily  
375 restricting a person's access to firearms and ammunition. The  
376 process established by s. 790.401, Florida Statutes, is intended  
377 to apply only to situations in which the person poses a  
378 significant danger of harming himself or herself or others by  
379 possessing a firearm or ammunition and to include standards and  
380 safeguards to protect the rights of respondents and due process  
381 of law.

382 Section 13. Section 790.401, Florida Statutes, may be  
383 cited as "The Risk Protection Order Act."

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

384 Section 14. Section 790.401, Florida Statutes, is created  
385 to read:

386 790.401 Risk protection orders.-

387 (1) DEFINITIONS.-As used in this section, the term:

388 (a) "Petitioner" means a law enforcement officer or a law  
389 enforcement agency that petitions a court for a risk protection  
390 order under this section.

391 (b) "Respondent" means the individual who is identified as  
392 the respondent in a petition filed under this section.

393 (c) "Risk protection order" means a temporary ex parte  
394 order or a final order granted under this section.

395 (2) PETITION FOR A RISK PROTECTION ORDER.-There is created  
396 an action known as a petition for a risk protection order.

397 (a) A petition for a risk protection order may be filed by  
398 a law enforcement officer or law enforcement agency.

399 (b) An action under this section must be filed in the  
400 county where the petitioner's law enforcement office is located  
401 or the county where the respondent resides.

402 (c) Such petition for a risk protection order does not  
403 require either party to be represented by an attorney.

404 (d) Notwithstanding any other law, attorney fees may not  
405 be awarded in any proceeding under this section.

406 (e) A petition must:

407 1. Allege that the respondent poses a significant danger  
408 of causing personal injury to himself or herself or others by

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

409 having a firearm or any ammunition in his or her custody or  
410 control or by purchasing, possessing, or receiving a firearm or  
411 any ammunition, and must be accompanied by an affidavit made  
412 under oath stating the specific statements, actions, or facts  
413 that give rise to a reasonable fear of significant dangerous  
414 acts by the respondent;

415 2. Identify the quantities, types, and locations of all  
416 firearms and ammunition the petitioner believes to be in the  
417 respondent's current ownership, possession, custody, or control;  
418 and

419 3. Identify whether there is a known existing protection  
420 order governing the respondent under s. 741.30, s. 784.046, or  
421 s. 784.0485 or under any other applicable statute.

422 (f) The petitioner must make a good faith effort to  
423 provide notice to a family or household member of the respondent  
424 and to any known third party who may be at risk of violence. The  
425 notice must state that the petitioner intends to petition the  
426 court for a risk protection order or has already done so and  
427 must include referrals to appropriate resources, including  
428 mental health, domestic violence, and counseling resources. The  
429 petitioner must attest in the petition to having provided such  
430 notice or must attest to the steps that will be taken to provide  
431 such notice.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

432 (g) The petitioner must list the address of record on the  
433 petition as being where the appropriate law enforcement agency  
434 is located.

435 (h) A court or a public agency may not charge fees for  
436 filing or for service of process to a petitioner seeking relief  
437 under this section and must provide the necessary number of  
438 certified copies, forms, and instructional brochures free of  
439 charge.

440 (i) A person is not required to post a bond to obtain  
441 relief in any proceeding under this section.

442 (j) The circuit courts of this state have jurisdiction  
443 over proceedings under this section.

444 (3) RISK PROTECTION ORDER HEARINGS AND ISSUANCE.—

445 (a) Upon receipt of a petition, the court must order a  
446 hearing to be held no later than 14 days after the date of the  
447 order and must issue a notice of hearing to the respondent for  
448 the same.

449 1. The clerk of the court shall cause a copy of the notice  
450 of hearing and petition to be forwarded on or before the next  
451 business day to the appropriate law enforcement agency for  
452 service upon the respondent as provided in subsection (5).

453 2. The court may, as provided in subsection (4), issue a  
454 temporary ex parte risk protection order pending the hearing  
455 ordered under this subsection. Such temporary ex parte order

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

456 must be served concurrently with the notice of hearing and  
457 petition as provided in subsection (5).

458 3. The court may conduct a hearing by telephone pursuant  
459 to a local court rule to reasonably accommodate a disability or  
460 exceptional circumstances. The court must receive assurances of  
461 the petitioner's identity before conducting a telephonic  
462 hearing.

463 (b) Upon notice and a hearing on the matter, if the court  
464 finds by clear and convincing evidence that the respondent poses  
465 a significant danger of causing personal injury to himself or  
466 herself or others by having in his or her custody or control, or  
467 by purchasing, possessing, or receiving, a firearm or any  
468 ammunition, the court must issue a risk protection order for a  
469 period that it deems appropriate, up to and including but not  
470 exceeding 12 months.

471 (c) In determining whether grounds for a risk protection  
472 order exist, the court may consider any relevant evidence,  
473 including, but not limited to, any of the following:

474 1. A recent act or threat of violence by the respondent  
475 against himself or herself or others, whether or not such  
476 violence or threat of violence involves a firearm.

477 2. An act or threat of violence by the respondent within  
478 the past 12 months, including, but not limited to, acts or  
479 threats of violence by the respondent against himself or herself  
480 or others.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

481 3. Evidence of the respondent being seriously mentally ill  
482 or having recurring mental health issues.

483 4. A violation by the respondent of a risk protection  
484 order or a no contact order issued under s. 741.30, s. 784.046,  
485 or s. 784.0485.

486 5. A previous or existing risk protection order issued  
487 against the respondent.

488 6. A violation of a previous or existing risk protection  
489 order issued against the respondent.

490 7. Whether the respondent, in this state or any other  
491 state, has been convicted of, had adjudication withheld on, or  
492 pled nolo contendere to a crime that constitutes domestic  
493 violence as defined in s. 741.28.

494 8. Whether the respondent has used, or has threatened to  
495 use, against himself or herself or others any weapons.

496 9. The unlawful or reckless use, display, or brandishing  
497 of a firearm by the respondent.

498 10. The recurring use of, or threat to use, physical force  
499 by the respondent against another person or the respondent  
500 stalking another person.

501 11. Whether the respondent, in this state or any other  
502 state, has been arrested for, convicted of, had adjudication  
503 withheld on, or pled nolo contendere to a crime involving  
504 violence or a threat of violence.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

505 12. Corroborated evidence of the abuse of controlled  
506 substances or alcohol by the respondent.

507 13. Evidence of recent acquisition of firearms or  
508 ammunition by the respondent.

509 14. Any relevant information from family and household  
510 members concerning the respondent.

511 15. Witness testimony, taken while the witness is under  
512 oath, relating to the matter before the court.

513 (d) A person, including an officer of the court, who  
514 offers evidence or recommendations relating to the cause of  
515 action either must present the evidence or recommendations in  
516 writing to the court with copies to each party and his or her  
517 attorney, if one is retained, or must present the evidence under  
518 oath at a hearing at which all parties are present.

519 (e) In a hearing under this section, the rules of evidence  
520 apply to the same extent as in a domestic violence injunction  
521 proceeding under s. 741.30.

522 (f) During the hearing, the court must consider whether a  
523 mental health evaluation or chemical dependency evaluation is  
524 appropriate and, if such determination is made, may order such  
525 evaluations, if appropriate.

526 (g) A risk protection order must include all of the  
527 following:

528 1. A statement of the grounds supporting the issuance of  
529 the order;

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

530 2. The date the order was issued;

531 3. The date the order ends;

532 4. Whether a mental health evaluation or chemical  
533 dependency evaluation of the respondent is required;

534 5. The address of the court in which any responsive  
535 pleading should be filed;

536 6. A description of the requirements for the surrender of  
537 all firearms and ammunition that the respondent owns, under  
538 subsection (7); and

539 7. The following statement:

540  
541 "To the subject of this protection order: This order will last  
542 until the date noted above. If you have not done so already, you  
543 must surrender immediately to the (insert name of local law  
544 enforcement agency) all firearms and ammunition that you own in  
545 your custody, control, or possession and any license to carry a  
546 concealed weapon or firearm issued to you under s. 790.06,  
547 Florida Statutes. You may not have in your custody or control,  
548 or purchase, possess, receive, or attempt to purchase or  
549 receive, a firearm or ammunition while this order is in effect.  
550 You have the right to request one hearing to vacate this order,  
551 starting after the date of the issuance of this order, and to  
552 request another hearing after every extension of the order, if  
553 any. You may seek the advice of an attorney as to any matter  
554 connected with this order."

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

555  
556 (h) If the court issues a risk protection order, the court  
557 must inform the respondent that he or she is entitled to request  
558 a hearing to vacate the order in the manner provided by  
559 subsection (6). The court shall provide the respondent with a  
560 form to request a hearing to vacate.

561 (i) If the court denies the petitioner's request for a  
562 risk protection order, the court must state the particular  
563 reasons for the denial.

564 (4) TEMPORARY EX PARTE RISK PROTECTION ORDERS.-

565 (a) A petitioner may request that a temporary ex parte  
566 risk protection order be issued before a hearing for a risk  
567 protection order, without notice to the respondent, by including  
568 in the petition detailed allegations based on personal knowledge  
569 that the respondent poses a significant danger of causing  
570 personal injury to himself or herself or others in the near  
571 future by having in his or her custody or control, or by  
572 purchasing, possessing, or receiving, a firearm or ammunition.

573 (b) In considering whether to issue a temporary ex parte  
574 risk protection order under this section, the court shall  
575 consider all relevant evidence, including the evidence described  
576 in paragraph (3) (c).

577 (c) If a court finds there is reasonable cause to believe  
578 that the respondent poses a significant danger of causing  
579 personal injury to himself or herself or others in the near

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

580 future by having in his or her custody or control, or by  
581 purchasing, possessing, or receiving, a firearm or ammunition,  
582 the court must issue a temporary ex parte risk protection order.

583 (d) The court must hold a temporary ex parte risk  
584 protection order hearing in person or by telephone on the day  
585 the petition is filed or on the business day immediately  
586 following the day the petition is filed.

587 (e) A temporary ex parte risk protection order must  
588 include all of the following:

589 1. A statement of the grounds asserted for the order;

590 2. The date the order was issued;

591 3. The address of the court in which any responsive  
592 pleading may be filed;

593 4. The date and time of the scheduled hearing;

594 5. A description of the requirements for the surrender of  
595 all firearms and ammunition that the respondent owns, under  
596 subsection (7); and

597 6. The following statement:

598  
599 "To the subject of this protection order: This order is valid  
600 until the date noted above. You are required to surrender all  
601 firearms and ammunition that you own in your custody, control,  
602 or possession. You may not have in your custody or control, or  
603 purchase, possess, receive, or attempt to purchase or receive, a  
604 firearm or ammunition while this order is in effect. You must

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

605 surrender immediately to the (insert name of local law  
606 enforcement agency) all firearms and ammunition in your custody,  
607 control, or possession and any license to carry a concealed  
608 weapon or firearm issued to you under s. 790.06, Florida  
609 Statutes. A hearing will be held on the date and at the time  
610 noted above to determine if a risk protection order should be  
611 issued. Failure to appear at that hearing may result in a court  
612 issuing an order against you which is valid for 1 year. You may  
613 seek the advice of an attorney as to any matter connected with  
614 this order."

615

616 (f) A temporary ex parte risk protection order ends upon  
617 the hearing on the risk protection order.

618 (g) A temporary ex parte risk protection order must be  
619 served by a law enforcement officer in the same manner as  
620 provided for in subsection (5) for service of the notice of  
621 hearing and petition and must be served concurrently with the  
622 notice of hearing and petition.

623 (h) If the court denies the petitioner's request for a  
624 temporary ex parte risk protection order, the court must state  
625 the particular reasons for the denial.

626 (5) SERVICE.—

627 (a) The clerk of the court shall furnish a copy of the  
628 notice of hearing, petition, and temporary ex parte risk  
629 protection order or risk protection order, as applicable, to the

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

630 sheriff of the county where the respondent resides or can be  
631 found, who shall serve it upon the respondent as soon thereafter  
632 as possible on any day of the week and at any time of the day or  
633 night. When requested by the sheriff, the clerk of the court may  
634 transmit a facsimile copy of a temporary ex parte risk  
635 protection order or a risk protection order that has been  
636 certified by the clerk of the court, and this facsimile copy may  
637 be served in the same manner as a certified copy. Upon receiving  
638 a facsimile copy, the sheriff must verify receipt with the  
639 sender before attempting to serve it upon the respondent. The  
640 clerk of the court shall be responsible for furnishing to the  
641 sheriff information on the respondent's physical description and  
642 location. Notwithstanding any other provision of law to the  
643 contrary, the chief judge of each circuit, in consultation with  
644 the appropriate sheriff, may authorize a law enforcement agency  
645 within the jurisdiction to effect service. A law enforcement  
646 agency effecting service pursuant to this section shall use  
647 service and verification procedures consistent with those of the  
648 sheriff. Service under this section takes precedence over the  
649 service of other documents, unless the other documents are of a  
650 similar emergency nature.

651 (b) All orders issued, changed, continued, extended, or  
652 vacated after the original service of documents specified in  
653 paragraph (a) must be certified by the clerk of the court and  
654 delivered to the parties at the time of the entry of the order.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

655 The parties may acknowledge receipt of such order in writing on  
656 the face of the original order. If a party fails or refuses to  
657 acknowledge the receipt of a certified copy of an order, the  
658 clerk shall note on the original order that service was  
659 effected. If delivery at the hearing is not possible, the clerk  
660 shall mail certified copies of the order to the parties at the  
661 last known address of each party. Service by mail is complete  
662 upon mailing. When an order is served pursuant to this  
663 subsection, the clerk shall prepare a written certification to  
664 be placed in the court file specifying the time, date, and  
665 method of service and shall notify the sheriff.

666 (6) TERMINATION AND EXTENSION OF ORDERS.-

667 (a) The respondent may submit one written request for a  
668 hearing to vacate a risk protection order issued under this  
669 section, starting after the date of the issuance of the order,  
670 and may request another hearing after every extension of the  
671 order, if any.

672 1. Upon receipt of the request for a hearing to vacate a  
673 risk protection order, the court shall set a date for a hearing.  
674 Notice of the request must be served on the petitioner in  
675 accordance with subsection (5). The hearing must occur no sooner  
676 than 14 days and no later than 30 days after the date of service  
677 of the request upon the petitioner.

678 2. The respondent shall have the burden of proving by  
679 clear and convincing evidence that the respondent does not pose

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

680 a significant danger of causing personal injury to himself or  
681 herself or others by having in his or her custody or control,  
682 purchasing, possessing, or receiving a firearm or ammunition.  
683 The court may consider any relevant evidence, including evidence  
684 of the considerations listed in paragraph (3) (c).

685 3. If the court finds after the hearing that the  
686 respondent has met his or her burden of proof, the court must  
687 vacate the order.

688 4. The law enforcement agency holding any firearm or  
689 ammunition or license to carry a concealed weapon or firearm  
690 that has been surrendered pursuant to this section shall be  
691 notified of the court order to vacate the risk protection order.

692 (b) The court must notify the petitioner of the impending  
693 end of a risk protection order. Notice must be received by the  
694 petitioner at least 30 days before the date the order ends.

695 (c) The petitioner may, by motion, request an extension of  
696 a risk protection order at any time within 30 days before the  
697 end of the order.

698 1. Upon receipt of the motion to extend, the court shall  
699 order that a hearing be held no later than 14 days after the  
700 date the order is issued and shall schedule such hearing.

701 a. The court may schedule a hearing by telephone in the  
702 manner provided by subparagraph (3) (a) 3.

703 b. The respondent must be personally serviced in the same  
704 manner provided by subsection (5).

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

705 2. In determining whether to extend a risk protection  
706 order issued under this section, the court may consider all  
707 relevant evidence, including evidence of the considerations  
708 listed in paragraph (3) (c).

709 3. If the court finds by clear and convincing evidence  
710 that the requirements for issuance of a risk protection order as  
711 provided in subsection (3) continue to be met, the court must  
712 extend the order. However, if, after notice, the motion for  
713 extension is uncontested and no modification of the order is  
714 sought, the order may be extended on the basis of a motion or  
715 affidavit stating that there has been no material change in  
716 relevant circumstances since entry of the order and stating the  
717 reason for the requested extension.

718 4. The court may extend a risk protection order for a  
719 period that it deems appropriate, up to and including but not  
720 exceeding 12 months, subject to an order to vacate as provided  
721 in paragraph (a) or to another extension order by the court.

722 (7) SURRENDER OF FIREARMS AND AMMUNITION.-

723 (a) Upon issuance of a risk protection order under this  
724 section, including a temporary ex parte risk protection order,  
725 the court shall order the respondent to surrender to the local  
726 law enforcement agency all firearms and ammunition owned by the  
727 respondent in the respondent's custody, control, or possession  
728 except as provided in subsection (9), and any license to carry a

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

729 concealed weapon or firearm issued under s. 790.06, held by the  
730 respondent.

731 (b) The law enforcement officer serving a risk protection  
732 order under this section, including a temporary ex parte risk  
733 protection order, shall request that the respondent immediately  
734 surrender all firearms and ammunition owned by the respondent in  
735 his or her custody, control, or possession and any license to  
736 carry a concealed weapon or firearm issued under s. 790.06, held  
737 by the respondent. The law enforcement officer shall take  
738 possession of all firearms and ammunition owned by the  
739 respondent and any license to carry a concealed weapon or  
740 firearm issued under s. 790.06, held by the respondent, which  
741 are surrendered. Alternatively, if personal service by a law  
742 enforcement officer is not possible or is not required because  
743 the respondent was present at the risk protection order hearing,  
744 the respondent must surrender any firearms and ammunition owned  
745 by the respondent and any license to carry a concealed weapon or  
746 firearm issued under s. 790.06, held by the respondent, in a  
747 safe manner to the control of the local law enforcement agency  
748 immediately after being served with the order by service or  
749 immediately after the hearing at which the respondent was  
750 present. Notwithstanding ss. 933.02 and 933.18, a law  
751 enforcement officer may seek a search warrant from a court of  
752 competent jurisdiction to conduct a search for firearms or  
753 ammunition owned by the respondent if the officer has probable

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

754 cause to believe that there are firearms or ammunition owned by  
755 the respondent in the respondent's custody, control, or  
756 possession which have not been surrendered.

757 (c) At the time of surrender, a law enforcement officer  
758 taking possession of any firearm or ammunition owned by the  
759 respondent, or a license to carry a concealed weapon or firearm  
760 issued under s. 790.06, held by the respondent shall issue a  
761 receipt identifying all firearms and the quantity and type of  
762 ammunition that have been surrendered, and any license  
763 surrendered and shall provide a copy of the receipt to the  
764 respondent. Within 72 hours after service of the order, the law  
765 enforcement officer serving the order shall file the original  
766 receipt with the court and shall ensure that his or her law  
767 enforcement agency retains a copy of the receipt.

768 (d) Notwithstanding ss. 933.02 and 933.18, upon the sworn  
769 statement or testimony of any person alleging that the  
770 respondent has failed to comply with the surrender of firearms  
771 or ammunition owned by the respondent, as required by an order  
772 issued under this section, the court shall determine whether  
773 probable cause exists to believe that the respondent has failed  
774 to surrender all firearms or ammunition owned by the respondent  
775 in the respondent's custody, control, or possession. If the  
776 court finds that probable cause exists, the court must issue a  
777 warrant describing the firearms or ammunition owned by the  
778 respondent and authorizing a search of the locations where the

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

779 firearms or ammunition owned by the respondent are reasonably  
780 believed to be found and the seizure of any firearms or  
781 ammunition owned by the respondent discovered pursuant to such  
782 search.

783 (e) If a person other than the respondent claims title to  
784 any firearms or ammunition surrendered pursuant to this section  
785 and he or she is determined by the law enforcement agency to be  
786 the lawful owner of the firearm or ammunition, the firearm or  
787 ammunition shall be returned to him or her, if:

788 1. The lawful owner agrees to store the firearm or  
789 ammunition in a manner such that the respondent does not have  
790 access to or control of the firearm or ammunition.

791 2. The firearm or ammunition is not otherwise unlawfully  
792 possessed by the owner.

793 (f) Upon the issuance of a risk protection order, the  
794 court shall order a new hearing date and require the respondent  
795 to appear no later than 3 business days after the issuance of  
796 the order. The court shall require proof that the respondent has  
797 surrendered any firearms or ammunition owned by the respondent  
798 in the respondent's custody, control, or possession. The court  
799 may cancel the hearing upon a satisfactory showing that the  
800 respondent is in compliance with the order.

801 (g) All law enforcement agencies must develop policies and  
802 procedures regarding the acceptance, storage, and return of

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

803 firearms, ammunition, or licenses required to be surrendered  
804 under this section.

805 (8) RETURN AND DISPOSAL OF FIREARMS AND AMMUNITION.—

806 (a) If a risk protection order is vacated or ends without  
807 extension, a law enforcement agency holding a firearm or any  
808 ammunition owned by the respondent or a license to carry a  
809 concealed weapon or firearm issued under s. 790.06, held by the  
810 respondent, that has been surrendered or seized pursuant to this  
811 section must return such surrendered firearm, ammunition, or  
812 license to carry a concealed weapon or firearm issued under s.  
813 790.06, as requested by a respondent only after confirming  
814 through a background check that the respondent is currently  
815 eligible to own or possess firearms and ammunition under federal  
816 and state law and after confirming with the court that the risk  
817 protection order has been vacated or has ended without  
818 extension.

819 (b) If a risk protection order is vacated or ends without  
820 extension, the Department of Agriculture and Consumer Services,  
821 if it has suspended a license to carry a concealed weapon or  
822 firearm pursuant to this section, must reinstate such license  
823 only after confirming that the respondent is currently eligible  
824 to have a license to carry a concealed weapon or firearm  
825 pursuant to s. 790.06.

826 (c) A law enforcement agency must provide notice to any  
827 family or household members of the respondent before the return

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

828 of any surrendered firearm and ammunition owned by the  
829 respondent.

830 (d) Any firearm and ammunition surrendered by a respondent  
831 pursuant to subsection (7) which remains unclaimed for 1 year by  
832 the lawful owner after an order to vacate the risk protection  
833 order shall be disposed of in accordance with the law  
834 enforcement agency's policies and procedures for the disposal of  
835 firearms in police custody.

836 (9) TRANSFER OF FIREARMS AND AMMUNITION.—A respondent may  
837 elect to transfer all firearms and ammunition owned by the  
838 respondent that have been surrendered to or seized by a local  
839 law enforcement agency pursuant to subsection (7) to another  
840 person who is willing to receive the respondent's firearms and  
841 ammunition. The law enforcement agency must allow such a  
842 transfer only if it is determined that the chosen recipient:

843 (a) Currently is eligible to own or possess a firearm and  
844 ammunition under federal and state law after confirmation  
845 through a background check;

846 (b) Attests to storing the firearms and ammunition in a  
847 manner such that the respondent does not have access to or  
848 control of the firearms and ammunition until the risk protection  
849 order against the respondent is vacated or ends without  
850 extension; and

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

851 (c) Attests not to transfer the firearms or ammunition  
852 back to the respondent until the risk protection order against  
853 the respondent is vacated or ends without extension.

854 (10) REPORTING OF ORDERS.—

855 (a) Within 24 hours after issuance, the clerk of the court  
856 shall enter any risk protection order or temporary ex parte risk  
857 protection order issued under this section into the uniform case  
858 reporting system.

859 (b) Within 24 hours after issuance, the clerk of the court  
860 shall forward a copy of an order issued under this section to  
861 the appropriate law enforcement agency specified in the order.  
862 Upon receipt of the copy of the order, the law enforcement  
863 agency shall enter the order into the Florida Crime Information  
864 Center and National Crime Information Center. The order must  
865 remain in each system for the period stated in the order, and  
866 the law enforcement agency may only remove an order from the  
867 systems which has ended or been vacated. Entry of the order into  
868 the Florida Crime Information Center and National Crime  
869 Information Center constitutes notice to all law enforcement  
870 agencies of the existence of the order. The order is fully  
871 enforceable in any county in this state.

872 (c) The issuing court shall, within 3 business days after  
873 issuance of a risk protection order or temporary ex parte risk  
874 protection order, forward all available identifying information  
875 concerning the respondent, along with the date of order

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

876 issuance, to the Department of Agriculture and Consumer  
877 Services. Upon receipt of the information, the department shall  
878 determine if the respondent has a license to carry a concealed  
879 weapon or firearm. If the respondent does have a license to  
880 carry a concealed weapon or firearm, the department must  
881 immediately suspend the license.

882 (d) If a risk protection order is vacated before its end  
883 date, the clerk of the court shall, on the day of the order to  
884 vacate, forward a copy of the order to the Department of  
885 Agriculture and Consumer Services and the appropriate law  
886 enforcement agency specified in the order to vacate. Upon  
887 receipt of the order, the law enforcement agency shall promptly  
888 remove the order from any computer-based system in which it was  
889 entered pursuant to paragraph (b).

890 (11) PENALTIES.—

891 (a) A person who makes a false statement, which he or she  
892 does not believe to be true, under oath in a hearing under this  
893 section in regard to any material matter commits a felony of the  
894 third degree, punishable as provided in s. 775.082, s. 775.083,  
895 or s. 775.084.

896 (b) A person who has in his or her custody or control a  
897 firearm or any ammunition or who purchases, possesses, or  
898 receives a firearm or any ammunition with knowledge that he or  
899 she is prohibited from doing so by an order issued under this

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

900 section commits a felony of the third degree, punishable as  
901 provided in s. 775.082, s. 775.083, or s. 775.084.

902 (12) LAW ENFORCEMENT RETAINS OTHER AUTHORITY.—This section  
903 does not affect the ability of a law enforcement officer to  
904 remove a firearm or ammunition or license to carry a concealed  
905 weapon or concealed firearm from any person or to conduct any  
906 search and seizure for firearms or ammunition pursuant to other  
907 lawful authority.

908 (13) LIABILITY.—Except as provided in subsection (8) or  
909 subsection (11), this section does not impose criminal or civil  
910 liability on any person or entity for acts or omissions related  
911 to obtaining a risk protection order or temporary ex parte risk  
912 protection order, including, but not limited to, providing  
913 notice to the petitioner, a family or household member of the  
914 respondent, and any known third party who may be at risk of  
915 violence or failure to provide such notice, or reporting,  
916 declining to report, investigating, declining to investigate,  
917 filing, or declining to file, a petition under this section.

918 (14) INSTRUCTIONAL AND INFORMATIONAL MATERIAL.—

919 (a) The Office of the State Courts Administrator shall  
920 develop and prepare instructions and informational brochures,  
921 standard petitions and risk protection order forms, and a court  
922 staff handbook on the risk protection order process. The  
923 standard petition and order forms must be used after January 1,  
924 2019, for all petitions filed and orders issued pursuant to this

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

925 section. The office shall determine the significant non-English-  
926 speaking or limited English-speaking populations in the state  
927 and prepare the instructions and informational brochures and  
928 standard petitions and risk protection order forms in such  
929 languages. The instructions, brochures, forms, and handbook must  
930 be prepared in consultation with interested persons, including  
931 representatives of gun violence prevention groups, judges, and  
932 law enforcement personnel. Materials must be based on best  
933 practices and must be available online to the public.

934 1. The instructions must be designed to assist petitioners  
935 in completing the petition and must include a sample of a  
936 standard petition and order for protection forms.

937 2. The instructions and standard petition must include a  
938 means for the petitioner to identify, with only layman's  
939 knowledge, the firearms or ammunition the respondent may own,  
940 possess, receive, or have in his or her custody or control. The  
941 instructions must provide pictures of types of firearms and  
942 ammunition that the petitioner may choose from to identify the  
943 relevant firearms or ammunition, or must provide an equivalent  
944 means to allow petitioners to identify firearms or ammunition  
945 without requiring specific or technical knowledge regarding the  
946 firearms or ammunition.

947 3. The informational brochure must describe the use of and  
948 the process for obtaining, extending, and vacating a risk

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

949 protection order under this section and must provide relevant  
950 forms.

951 4. The risk protection order form must include, in a  
952 conspicuous location, notice of criminal penalties resulting  
953 from violation of the order and the following statement: "You  
954 have the sole responsibility to avoid or refrain from violating  
955 this order's provisions. Only the court can change the order and  
956 only upon written request."

957 5. The court staff handbook must allow for the addition of  
958 a community resource list by the clerk of the court.

959 (b) Any clerk of court may create a community resource  
960 list of crisis intervention, mental health, substance abuse,  
961 interpreter, counseling, and other relevant resources serving  
962 the county in which the court is located. The court may make the  
963 community resource list available as part of or in addition to  
964 the informational brochures described in paragraph (a).

965 (c) The Office of the State Courts Administrator shall  
966 distribute a master copy of the petition and order forms,  
967 instructions, and informational brochures to the clerks of  
968 court. Distribution of all documents shall, at a minimum, be in  
969 an electronic format or formats accessible to all courts and  
970 clerks of court in the state.

971 (d) Within 90 days after receipt of the master copy from  
972 the Office of the State Courts Administrator, the clerk of the

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

973 court shall make available the standardized forms, instructions,  
974 and informational brochures required by this subsection.

975 (e) The Office of the State Courts Administrator shall  
976 update the instructions, brochures, standard petition and risk  
977 protection order forms, and court staff handbook as necessary,  
978 including when changes in the law make an update necessary.

979 Section 15. Section 836.10, Florida Statutes, is amended  
980 to read:

981 836.10 Written threats to kill, ~~or~~ do bodily injury, or  
982 conduct a mass shooting or an act of terrorism; punishment.—Any  
983 person who writes or composes and also sends or procures the  
984 sending of any letter, inscribed communication, or electronic  
985 communication, whether such letter or communication be signed or  
986 anonymous, to any person, containing a threat to kill or to do  
987 bodily injury to the person to whom such letter or communication  
988 is sent, or a threat to kill or do bodily injury to any member  
989 of the family of the person to whom such letter or communication  
990 is sent, or any person who makes, posts, or transmits a threat  
991 in a writing or other record, including an electronic record, to  
992 conduct a mass shooting or an act of terrorism, in any manner  
993 that would allow another person to view the threat, commits a  
994 felony of the second degree, punishable as provided in s.  
995 775.082, s. 775.083, or s. 775.084.

996 Section 16. Paragraph (f) of subsection (3) of section  
997 921.0022, Florida Statutes, is amended to read:

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

998	921.0022 Criminal Punishment Code; offense severity		
999	ranking chart.—		
1000	(3) OFFENSE SEVERITY RANKING CHART		
1001	(f) LEVEL 6		
1002			
1003	Florida	Felony	
1004	Statute	Degree	Description
1005	316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
1006	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
1007	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
1008	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1008	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
1009	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
1010	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
1011	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
1012	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
1013	784.041	3rd	Felony battery; domestic battery by strangulation.
1014	784.048 (3)	3rd	Aggravated stalking; credible threat.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1015	784.048 (5)	3rd	Aggravated stalking of person under 16.
1016	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
1017	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
1018	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
1019	784.081 (2)	2nd	Aggravated assault on specified official or employee.
1020	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
	784.083 (2)	2nd	Aggravated assault on code inspector.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1021	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
1022	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
1023	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
1024	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.
1025	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
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864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1027	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
1028	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
1029	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
1030	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
1031	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1032			assault or battery.
810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.	
1033			
812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.	
1034			
812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.	
1035			
812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.	
1036			
812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.	

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1037	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
1038	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
1039	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
1040	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
1041	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
1042	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
1043	825.103 (3) (c)	3rd	Exploiting an elderly

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

			person or disabled adult and property is valued at less than \$10,000.
1044	827.03 (2) (c)	3rd	Abuse of a child.
1045	827.03 (2) (d)	3rd	Neglect of a child.
1046	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1047	836.05	2nd	Threats; extortion.
1048	836.10	2nd	Written threats to kill, <del>or</del> do bodily injury, <u>or conduct a mass shooting or an act of terrorism.</u>
1049	843.12	3rd	Aids or assists person to escape.
1050	847.011	3rd	Distributing, offering to

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1051			distribute, or possessing with intent to distribute obscene materials depicting minors.
1052	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
1053	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
1054	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1055 944.40 2nd Escapes.

1056 944.46 3rd Harboring, concealing, aiding  
1057 escaped prisoners.

944.47(1)(a)5. 2nd Introduction of  
contraband (firearm,  
weapon, or explosive)  
into correctional  
facility.

1058 951.22(1) 3rd Intoxicating drug, firearm,  
or weapon introduced into  
county facility.

1059

1060

1061

1062 Section 17. Section 943.082, Florida Statutes, is created  
1063 to read:

1064 943.082 School Safety Awareness Program.—

1065 (1) In collaboration with the Department of Legal Affairs,  
1066 the department shall competitively procure a mobile suspicious  
1067 activity reporting tool that allows students and the community  
1068 to relay information anonymously concerning unsafe, potentially

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1069 harmful, dangerous, violent, or criminal activities, or the  
1070 threat of these activities, to appropriate public safety  
1071 agencies and school officials. As recommended by students of  
1072 Marjory Stoneman Douglas High School, the program shall be named  
1073 "FortifyFL." At a minimum, the department must receive reports  
1074 electronically through the mobile suspicious activity reporting  
1075 tool that is available on both Android and Apple devices.

1076 (2) The reporting tool must notify the reporting party of  
1077 the following information:

1078 (a) That the reporting party may provide his or her report  
1079 anonymously.

1080 (b) That if the reporting party chooses to disclose his or  
1081 her identity, that information shall be shared with the  
1082 appropriate law enforcement agency and school officials;  
1083 however, the law enforcement agency and school officials shall  
1084 be required to maintain the information as confidential.

1085 (3) Information reported using the tool must be promptly  
1086 forwarded to the appropriate law enforcement agency or school  
1087 official.

1088 (4) Law enforcement dispatch centers, school districts,  
1089 schools, and other entities identified by the department shall  
1090 be made aware of the mobile suspicious activity reporting tool.

1091 (5) The department, in collaboration with the Division of  
1092 Victims Services within the Office of the Attorney General and  
1093 the Office of Safe Schools within the Department of Education,

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1094 shall develop and provide a comprehensive training and awareness  
1095 program on the use of the mobile suspicious activity reporting  
1096 tool.

1097 Section 18. Section 943.687, Florida Statutes, is created  
1098 to read:

1099 943.687 Marjory Stoneman Douglas High School Public Safety  
1100 Commission.—

1101 (1) There is created within the Department of Law  
1102 Enforcement the Marjory Stoneman Douglas High School Public  
1103 Safety Commission, a commission as defined in s. 20.03.

1104 (2) (a) The commission shall convene no later than June 1,  
1105 2018, and shall be composed of 16 members. Five members shall be  
1106 appointed by the President of the Senate, five members shall be  
1107 appointed by the Speaker of the House of Representatives, and  
1108 five members shall be appointed by the Governor. From the  
1109 members of the commission, the Governor shall appoint the chair.  
1110 Appointments must be made by April 30, 2018. The Commissioner of  
1111 the Department of Law Enforcement shall serve as a member of the  
1112 commission. The Secretary of Children and Families, the  
1113 Secretary of Juvenile Justice, the Secretary of Health Care  
1114 Administration, and the Commissioner of Education shall serve as  
1115 ex officio, nonvoting members of the commission. Members shall  
1116 serve at the pleasure of the officer who appointed the member. A  
1117 vacancy on the commission shall be filled in the same manner as  
1118 the original appointment.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1119 (b) The General Counsel of the Department of Law  
1120 Enforcement shall serve as the general counsel for the  
1121 commission.

1122 (c) The Department of Law Enforcement staff, as assigned  
1123 by the chair, shall assist the commission in performing its  
1124 duties.

1125 (d) The commission shall meet as necessary to conduct its  
1126 work at the call of the chair and at the time designated by him  
1127 or her at locations throughout the state. The commission may  
1128 conduct its meetings through teleconferences or other similar  
1129 means.

1130 (e) Members of the commission are entitled to receive  
1131 reimbursement for per diem and travel expenses pursuant to s.  
1132 112.061.

1133 (3) The commission shall investigate system failures in  
1134 the Marjory Stoneman Douglas High School shooting and prior mass  
1135 violence incidents in this state and develop recommendations for  
1136 system improvements. At a minimum, the commission shall analyze  
1137 information and evidence from the Marjory Stoneman Douglas High  
1138 School shooting and other mass violence incidents in this state.  
1139 At a minimum the commission shall:

1140 (a) Develop a timeline of the incident, incident response,  
1141 and all relevant events preceding the incident, with particular  
1142 attention to all perpetrator contacts with local, state and

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1143 national government agencies and entities and any contract  
1144 providers of such agencies and entities.

1145 (b) Investigate any failures in incident responses by  
1146 local law enforcement agencies and school resource officers.

1147 1. Identify existing policies and procedures for active  
1148 assailant incidents on school premises and evaluate the  
1149 compliance with such policies and procedures in the execution of  
1150 incident responses.

1151 2. Evaluate existing policies and procedures for active  
1152 assailant incidents on school premises in comparison with  
1153 national best practices.

1154 3. Evaluate the extent to which any failures in policy,  
1155 procedure, or execution contributed to an inability to prevent  
1156 deaths and injuries.

1157 4. Make specific recommendations for improving law  
1158 enforcement and school resource officer incident response in the  
1159 future.

1160 5. Make specific recommendations for determining the  
1161 appropriate ratio of school resource officers per school by  
1162 school type. At a minimum, the methodology for determining the  
1163 ratio should include the school location, student population,  
1164 and school design.

1165 (c) Investigate any failures in interactions with  
1166 perpetrators preceding mass violence incidents.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1167 1. Identify the history of interactions between  
1168 perpetrators and governmental entities such as schools, law  
1169 enforcement agencies, courts and social service agencies, and  
1170 identify any failures to adequately communicate or coordinate  
1171 regarding indicators of risk or possible threats.

1172 2. Evaluate the extent to which any such failures  
1173 contributed to an inability to prevent deaths and injuries.

1174 3. Make specific recommendations for improving  
1175 communication and coordination among entities with knowledge of  
1176 indicators of risk or possible threats of mass violence in the  
1177 future.

1178 4. Identify available state and local tools and resources  
1179 for enhancing communication and coordination regarding  
1180 indicators of risk or possible threats, including, but not  
1181 limited to, the Department of Law Enforcement Fusion Center or  
1182 Judicial Inquiry System, and make specific recommendations for  
1183 using such tools and resources more effectively in the future.

1184 (4) The commission has the power to investigate. The  
1185 commission may delegate to its investigators the authority to  
1186 administer oaths and affirmations.

1187 (5) The Commissioner of the Department of Law Enforcement  
1188 shall use his or her subpoena power to compel the attendance of  
1189 witnesses to testify before the commission. The Commissioner of  
1190 the Department of Law Enforcement shall use his or her subpoena  
1191 power to compel the production of any books, papers, records,

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

1192 documentary evidence, and other items, including confidential  
1193 information, relevant to the performance of the duties of the  
1194 commission or to the exercise of its powers. The chair or any  
1195 other member of the commission may administer all oaths and  
1196 affirmations in the manner prescribed by law to witnesses who  
1197 appear before the commission for the purpose of testifying in  
1198 any matter of which the commission desires evidence. In the case  
1199 of a refusal to obey a subpoena, the commission may make  
1200 application to any circuit court of this state having  
1201 jurisdiction to order the witness to appear before the  
1202 commission and to produce evidence, if so ordered, or to give  
1203 testimony relevant to the matter in question. Failure to obey  
1204 the order may be punished by the court as contempt.

1205 (6) The commission may call upon appropriate agencies of  
1206 state government for such professional assistance as may be  
1207 needed in the discharge of its duties, and such agencies shall  
1208 provide such assistance in a timely manner.

1209 (7) Notwithstanding any other law, the commission may  
1210 request and shall be provided with access to any information or  
1211 records, including exempt or confidential and exempt information  
1212 or records, which pertain to the Marjory Stoneman Douglas High  
1213 School shooting and prior mass violence incidents in Florida  
1214 being reviewed by the commission and which are necessary for the  
1215 commission to carry out its duties. Information or records  
1216 obtained by the commission which are otherwise exempt or

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1217 confidential and exempt shall retain such exempt or confidential  
1218 and exempt status and the commission may not disclose any such  
1219 information or records.

1220 (8) The commission shall submit an initial report on its  
1221 findings and recommendations to the Governor, President of the  
1222 Senate, and Speaker of the House of Representatives by January  
1223 1, 2019, and may issue reports annually thereafter. The  
1224 commission shall sunset July 1, 2023, and this section is  
1225 repealed on that date.

1226 Section 19. Section 1001.212, Florida Statutes, is created  
1227 to read:

1228 1001.212 Office of Safe Schools.—There is created in the  
1229 Department of Education the Office of Safe Schools. The office  
1230 is fully accountable to the Commissioner of Education. The  
1231 office shall serve as a central repository for best practices,  
1232 training standards, and compliance oversight in all matters  
1233 regarding school safety and security, including prevention  
1234 efforts, intervention efforts, and emergency preparedness  
1235 planning. The office shall:

1236 (1) Establish and update as necessary a school security  
1237 risk assessment tool for use by school districts pursuant to s.  
1238 1006.07(6). The office shall make the security risk assessment  
1239 tool available for use by charter schools.

1240 (2) Provide ongoing professional development opportunities  
1241 to school district personnel.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1242 (3) Provide a coordinated and interdisciplinary approach  
1243 to providing technical assistance and guidance to school  
1244 districts on safety and security and recommendations to address  
1245 findings identified pursuant to s. 1006.07(6).

1246 (4) Develop and implement a School Safety Specialist  
1247 Training Program for school safety specialists appointed  
1248 pursuant to s. 1006.07(6). The office shall develop the training  
1249 program which shall be based on national and state best  
1250 practices on school safety and security and must include active  
1251 shooter training. The office shall develop training modules in  
1252 traditional or online formats. A school safety specialist  
1253 certificate of completion shall be awarded to a school safety  
1254 specialist who satisfactorily completes the training required by  
1255 rules of the office.

1256 (5) Review and provide recommendations on the security  
1257 risk assessments. The department may contract with security  
1258 personnel, consulting engineers, architects, or other safety and  
1259 security experts the department deems necessary for safety and  
1260 security consultant services.

1261 (6) Coordinate with the Department of Law Enforcement to  
1262 provide a centralized integrated data repository and data  
1263 analytics resources to improve access to timely, complete and  
1264 accurate information integrating data from, at a minimum, but  
1265 not limited to, the following data sources by December 1, 2018:

1266 (a) Social Media;

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1267 (b) Department of Children and Families;

1268 (c) Department of Law Enforcement;

1269 (d) Department of Juvenile Justice; and

1270 (e) Local law enforcement.

1271 (7) Data that is exempt or confidential and exempt from  
1272 public records requirements retains its exempt or confidential  
1273 and exempt status when incorporated into the centralized  
1274 integrated data repository.

1275 (8) To maintain the confidentiality requirements attached  
1276 to the information provided to the centralized integrated data  
1277 repository by the various state and local agencies, data  
1278 governance and security shall ensure compliance with all  
1279 applicable state and federal data privacy requirements through  
1280 the use of user authorization and role based security, data  
1281 anonymization and aggregation and auditing capabilities.

1282 (9) To maintain the confidentiality requirements attached  
1283 to the information provided to the centralized integrated data  
1284 repository by the various state and local agencies, each source  
1285 agency providing data for the repository shall be the sole  
1286 custodian of the data for the purpose of any request for  
1287 inspection or copies thereof under ch. 119. The department shall  
1288 only allow access to data from the source agencies in accordance  
1289 with rules adopted by the respective source agencies.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1290 (10) Award grants to schools to improve the safety and  
1291 security of school buildings based upon recommendations of the  
1292 security risk assessment developed pursuant to subsection (1).

1293 (11) Disseminate, in consultation with the Department of  
1294 Law Enforcement, to participating schools awareness and  
1295 education materials on the School Safety Awareness Program  
1296 developed pursuant to s. 943.082.

1297 Section 20. Paragraph (a) of subsection (10) of section  
1298 1002.32, Florida Statutes, is amended to read:

1299 1002.32 Developmental research (laboratory) schools.—

1300 (10) EXCEPTIONS TO LAW.—To encourage innovative practices  
1301 and facilitate the mission of the lab schools, in addition to  
1302 the exceptions to law specified in s. 1001.23(2), the following  
1303 exceptions shall be permitted for lab schools:

1304 (a) The methods and requirements of the following statutes  
1305 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;  
1306 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;  
1307 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;  
1308 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;  
1309 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;  
1310 1001.49; 1001.50; 1001.51; 1006.12(2) ~~1006.12(1)~~; 1006.21(3),  
1311 (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;  
1312 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;  
1313 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)–(3),

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1314 (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;  
1315 1011.72; 1011.73; and 1011.74.

1316 Section 21. Subsection (1) of section 1006.04, Florida  
1317 Statutes, is amended to read:

1318 1006.04 Educational multiagency services for students with  
1319 severe emotional disturbance.—

1320 (1) (a) The multiagency network for students with emotional  
1321 and behavioral disabilities works with education, mental health,  
1322 child welfare, and juvenile justice professionals, along with  
1323 other agencies and families, to provide children with mental  
1324 illness or emotional and behavioral problems and their families  
1325 with access to the services and supports they need to succeed ~~An~~  
1326 ~~intensive, integrated educational program; a continuum of mental~~  
1327 ~~health treatment services; and, when needed, residential~~  
1328 ~~services are necessary to enable students with severe emotional~~  
1329 ~~disturbance to develop appropriate behaviors and demonstrate~~  
1330 ~~academic and career education skills. The small incidence of~~  
1331 ~~severe emotional disturbance in the total school population~~  
1332 ~~requires multiagency programs to provide access to appropriate~~  
1333 ~~services for all students with severe emotional disturbance.~~  
1334 District school boards should provide educational programs, and  
1335 state departments and agencies administering children's mental  
1336 health funds should provide mental health treatment and  
1337 residential services when needed, as part of the ~~forming a~~

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1338 multiagency network ~~to provide support for students with severe~~  
1339 ~~emotional disturbance.~~

1340 (b) The purpose of the multiagency network is to: ~~The~~  
1341 ~~program goals for each component of the multiagency network are~~  
1342 ~~to~~

1343 1. Enable students with severe emotional disturbance to  
1344 learn appropriate behaviors, reduce dependency, and fully  
1345 participate in all aspects of school and community living. ~~;~~ ~~to~~

1346 2. Develop individual programs for students with severe  
1347 emotional disturbance, including necessary educational,  
1348 residential, and mental health treatment services. ~~;~~ ~~to~~

1349 3. Provide programs and services as close as possible to  
1350 the student's home in the least restrictive manner consistent  
1351 with the student's needs. ~~;~~ ~~and to~~

1352 4. Integrate a wide range of services necessary to support  
1353 students with severe emotional disturbance and their families.

1354 (c) The multiagency network shall:

1355 1. Support and represent the needs of students in each  
1356 school district in joint planning with fiscal agents of  
1357 children's mental health funds, including the expansion of  
1358 school-based mental health services, transition services, and  
1359 integrated education and treatment programs.

1360 2. Improve coordination of services for children with or  
1361 at risk of emotional or behavioral disabilities and their  
1362 families by assisting multi-agency collaborative initiatives to

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1363 identify critical issues and barriers of mutual concern and  
1364 develop local response systems that increase home and school  
1365 connections and family engagement.

1366 3. Increase parent and youth involvement and development  
1367 with local systems of care.

1368 4. Facilitate student and family access to effective  
1369 services and programs for students with and at risk of emotional  
1370 or behavioral disabilities that include necessary educational,  
1371 residential, and mental health treatment services, enabling  
1372 these students to learn appropriate behaviors, reduce  
1373 dependency, and fully participate in all aspects of school and  
1374 community living.

1375 Section 22. Paragraph (b) of subsection (1), paragraphs  
1376 (k) through (m) of subsection (2), and subsections (3), (4), and  
1377 (6) of section 1006.07, Florida Statutes, are amended, and  
1378 subsections (7) and (8) are added to that section to read:

1379 1006.07 District school board duties relating to student  
1380 discipline and school safety.—The district school board shall  
1381 provide for the proper accounting for all students, for the  
1382 attendance and control of students at school, and for proper  
1383 attention to health, safety, and other matters relating to the  
1384 welfare of students, including:

1385 (1) CONTROL OF STUDENTS.—

1386 (b) Require each student at the time of initial  
1387 registration for school in the school district to note previous

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

1388 school expulsions, arrests resulting in a charge, ~~and~~ juvenile  
1389 justice actions, and referrals to mental health services the  
1390 student has had, and have the authority as the district school  
1391 board of a receiving school district to honor the final order of  
1392 expulsion or dismissal of a student by any in-state or out-of-  
1393 state public district school board or private school, or lab  
1394 school, for an act which would have been grounds for expulsion  
1395 according to the receiving district school board's code of  
1396 student conduct, in accordance with the following procedures:

1397 1. A final order of expulsion shall be recorded in the  
1398 records of the receiving school district.

1399 2. The expelled student applying for admission to the  
1400 receiving school district shall be advised of the final order of  
1401 expulsion.

1402 3. The district school superintendent of the receiving  
1403 school district may recommend to the district school board that  
1404 the final order of expulsion be waived and the student be  
1405 admitted to the school district, or that the final order of  
1406 expulsion be honored and the student not be admitted to the  
1407 school district. If the student is admitted by the district  
1408 school board, with or without the recommendation of the district  
1409 school superintendent, the student may be placed in an  
1410 appropriate educational program and referred to mental health  
1411 services identified by the school district pursuant to s.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1412 | 1012.584(4), when appropriate, at the direction of the district  
1413 | school board.

1414 | (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
1415 | conduct for elementary schools and a code of student conduct for  
1416 | middle and high schools and distribute the appropriate code to  
1417 | all teachers, school personnel, students, and parents, at the  
1418 | beginning of every school year. Each code shall be organized and  
1419 | written in language that is understandable to students and  
1420 | parents and shall be discussed at the beginning of every school  
1421 | year in student classes, school advisory council meetings, and  
1422 | parent and teacher association or organization meetings. Each  
1423 | code shall be based on the rules governing student conduct and  
1424 | discipline adopted by the district school board and shall be  
1425 | made available in the student handbook or similar publication.  
1426 | Each code shall include, but is not limited to:

1427 | (k) Policies to be followed for the assignment of violent  
1428 | or disruptive students to an alternative educational program or  
1429 | referral of such students to mental health services identified  
1430 | by the school district pursuant to s. 1012.584(4).

1431 | (l) Notice that any student who is determined to have  
1432 | brought a firearm or weapon, as defined in chapter 790, to  
1433 | school, to any school function, or onto any school-sponsored  
1434 | transportation, or to have possessed a firearm at school, will  
1435 | be expelled, with or without continuing educational services,  
1436 | from the student's regular school for a period of not less than

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1437 | 1 full year and referred to mental health services identified by  
1438 | the school district pursuant to s. 1012.584(4) and the criminal  
1439 | justice or juvenile justice system. District school boards may  
1440 | assign the student to a disciplinary program or second chance  
1441 | school for the purpose of continuing educational services during  
1442 | the period of expulsion. District school superintendents may  
1443 | consider the 1-year expulsion requirement on a case-by-case  
1444 | basis and request the district school board to modify the  
1445 | requirement by assigning the student to a disciplinary program  
1446 | or second chance school if the request for modification is in  
1447 | writing and it is determined to be in the best interest of the  
1448 | student and the school system.

1449 | (m) Notice that any student who is determined to have made  
1450 | a threat or false report, as defined by ss. 790.162 and 790.163,  
1451 | respectively, involving school or school personnel's property,  
1452 | school transportation, or a school-sponsored activity will be  
1453 | expelled, with or without continuing educational services, from  
1454 | the student's regular school for a period of not less than 1  
1455 | full year and referred for criminal prosecution and mental  
1456 | health services identified by the school district pursuant to s.  
1457 | 1012.584(4) for evaluation or treatment, when appropriate.

1458 | District school boards may assign the student to a disciplinary  
1459 | program or second chance school for the purpose of continuing  
1460 | educational services during the period of expulsion. District  
1461 | school superintendents may consider the 1-year expulsion

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1462 requirement on a case-by-case basis and request the district  
1463 school board to modify the requirement by assigning the student  
1464 to a disciplinary program or second chance school if it is  
1465 determined to be in the best interest of the student and the  
1466 school system.

1467 (3) STUDENT CRIME WATCH PROGRAM.—By resolution of the  
1468 district school board, implement a student crime watch program  
1469 to promote responsibility among students and improve school  
1470 safety. The student crime watch program shall allow students and  
1471 the community to anonymously relay information concerning unsafe  
1472 and potentially harmful, dangerous, violent, or criminal  
1473 activities, or the threat of these activities, to appropriate  
1474 public safety agencies and school officials ~~to assist in the~~  
1475 ~~control of criminal behavior within the schools.~~

1476 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

1477 (a) Formulate and prescribe policies and procedures, in  
1478 consultation with the appropriate public safety agencies, for  
1479 emergency drills and for actual emergencies, including, but not  
1480 limited to, fires, natural disasters, active shooter and hostage  
1481 situations, and bomb threats, for all students and faculty at  
1482 all the public schools of the district comprised of which  
1483 ~~comprise~~ grades K-12. Drills for active shooter and hostage  
1484 situations shall be conducted at least as often as other  
1485 emergency drills. District school board policies shall include  
1486 commonly used alarm system responses for specific types of

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1487 emergencies and verification by each school that drills have  
1488 been provided as required by law and fire protection codes. The  
1489 emergency response policy shall identify the individuals  
1490 responsible for contacting the primary emergency response agency  
1491 and the emergency response agency that is responsible for  
1492 notifying the school district for each type of emergency ~~must be~~  
1493 ~~listed in the district's emergency response policy.~~

1494 (b) Establish model emergency management and emergency  
1495 preparedness procedures, including emergency notification  
1496 procedures pursuant to paragraph (a), for the following life-  
1497 threatening emergencies:

1498 1. Weapon-use, and hostage, and active shooter situations.  
1499 The active shooter situation training for each school must  
1500 engage the participation of the district school safety  
1501 specialist, threat assessment team members, faculty, staff, and  
1502 students and must be conducted by the law enforcement agency or  
1503 agencies that are designated as first responders to the school's  
1504 campus.

1505 2. Hazardous materials or toxic chemical spills.

1506 3. Weather emergencies, including hurricanes, tornadoes,  
1507 and severe storms.

1508 4. Exposure as a result of a manmade emergency.

1509 (c) Establish a schedule to test the functionality and  
1510 coverage capacity of all emergency communication systems and

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1511 determine if adequate signal strength is available in all areas  
1512 of the school's campus.

1513 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district  
1514 school superintendent shall establish policies and procedures  
1515 for the prevention of violence on school grounds, including the  
1516 assessment of and intervention with individuals whose behavior  
1517 poses a threat to the safety of the school community.

1518 (a) Each district school superintendent shall designate a  
1519 school administrator as a school safety specialist for the  
1520 district. The school safety specialist must earn a certificate  
1521 of completion of the school safety specialist training provided  
1522 by the Office of Safe Schools within 1 year after appointment  
1523 and is responsible for the supervision and oversight for all  
1524 school safety and security personnel, policies, and procedures  
1525 in the school district. The school safety specialist shall:

1526 1. Review policies and procedures for compliance with  
1527 state law and rules.

1528 2. Provide the necessary training and resources to  
1529 students and school district staff in matters relating to youth  
1530 mental health awareness and assistance; emergency procedures,  
1531 including active shooter training; and school safety and  
1532 security.

1533 3. Serve as the school district liaison with local public  
1534 safety agencies and national, state, and community agencies and  
1535 organizations in matters of school safety and security.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1536 4. Conduct a school security risk assessment in accordance  
1537 with s. 1006.1493 at each public school using the school  
1538 security risk assessment tool developed by the Office of Safe  
1539 Schools Use the Safety and Security Best Practices developed by  
1540 the Office of Program Policy Analysis and Government  
1541 Accountability to conduct a self-assessment of the school  
1542 districts' current safety and security practices. Based on the  
1543 assessment these self-assessment findings, the district's school  
1544 safety specialist district school superintendent shall provide  
1545 recommendations to the district school board which identify  
1546 strategies and activities that the district school board should  
1547 implement in order to improve school safety and security.  
1548 Annually, each district school board must receive such findings  
1549 and the school safety specialist's recommendations the self-  
1550 assessment results at a publicly noticed district school board  
1551 meeting to provide the public an opportunity to hear the  
1552 district school board members discuss and take action on the  
1553 report findings and recommendations. Each school safety  
1554 specialist district school superintendent shall report such  
1555 findings the self-assessment results and school board action to  
1556 the Office of Safe Schools commissioner within 30 days after the  
1557 district school board meeting.

1558 (b) Each school safety specialist shall coordinate with  
1559 the appropriate public safety agencies, as defined in s.  
1560 365.171, that are designated as first responders to a school's

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1561 campus to conduct a tour of such campus once every 3 years and  
1562 provide recommendations related to school safety. The  
1563 recommendations by the public safety agencies must be considered  
1564 as part of the recommendations by the school safety specialist  
1565 pursuant to paragraph (a).

1566 (7) THREAT ASSESSMENT TEAMS.—Each district school board  
1567 shall adopt policies for the establishment of threat assessment  
1568 teams at each school whose duties include the coordination of  
1569 resources and assessment and intervention with individuals whose  
1570 behavior may pose a threat to the safety of school staff or  
1571 students consistent with the model policies developed by the  
1572 Office of Safe Schools. Such policies shall include procedures  
1573 for referrals to mental health services identified by the school  
1574 district pursuant to s. 1012.584(4), when appropriate.

1575 (a) A threat assessment team shall include persons with  
1576 expertise in counseling, instruction, school administration, and  
1577 law enforcement. The threat assessment teams shall identify  
1578 members of the school community to whom threatening behavior  
1579 should be reported and provide guidance to students, faculty,  
1580 and staff regarding recognition of threatening or aberrant  
1581 behavior that may represent a threat to the community, school,  
1582 or self.

1583 (b) Upon a preliminary determination that a student poses  
1584 a threat of violence or physical harm to himself or herself or  
1585 others, a threat assessment team shall immediately report its

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

1586 determination to the superintendent or his or her designee. The  
1587 superintendent or his or her designee shall immediately attempt  
1588 to notify the student's parent or legal guardian. Nothing in  
1589 this subsection shall preclude school district personnel from  
1590 acting immediately to address an imminent threat.

1591 (c) Upon a preliminary determination by the threat  
1592 assessment team that a student poses a threat of violence to  
1593 himself or herself or others or exhibits significantly  
1594 disruptive behavior or need for assistance, the threat  
1595 assessment team may obtain criminal history record information,  
1596 as provided in s. 985.047. A member of a threat assessment team  
1597 may not disclose any criminal history record information  
1598 obtained pursuant to this section or otherwise use any record of  
1599 an individual beyond the purpose for which such disclosure was  
1600 made to the threat assessment team.

1601 (d) Notwithstanding any other provision of law, all state  
1602 and local agencies and programs that provide services to  
1603 students experiencing or at risk of an emotional disturbance or  
1604 a mental illness, including the school districts, school  
1605 personnel, state and local law enforcement agencies, the  
1606 Department of Juvenile Justice, the Department of Children and  
1607 Families, the Department of Health, the Agency for Health Care  
1608 Administration, the Agency for Persons with Disabilities, the  
1609 Department of Education, the Statewide Guardian Ad Litem Office,  
1610 and any service or support provider contracting with such

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1611 agencies, may share with each other records or information that  
1612 are confidential or exempt from disclosure under chapter 119 if  
1613 the records or information are reasonably necessary to ensure  
1614 access to appropriate services for the student or to ensure the  
1615 safety of the student or others. All such state and local  
1616 agencies and programs shall communicate, collaborate, and  
1617 coordinate efforts to serve such students.

1618 (e) If an immediate mental health or substance abuse  
1619 crisis is suspected, school personnel shall follow policies  
1620 established by the threat assessment team to engage behavioral  
1621 health crisis resources. Behavioral health crisis resources,  
1622 including, but not limited to, mobile crisis teams and school  
1623 resource officers trained in crisis intervention, shall provide  
1624 emergency intervention and assessment, make recommendations, and  
1625 refer the student for appropriate services. Onsite school  
1626 personnel shall report all such situations and actions taken to  
1627 the threat assessment team, which shall contact the other  
1628 agencies involved with the student and any known service  
1629 providers to share information and coordinate any necessary  
1630 followup actions.

1631 (f) Each threat assessment team established pursuant to  
1632 this subsection shall report quantitative data on its activities  
1633 to the Office of Safe Schools in accordance with guidance from  
1634 the office.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1635           (8) SAFETY IN CONSTRUCTION PLANNING.—A district school  
1636 board must allow the law enforcement agency or agencies that are  
1637 designated as first responders to the district's campus and  
1638 school's campuses to tour such campuses once every 3 years. Any  
1639 changes related to school safety and emergency issues  
1640 recommended by a law enforcement agency based on a campus tour  
1641 must be documented by the district school board.

1642           Section 23. Subsection (2) of section 1006.08, Florida  
1643 Statutes, is amended to read:

1644           1006.08 District school superintendent duties relating to  
1645 student discipline and school safety.—

1646           (2) Notwithstanding the provisions of s. 985.04(7) or any  
1647 other provision of law to the contrary, the court shall, within  
1648 48 hours of the finding, notify the appropriate district school  
1649 superintendent of the name and address of any student found to  
1650 have committed a delinquent act, or who has had adjudication of  
1651 a delinquent act withheld which, if committed by an adult, would  
1652 be a felony, ~~or~~ the name and address of any student found guilty  
1653 of a felony, or the name and address of any student the court  
1654 refers to mental health services. Notification shall include the  
1655 specific delinquent act found to have been committed or for  
1656 which adjudication was withheld, or the specific felony for  
1657 which the student was found guilty.

1658           Section 24. Section 1006.12, Florida Statutes, is amended  
1659 to read:

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1660           1006.12 Safe-school ~~school resource~~ officers at each  
1661 public school and school safety officers. ~~For the protection and~~  
1662 safety of school personnel, property, students, and visitors,  
1663 each district school board and school district superintendent  
1664 shall partner with law enforcement agencies to establish or  
1665 assign one or more safe-school officers at each school facility  
1666 within the district by implementing any combination of the  
1667 following options which best meets the needs of the school  
1668 district:

1669           (1) ~~District school boards may~~ Establish school resource  
1670 officer programs, through a cooperative agreement with law  
1671 enforcement agencies ~~or in accordance with subsection (2).~~

1672           (a) School resource officers shall undergo criminal  
1673 background checks, drug testing, and a psychological evaluation  
1674 and be certified law enforcement officers, as defined in s.  
1675 943.10(1), who are employed by a law enforcement agency as  
1676 defined in s. 943.10(4). The powers and duties of a law  
1677 enforcement officer shall continue throughout the employee's  
1678 tenure as a school resource officer.

1679           (b) School resource officers shall abide by district  
1680 school board policies and shall consult with and coordinate  
1681 activities through the school principal, but shall be  
1682 responsible to the law enforcement agency in all matters  
1683 relating to employment, subject to agreements between a district  
1684 school board and a law enforcement agency. Activities conducted

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1685 by the school resource officer which are part of the regular  
1686 instructional program of the school shall be under the direction  
1687 of the school principal.

1688 (c) Complete mental health crisis intervention training  
1689 using a curriculum developed by a national organization with  
1690 expertise in mental health crisis intervention. The training  
1691 shall improve officers' knowledge and skills as first responders  
1692 to incidents involving students with emotional disturbance or  
1693 mental illness, including de-escalation skills to ensure student  
1694 and officer safety.

1695 (2) Commission one or more school safety officers for the  
1696 protection and safety of school personnel, property, and  
1697 students within the school district. The district school  
1698 superintendent may recommend, and the district school board may  
1699 appoint, one or more school safety officers.

1700 ~~(2)~~ (a) School safety officers shall undergo criminal  
1701 background checks, drug testing, and a psychological evaluation  
1702 and be law enforcement officers, as defined in s. 943.10(1),  
1703 certified under the provisions of chapter 943 and employed by  
1704 either a law enforcement agency or by the district school board.  
1705 If the officer is employed by the district school board, the  
1706 district school board is the employing agency for purposes of  
1707 chapter 943, and must comply with the provisions of that  
1708 chapter.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1709 ~~(b) A district school board may commission one or more~~  
1710 ~~school safety officers for the protection and safety of school~~  
1711 ~~personnel, property, and students within the school district.~~  
1712 ~~The district school superintendent may recommend and the~~  
1713 ~~district school board may appoint one or more school safety~~  
1714 ~~officers.~~

1715 (b)~~(e)~~ A school safety officer has and shall exercise the  
1716 power to make arrests for violations of law on district school  
1717 board property and to arrest persons, whether on or off such  
1718 property, who violate any law on such property under the same  
1719 conditions that deputy sheriffs are authorized to make arrests.  
1720 A school safety officer has the authority to carry weapons when  
1721 performing his or her official duties.

1722 (c)~~(d)~~ A district school board may enter into mutual aid  
1723 agreements with one or more law enforcement agencies as provided  
1724 in chapter 23. A school safety officer's salary may be paid  
1725 jointly by the district school board and the law enforcement  
1726 agency, as mutually agreed to.

1727 Section 25. Subsection (1), paragraph (c) of subsection  
1728 (4), and subsection (8) of section 1006.13, Florida Statutes,  
1729 are amended, and paragraph (f) is added to subsection (2) of  
1730 that section, to read:

1731 1006.13 Policy of zero tolerance for crime and  
1732 victimization.—

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1733 (1) District school boards shall ~~It is the intent of the~~  
1734 ~~Legislature to~~ promote a safe and supportive learning  
1735 environment in schools by protecting, ~~to protect~~ students and  
1736 staff from conduct that poses a serious threat to school safety.  
1737 A threat assessment team may, ~~and to encourage schools to use~~  
1738 alternatives to expulsion or referral to law enforcement  
1739 agencies to address ~~by addressing~~ disruptive behavior through  
1740 restitution, civil citation, teen court, neighborhood  
1741 restorative justice, or similar programs. Zero-tolerance ~~The~~  
1742 ~~Legislature finds that zero-tolerance~~ policies may are not  
1743 ~~intended to~~ be rigorously applied to petty acts of misconduct  
1744 and misdemeanors, including, but not limited to, minor fights or  
1745 disturbances. Zero-tolerance policies ~~The Legislature finds that~~  
1746 ~~zero-tolerance policies~~ must apply equally to all students  
1747 regardless of their economic status, race, or disability.

1748 (2) Each district school board shall adopt a policy of  
1749 zero tolerance that:

1750 (f) Requires the threat assessment team to consult with  
1751 law enforcement when a student exhibits a pattern of behavior,  
1752 based upon previous acts or the severity of an act, that would  
1753 pose a threat to school safety.

1754 (4)

1755 (c) Zero-tolerance policies do not require the reporting  
1756 of petty acts of misconduct and misdemeanors to a law  
1757 enforcement agency, including, but not limited to, disorderly

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1758 | conduct, ~~disrupting a school function,~~ simple assault or  
1759 | battery, affray, theft of less than \$300, trespassing, and  
1760 | vandalism of less than \$1,000. However, if a student commits  
1761 | more than one misdemeanor, the threat assessment team must  
1762 | consult with law enforcement to determine if the act should be  
1763 | reported to law enforcement.

1764 | (8) A threat assessment team may ~~School districts are~~  
1765 | ~~encouraged to~~ use alternatives to expulsion or referral to law  
1766 | enforcement agencies unless the use of such alternatives will  
1767 | pose a threat to school safety.

1768 | Section 26. Section 1006.1493, Florida Statutes, is  
1769 | created to read:

1770 | 1006.1493 Florida Safe Schools Assessment Tool.-

1771 | (1) The department through the Office of Safe Schools  
1772 | pursuant s. 1001.212 shall contract with a security consulting  
1773 | firm that specializes in the development of risk assessment  
1774 | software solutions and has experience in conducting security  
1775 | assessments of public facilities to develop, update, and  
1776 | implement a risk assessment tool, which shall be known as the  
1777 | Florida Safe Schools Assessment Tool (FSSAT). The FSSAT must be  
1778 | used by school officials at each school district and public  
1779 | school site in the state in conducting security assessments for  
1780 | use by school officials at each school district and public  
1781 | school site in the state.

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

1782       (2) The FSSAT must help school officials identify threats,  
1783 vulnerabilities, and appropriate safety controls for the schools  
1784 that they supervise, pursuant to the security risk assessment  
1785 requirements of s. 1006.07(6).

1786       (a) At a minimum, the FSSAT must address all of the  
1787 following components:

- 1788       1. School emergency and crisis preparedness planning;  
1789       2. Security, crime, and violence prevention policies and  
1790 procedures;  
1791       3. Physical security measures;  
1792       4. Professional development training needs;  
1793       5. An examination of support service roles in school  
1794 safety, security, and emergency planning;  
1795       6. School security and school police staffing, operational  
1796 practices, and related services;  
1797       7. School and community collaboration on school safety;  
1798 and  
1799       8. A return on investment analysis of the recommended  
1800 physical security controls.

1801       (b) The department shall require by contract that the  
1802 security consulting firm:

- 1803       1. Generate written automated reports on assessment  
1804 findings for review by the department and school and district  
1805 officials;

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1806 2. Provide training to the department and school officials  
1807 in the use of the FSSAT and other areas of importance identified  
1808 by the department; and

1809 3. Advise in the development and implementation of  
1810 templates, formats, guidance, and other resources necessary to  
1811 facilitate the implementation of this section at state,  
1812 district, school, and local levels.

1813 (3) By December 1, 2018, and annually by that date  
1814 thereafter, the department must report to the Governor, the  
1815 President of the Senate, and the Speaker of the House of  
1816 Representatives on the status of implementation across school  
1817 districts and schools. The report must include a summary of the  
1818 positive school safety measures in place at the time of the  
1819 assessment and any recommendations for policy changes or funding  
1820 needed to facilitate continued school safety planning,  
1821 improvement, and response at the state, district, or school  
1822 levels.

1823 (4) In accordance with ss. 119.071(3)(a) and 281.301, data  
1824 and information related to security risk assessments  
1825 administered pursuant to this section and s. 1006.07(6) and the  
1826 security information contained in the annual report required  
1827 pursuant to subsection (3) are confidential and exempt from  
1828 public records requirements.

1829 Section 27. Subsections (16) and (17) of section 1011.62,  
1830 Florida Statutes, are redesignated as subsections (17) and (18),

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1831 respectively, paragraph (a) of subsection (4), paragraph (b) of  
1832 subsection (6), subsection (14), and subsection (15) of that  
1833 section are amended, and a new subsection (16) is added to that  
1834 section, to read:

1835       1011.62 Funds for operation of schools.—If the annual  
1836 allocation from the Florida Education Finance Program to each  
1837 district for operation of schools is not determined in the  
1838 annual appropriations act or the substantive bill implementing  
1839 the annual appropriations act, it shall be determined as  
1840 follows:

1841       (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The  
1842 Legislature shall prescribe the aggregate required local effort  
1843 for all school districts collectively as an item in the General  
1844 Appropriations Act for each fiscal year. The amount that each  
1845 district shall provide annually toward the cost of the Florida  
1846 Education Finance Program for kindergarten through grade 12  
1847 programs shall be calculated as follows:

1848       (a) *Estimated taxable value calculations.*—

1849       1.a. Not later than 2 working days before July 19, the  
1850 Department of Revenue shall certify to the Commissioner of  
1851 Education its most recent estimate of the taxable value for  
1852 school purposes in each school district and the total for all  
1853 school districts in the state for the current calendar year  
1854 based on the latest available data obtained from the local  
1855 property appraisers. The value certified shall be the taxable

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1856 value for school purposes for that year, and no further  
1857 adjustments shall be made, except those made pursuant to  
1858 paragraphs (c) and (d), or an assessment roll change required by  
1859 final judicial decisions as specified in paragraph (17) (b)  
1860 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education  
1861 shall compute a millage rate, rounded to the next highest one  
1862 one-thousandth of a mill, which, when applied to 96 percent of  
1863 the estimated state total taxable value for school purposes,  
1864 would generate the prescribed aggregate required local effort  
1865 for that year for all districts. The Commissioner of Education  
1866 shall certify to each district school board the millage rate,  
1867 computed as prescribed in this subparagraph, as the minimum  
1868 millage rate necessary to provide the district required local  
1869 effort for that year.

1870       b. The General Appropriations Act shall direct the  
1871 computation of the statewide adjusted aggregate amount for  
1872 required local effort for all school districts collectively from  
1873 ad valorem taxes to ensure that no school district's revenue  
1874 from required local effort millage will produce more than 90  
1875 percent of the district's total Florida Education Finance  
1876 Program calculation as calculated and adopted by the  
1877 Legislature, and the adjustment of the required local effort  
1878 millage rate of each district that produces more than 90 percent  
1879 of its total Florida Education Finance Program entitlement to a

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1880 level that will produce only 90 percent of its total Florida  
1881 Education Finance Program entitlement in the July calculation.

1882 2. On the same date as the certification in sub-  
1883 subparagraph 1.a., the Department of Revenue shall certify to  
1884 the Commissioner of Education for each district:

1885 a. Each year for which the property appraiser has  
1886 certified the taxable value pursuant to s. 193.122(2) or (3), if  
1887 applicable, since the prior certification under sub-subparagraph  
1888 1.a.

1889 b. For each year identified in sub-subparagraph a., the  
1890 taxable value certified by the appraiser pursuant to s.  
1891 193.122(2) or (3), if applicable, since the prior certification  
1892 under sub-subparagraph 1.a. This is the certification that  
1893 reflects all final administrative actions of the value  
1894 adjustment board.

1895 (6) CATEGORICAL FUNDS.—

1896 (b) If a district school board finds and declares in a  
1897 resolution adopted at a regular meeting of the school board that  
1898 the funds received for any of the following categorical  
1899 appropriations are urgently needed to maintain school board  
1900 specified academic classroom instruction or improve school  
1901 safety, the school board may consider and approve an amendment  
1902 to the school district operating budget transferring the  
1903 identified amount of the categorical funds to the appropriate  
1904 account for expenditure:

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1905 1. Funds for student transportation.

1906 ~~2. Funds for safe schools.~~

1907 ~~2.3.~~ Funds for supplemental academic instruction if the  
1908 required additional hour of instruction beyond the normal school  
1909 day for each day of the entire school year has been provided for  
1910 the students in each low-performing elementary school in the  
1911 district pursuant to paragraph (1) (f).

1912 ~~3.4.~~ Funds for research-based reading instruction if the  
1913 required additional hour of instruction beyond the normal school  
1914 day for each day of the entire school year has been provided for  
1915 the students in each low-performing elementary school in the  
1916 district pursuant to paragraph (9) (a).

1917 ~~4.5.~~ Funds for instructional materials if all  
1918 instructional material purchases necessary to provide updated  
1919 materials that are aligned with applicable state standards and  
1920 course descriptions and that meet statutory requirements of  
1921 content and learning have been completed for that fiscal year,  
1922 but no sooner than March 1. Funds available after March 1 may be  
1923 used to purchase hardware for student instruction.

1924 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may  
1925 annually in the General Appropriations Act determine a  
1926 percentage increase in funds per K-12 unweighted FTE as a  
1927 minimum guarantee to each school district. The guarantee shall  
1928 be calculated from prior year base funding per unweighted FTE  
1929 student which shall include the adjusted FTE dollars as provided

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1930 in subsection (17) ~~(16)~~, quality guarantee funds, and actual  
1931 nonvoted discretionary local effort from taxes. From the base  
1932 funding per unweighted FTE, the increase shall be calculated for  
1933 the current year. The current year funds from which the  
1934 guarantee shall be determined shall include the adjusted FTE  
1935 dollars as provided in subsection (17) ~~(16)~~ and potential  
1936 nonvoted discretionary local effort from taxes. A comparison of  
1937 current year funds per unweighted FTE to prior year funds per  
1938 unweighted FTE shall be computed. For those school districts  
1939 which have less than the legislatively assigned percentage  
1940 increase, funds shall be provided to guarantee the assigned  
1941 percentage increase in funds per unweighted FTE student. Should  
1942 appropriated funds be less than the sum of this calculated  
1943 amount for all districts, the commissioner shall prorate each  
1944 district's allocation. This provision shall be implemented to  
1945 the extent specifically funded.

1946 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is  
1947 created to provide funding to assist school districts in their  
1948 compliance with s. 1006.07 ~~ss. 1006.07-1006.148~~, with priority  
1949 given to implementing the district's ~~establishing a school~~  
1950 resource officer program pursuant to s. 1006.12. Each school  
1951 district shall receive a minimum safe schools allocation in an  
1952 amount provided in the General Appropriations Act. Of the  
1953 remaining balance of the safe schools allocation, two-thirds  
1954 shall be allocated to school districts based on the most recent

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

1955 official Florida Crime Index provided by the Department of Law  
1956 Enforcement and one-third shall be allocated based on each  
1957 school district's proportionate share of the state's total  
1958 unweighted full-time equivalent student enrollment. Any  
1959 additional funds appropriated to this allocation in the 2018-  
1960 2019 fiscal year to the school resource officer program  
1961 established pursuant to s. 1006.12 shall be used exclusively for  
1962 employing or contracting for school resource officers, which  
1963 shall be in addition to the number of officers employed or  
1964 contracted for in the 2017-2018 fiscal year.

1965 (16) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental  
1966 health assistance allocation is created to provide funding to  
1967 assist school districts in establishing or expanding school-  
1968 based mental health care. These funds shall be allocated  
1969 annually in the General Appropriations Act or other law to each  
1970 eligible school district. Each school district shall receive a  
1971 minimum of \$100,000 with the remaining balance allocated based  
1972 on each school district's proportionate share of the state's  
1973 total unweighted full-time equivalent student enrollment.  
1974 Eligible charter schools are entitled to a proportionate share  
1975 of district funding. At least 90 percent of a district's  
1976 allocation must be expended on the elements specified in  
1977 subparagraphs (b)1. and 2. The allocated funds may not supplant  
1978 funds that are provided for this purpose from other operating  
1979 funds and may not be used to increase salaries or provide

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

1980 bonuses. School districts are encouraged to maximize third party  
1981 health insurance benefits and Medicaid claiming for services,  
1982 where appropriate.

1983 (a) Before the distribution of the allocation:

1984 1. The school district must develop and submit a detailed  
1985 plan outlining the local program and planned expenditures to the  
1986 district school board for approval.

1987 2. A charter school must develop and submit a detailed  
1988 plan outlining the local program and planned expenditures to its  
1989 governing body for approval. After the plan is approved by the  
1990 governing body, it must be provided to the charter school's  
1991 sponsor.

1992 (b) The plans required under paragraph (a) must be focused  
1993 on delivering evidence-based mental health care treatment to  
1994 children and include the following elements:

1995 1. Provision of mental health assessment, diagnosis,  
1996 intervention, treatment, and recovery services to students with  
1997 one or more mental health or co-occurring substance abuse  
1998 diagnoses and students at high risk of such diagnoses.

1999 2. Coordination of such services with a student's primary  
2000 care provider and with other mental health providers involved in  
2001 the student's care.

2002 3. Direct employment of such service providers, or a  
2003 contract-based collaborative effort or partnership with one or

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2004 more local community mental health programs, agencies, or  
2005 providers.

2006 (c) School districts shall submit approved plans,  
2007 including approved plans of each charter school in the district,  
2008 to the commissioner by August 1 of each fiscal year.

2009 (d) Beginning September 30, 2019, and annually by  
2010 September 30 thereafter, each school district shall submit to  
2011 the Department of Education a report on its program outcomes and  
2012 expenditures for the previous fiscal year that, at a minimum,  
2013 must include the number of each of the following:

- 2014 1. Students who receive screenings or assessments.
- 2015 2. Students who are referred for services or assistance.
- 2016 3. Students who receive services or assistance.
- 2017 4. Direct employment service providers employed by each  
2018 school district.
- 2019 5. Contract-based collaborative efforts or partnerships  
2020 with community mental health programs, agencies, or providers.

2021 Section 28. Section 1012.584, Florida Statutes, is created  
2022 to read:

2023 1012.584 Continuing education and inservice training for  
2024 youth mental health awareness and assistance.—

2025 (1) Beginning with the 2018-2019 school year, the  
2026 Department of Education shall establish an evidence-based youth  
2027 mental health awareness and assistance training program to help  
2028 school personnel identify and understand the signs of emotional

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2029 disturbance, mental illness, and substance use disorders and  
2030 provide such personnel with the skills to help a person who is  
2031 developing or experiencing an emotional disturbance, mental  
2032 health, or substance use problem.

2033 (2) The Department of Education shall select a national  
2034 authority on youth mental health awareness and assistance to  
2035 facilitate providing youth mental health awareness and  
2036 assistance training, using a trainer certification model, to all  
2037 school personnel in elementary, middle, and high schools. Each  
2038 school safety specialist shall earn, or designate one or more  
2039 individuals to earn, certification as a youth mental health  
2040 awareness and assistance trainer. The school safety specialist  
2041 shall ensure that all school personnel within his or her school  
2042 district receive youth mental health awareness and assistance  
2043 training.

2044 (3) The training program shall include, but is not limited  
2045 to:

2046 (a) An overview of mental illnesses and substance use  
2047 disorders and the need to reduce the stigma of mental illness.

2048 (b) Information on the potential risk factors and warning  
2049 signs of emotional disturbance, mental illness, or substance use  
2050 disorders, including, but not limited to, depression, anxiety,  
2051 psychosis, eating disorders, and self-injury, as well as common  
2052 treatments for those conditions and how to assess those risks.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2053 (c) Information on how to engage at-risk students with the  
2054 skills, resources, and knowledge required to assess the  
2055 situation, and how to identify and encourage the student to use  
2056 appropriate professional help and other support strategies,  
2057 including, but not limited to, peer, social, or self-help care.

2058 (4) Each school district shall notify all school personnel  
2059 who have received training pursuant to this section of mental  
2060 health services that are available in the school district, and  
2061 the individual to contact if a student needs services. The term  
2062 "mental health services" includes, but is not limited to,  
2063 community mental health services, health care providers, and  
2064 services provided under ss. 1006.04 and 1011.62(17).

2065 Section 29. Subsection (6) of section 1013.64, Florida  
2066 Statutes, is amended to read:

2067 1013.64 Funds for comprehensive educational plant needs;  
2068 construction cost maximums for school district capital  
2069 projects.—Allocations from the Public Education Capital Outlay  
2070 and Debt Service Trust Fund to the various boards for capital  
2071 outlay projects shall be determined as follows:

2072 (6) (a) Each district school board must meet all  
2073 educational plant space needs of its elementary, middle, and  
2074 high schools before spending funds from the Public Education  
2075 Capital Outlay and Debt Service Trust Fund or the School  
2076 District and Community College District Capital Outlay and Debt  
2077 Service Trust Fund for any ancillary plant or any other new

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2078 construction, renovation, or remodeling of ancillary space.  
2079 Expenditures to meet such space needs may include expenditures  
2080 for site acquisition; new construction of educational plants;  
2081 renovation, remodeling, and maintenance and repair of existing  
2082 educational plants, including auxiliary facilities; and the  
2083 directly related costs of such services of school district  
2084 personnel. It is not the intent of the Legislature to preclude  
2085 the use of capital outlay funding for the labor costs necessary  
2086 to accomplish the authorized uses for the capital outlay  
2087 funding. Day-labor contracts or any other educational facilities  
2088 contracting and construction techniques pursuant to s. 1013.45  
2089 are authorized. Additionally, if a school district has salaried  
2090 maintenance staff whose duties consist solely of performing the  
2091 labor necessary to accomplish the authorized uses for the  
2092 capital outlay funding, such funding may be used for those  
2093 salaries; however, if a school district has salaried staff whose  
2094 duties consist partially of performing the labor necessary to  
2095 accomplish the authorized uses for the capital outlay funding,  
2096 the district shall prorate the portion of salary of each such  
2097 employee that is based on labor for authorized capital outlay  
2098 funding, and such funding may be used to pay that portion.

2099 (b)1. A district school board may not use funds from the  
2100 following sources: Public Education Capital Outlay and Debt  
2101 Service Trust Fund; School District and Community College  
2102 District Capital Outlay and Debt Service Trust Fund; Classrooms

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2103 First Program funds provided in s. 1013.68; nonvoted 1.5-mill  
2104 levy of ad valorem property taxes provided in s. 1011.71(2);  
2105 Classrooms for Kids Program funds provided in s. 1013.735;  
2106 District Effort Recognition Program funds provided in s.  
2107 1013.736; or High Growth District Capital Outlay Assistance  
2108 Grant Program funds provided in s. 1013.738 for any new  
2109 construction of educational plant space with a total cost per  
2110 student station, including change orders, that equals more than:  
2111 a. \$17,952 for an elementary school,  
2112 b. \$19,386 for a middle school, or  
2113 c. \$25,181 for a high school,

2114

2115 (January 2006) as adjusted annually to reflect increases or  
2116 decreases in the Consumer Price Index.

2117 2. School districts shall maintain accurate documentation  
2118 related to the costs of all new construction of educational  
2119 plant space reported to the Department of Education pursuant to  
2120 paragraph (d). The Auditor General shall review the  
2121 documentation maintained by the school districts and verify  
2122 compliance with the limits under this paragraph during its  
2123 scheduled operational audits of the school district. The  
2124 department shall make the final determination on district  
2125 compliance based on the recommendation of the Auditor General.

2126 3. The Office of Economic and Demographic Research, in  
2127 consultation with the department, shall conduct a study of the

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2128 cost per student station amounts using the most recent available  
2129 information on construction costs. In this study, the costs per  
2130 student station should represent the costs of classroom  
2131 construction and administrative offices as well as the  
2132 supplemental costs of core facilities, including required media  
2133 centers, gymnasiums, music rooms, cafeterias and their  
2134 associated kitchens and food service areas, vocational areas,  
2135 and other defined specialty areas, including exceptional student  
2136 education areas. The study must take into account appropriate  
2137 cost-effectiveness factors in school construction and should  
2138 include input from industry experts. The Office of Economic and  
2139 Demographic Research must provide the results of the study and  
2140 recommendations on the cost per student station to the Governor,  
2141 the President of the Senate, and the Speaker of the House of  
2142 Representatives no later than January 31, 2017.

2143 4. The Office of Program Policy Analysis and Government  
2144 Accountability (OPPAGA) shall conduct a study of the State  
2145 Requirements for Education Facilities (SREF) to identify current  
2146 requirements that can be eliminated or modified in order to  
2147 decrease the cost of construction of educational facilities  
2148 while ensuring student safety. OPPAGA must provide the results  
2149 of the study, and an overall recommendation as to whether SREF  
2150 should be retained, to the Governor, the President of the  
2151 Senate, and the Speaker of the House of Representatives no later  
2152 than January 31, 2017.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2153           5. Effective July 1, 2017, in addition to the funding  
2154 sources listed in subparagraph 1., a district school board may  
2155 not use funds from any sources for new construction of  
2156 educational plant space with a total cost per student station,  
2157 including change orders, which equals more than the current  
2158 adjusted amounts provided in sub-subparagraphs 1.a.-c. which  
2159 shall subsequently be adjusted annually to reflect increases or  
2160 decreases in the Consumer Price Index. However, if a contract  
2161 has been executed for architectural and design services or for  
2162 construction management services before July 1, 2017, a district  
2163 school board may use funds from any source for the new  
2164 construction of educational plant space and such funds are  
2165 exempt from the total cost per student station requirements.

2166           6. A district school board must not use funds from the  
2167 Public Education Capital Outlay and Debt Service Trust Fund or  
2168 the School District and Community College District Capital  
2169 Outlay and Debt Service Trust Fund for any new construction of  
2170 an ancillary plant that exceeds 70 percent of the average cost  
2171 per square foot of new construction for all schools.

2172           (c) Except as otherwise provided, new construction for  
2173 which a contract has been executed for architectural and design  
2174 services or for construction management services by a district  
2175 school board on or after July 1, 2017, may not exceed the cost  
2176 per student station as provided in paragraph (b). A school  
2177 district that exceeds the cost per student station provided in

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

2178 paragraph (b), as determined by the Auditor General, shall be  
2179 subject to sanctions. If the Auditor General determines that the  
2180 cost per student station overage is de minimus or due to  
2181 extraordinary circumstances outside the control of the district,  
2182 the sanctions shall not apply. The sanctions are as follows:

2183 1. The school district shall be ineligible for allocations  
2184 from the Public Education Capital Outlay and Debt Service Trust  
2185 Fund for the next 3 years in which the school district would  
2186 have received allocations had the violation not occurred.

2187 2. The school district shall be subject to the supervision  
2188 of a district capital outlay oversight committee. The oversight  
2189 committee is authorized to approve all capital outlay  
2190 expenditures of the school district, including new construction,  
2191 renovations, and remodeling, for 3 fiscal years following the  
2192 violation.

2193 a. Each oversight committee shall be composed of the  
2194 following:

2195 (I) One appointee of the Commissioner of Education who has  
2196 significant financial management, school facilities  
2197 construction, or related experience.

2198 (II) One appointee of the office of the state attorney  
2199 with jurisdiction over the district.

2200 (III) One appointee of the Chief Financial Officer who is  
2201 a licensed certified public accountant.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2202           b. An appointee to the oversight committee may not be  
2203 employed by the school district; be a relative, as defined in s.  
2204 1002.33(24)(a)2., of any school district employee; or be an  
2205 elected official. Each appointee must sign an affidavit  
2206 attesting to these conditions and affirming that no conflict of  
2207 interest exists in his or her oversight role.

2208           (d) The department shall:

2209           1. Compute for each calendar year the statewide average  
2210 construction costs for facilities serving each instructional  
2211 level, for relocatable educational facilities, for  
2212 administrative facilities, and for other ancillary and auxiliary  
2213 facilities. The department shall compute the statewide average  
2214 costs per student station for each instructional level.

2215           2. Annually review the actual completed construction costs  
2216 of educational facilities in each school district. For any  
2217 school district in which the total actual cost per student  
2218 station, including change orders, exceeds the statewide limits  
2219 established in paragraph (b), the school district shall report  
2220 to the department the actual cost per student station and the  
2221 reason for the school district's inability to adhere to the  
2222 limits established in paragraph (b). The department shall  
2223 collect all such reports and shall provide these reports to the  
2224 Auditor General for verification purposes.

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864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2226 Cost per student station includes contract costs, legal and  
2227 administrative costs, fees of architects and engineers,  
2228 furniture and equipment, and site improvement costs. Cost per  
2229 student station does not include the cost of purchasing or  
2230 leasing the site for the construction or the cost of related  
2231 offsite improvements. Cost per student station also does not  
2232 include the cost for securing entries, checkpoint construction,  
2233 lighting specifically designed for entry point security,  
2234 security cameras, automatic locks and locking devices,  
2235 electronic security systems, fencing designed to prevent  
2236 intruder entry into a building, bullet-proof glass, or other  
2237 capital construction items approved by the school safety  
2238 specialist to ensure building security for new educational,  
2239 auxiliary, or ancillary facilities; costs for these items must  
2240 be below 2 percent per student station.

2241 Section 30. For the purpose of incorporating the amendment  
2242 made by this act to section 790.065, Florida Statutes, in a  
2243 reference thereto, subsection (2) of section 397.6760, Florida  
2244 Statutes, is reenacted to read:

2245 397.6760 Court records; confidentiality.—

2246 (2) This section does not preclude the clerk of the court  
2247 from submitting the information required by s. 790.065 to the  
2248 Department of Law Enforcement.

2249 Section 31. For the purpose of incorporating the amendment  
2250 made by this act to section 790.065, Florida Statutes, in a

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2251 reference thereto, paragraph (e) of subsection (3) of section  
2252 790.335, Florida Statutes, is reenacted to read:

2253 790.335 Prohibition of registration of firearms;  
2254 electronic records.—

2255 (3) EXCEPTIONS.—The provisions of this section shall not  
2256 apply to:

2257 (e)1. Records kept pursuant to the recordkeeping  
2258 provisions of s. 790.065; however, nothing in this section shall  
2259 be construed to authorize the public release or inspection of  
2260 records that are made confidential and exempt from the  
2261 provisions of s. 119.07(1) by s. 790.065(4) (a).

2262 2. Nothing in this paragraph shall be construed to allow  
2263 the maintaining of records containing the names of purchasers or  
2264 transferees who receive unique approval numbers or the  
2265 maintaining of records of firearm transactions.

2266 Section 32. For the purpose of incorporating the amendment  
2267 made by this act to section 836.10, Florida Statutes, in a  
2268 reference thereto, subsection (1) of section 794.056, Florida  
2269 Statutes, is reenacted to read:

2270 794.056 Rape Crisis Program Trust Fund.—

2271 (1) The Rape Crisis Program Trust Fund is created within  
2272 the Department of Health for the purpose of providing funds for  
2273 rape crisis centers in this state. Trust fund moneys shall be  
2274 used exclusively for the purpose of providing services for  
2275 victims of sexual assault. Funds credited to the trust fund

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2276 consist of those funds collected as an additional court  
2277 assessment in each case in which a defendant pleads guilty or  
2278 nolo contendere to, or is found guilty of, regardless of  
2279 adjudication, an offense provided in s. 775.21(6) and (10) (a),  
2280 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.  
2281 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.  
2282 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.  
2283 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;  
2284 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.  
2285 796.06; s. 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s.  
2286 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.  
2287 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.  
2288 847.0137; s. 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a),  
2289 (13), and (14) (c); or s. 985.701(1). Funds credited to the trust  
2290 fund also shall include revenues provided by law, moneys  
2291 appropriated by the Legislature, and grants from public or  
2292 private entities.

2293 Section 33. For the purpose of incorporating the amendment  
2294 made by this act to section 836.10, Florida Statutes, in a  
2295 reference thereto, section 938.085, Florida Statutes, is  
2296 reenacted to read:

2297 938.085 Additional cost to fund rape crisis centers.—In  
2298 addition to any sanction imposed when a person pleads guilty or  
2299 nolo contendere to, or is found guilty of, regardless of  
2300 adjudication, a violation of s. 775.21(6) and (10) (a), (b), and

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2301 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;  
2302 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.  
2303 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.  
2304 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.  
2305 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.  
2306 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.  
2307 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.  
2308 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.  
2309 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and  
2310 (14)(c); or s. 985.701(1), the court shall impose a surcharge of  
2311 \$151. Payment of the surcharge shall be a condition of  
2312 probation, community control, or any other court-ordered  
2313 supervision. The sum of \$150 of the surcharge shall be deposited  
2314 into the Rape Crisis Program Trust Fund established within the  
2315 Department of Health by chapter 2003-140, Laws of Florida. The  
2316 clerk of the court shall retain \$1 of each surcharge that the  
2317 clerk of the court collects as a service charge of the clerk's  
2318 office.

2319 Section 34. For the 2018-2019 fiscal year, the sum of \$69,  
2320 237,286 in recurring funds is appropriated from the General  
2321 Revenue Fund to the Department of Education in the Aid to Local  
2322 Governments Grants and Aids - Florida Education Finance Program  
2323 to fund the mental health assistance allocation created pursuant  
2324 to s. 1011.62(16), Florida Statutes.

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2325           Section 35. For the 2018-2019 fiscal year, the sums of  
2326 \$500,000 in recurring funds and \$6,200,000 in nonrecurring funds  
2327 are appropriated from the General Revenue Fund to the Department  
2328 of Education to implement the youth mental health awareness and  
2329 assistance training as directed pursuant to s. 1012.584, Florida  
2330 Statutes.

2331           Section 36. For the 2018-2019 fiscal year, the sum of \$1  
2332 million in nonrecurring funds is appropriated from the General  
2333 Revenue Fund to the Department of Education for the design and  
2334 construction of a memorial honoring those who lost their lives  
2335 on February 14, 2018, at Marjory Stoneman Douglas High School in  
2336 Broward County. The department shall collaborate with the  
2337 students and faculty of Marjory Stoneman Douglas High School,  
2338 the families of the victims, the Broward County School District,  
2339 and other relevant entities of the Parkland community on the  
2340 design and placement of the memorial.

2341           Section 37. For the 2018-2019 fiscal year, the sum of  
2342 \$25,262,714 in nonrecurring funds is appropriated from the  
2343 General Revenue Fund to the Department of Education for the  
2344 purpose of replacing Building 12, as listed in the Florida  
2345 Inventory of School Houses, at Marjory Stoneman Douglas High  
2346 School in Broward County.

2347  
2348           -----  
2349           **T I T L E   A M E N D M E N T**

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2350 Remove lines 8-229 and insert:  
2351 Department of Education; amending s. 121.091, F.S.;  
2352 authorizing certain retired law enforcement officers  
2353 to be reemployed as school resource officers after  
2354 meeting specified termination requirements;  
2355 authorizing such retired law enforcement officers to  
2356 receive compensation and retirement benefits after a  
2357 specified period; providing that such retired law  
2358 enforcement officers may not renew membership in the  
2359 Florida Retirement System, except as otherwise  
2360 provided; amending s. 394.463, F.S.; requiring when  
2361 practicable that a law enforcement officer with  
2362 certain training be assigned to serve and execute  
2363 certain ex parte orders; authorizing a law enforcement  
2364 officer to seize and hold firearms and ammunition if  
2365 taking custody of a person who poses a potential  
2366 danger to himself or herself or others and who has  
2367 made a credible threat against another person;  
2368 authorizing a law enforcement officer to seek the  
2369 voluntary surrender of firearms and ammunition kept in  
2370 the residence if the law enforcement officer takes  
2371 custody of the person at the person's residence and  
2372 certain criteria are met; authorizing such law  
2373 enforcement officer to petition an appropriate court  
2374 for a risk protection order under certain

864999

Approved For Filing: 3/5/2018 7:23:23 PM



Amendment No.

2375 | circumstances; requiring that firearms and ammunition  
2376 | seized or voluntarily surrendered be returned within a  
2377 | certain timeframe under specified circumstances;  
2378 | providing exceptions; requiring law enforcement  
2379 | agencies to develop policies and procedures relating  
2380 | to the seizure, storage, and return of firearms and  
2381 | ammunition; amending s. 394.495, F.S.; requiring the  
2382 | Department of Children and Families to contract for  
2383 | community action treatment teams throughout the state  
2384 | with the managing entities; specifying requirements  
2385 | for community action treatment teams; subject to  
2386 | legislative appropriation, requiring the department to  
2387 | contract for additional teams to ensure statewide  
2388 | availability of services; creating s. 790.064, F.S.;  
2389 | prohibiting a person who has been adjudicated mentally  
2390 | defective or been committed to a mental institution  
2391 | from owning or possessing a firearm until certain  
2392 | relief is obtained; specifying that the firearm  
2393 | possession and ownership disability runs concurrently  
2394 | with the firearm purchase disability under certain  
2395 | provisions; authorizing a person to petition for  
2396 | relief from the firearm possession and ownership  
2397 | disability; requiring that petitions for relief follow  
2398 | certain procedures; authorizing such person to  
2399 | petition for simultaneous relief; amending s. 790.065,

864999

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Amendment No.

2400 F.S.; prohibiting a person younger than a certain age  
2401 from purchasing a firearm; prohibiting the sale or  
2402 transfer, or facilitation of a sale or transfer, of a  
2403 firearm to a person younger than a certain age by a  
2404 licensed importer, licensed manufacturer, or licensed  
2405 dealer; providing criminal penalties; providing  
2406 exceptions; amending s. 790.0655, F.S.; revising the  
2407 mandatory waiting period to the later of either 3  
2408 days, excluding weekends and legal holidays, or upon  
2409 the completion of certain records checks; revising and  
2410 redefining terms; requiring that records of firearm  
2411 sales be available for inspection by any law  
2412 enforcement agency during normal business hours;  
2413 revising applicability of the waiting period;  
2414 conforming provisions to changes made by the act;  
2415 creating s. 790.222, F.S.; defining the term "bump-  
2416 fire stock"; prohibiting specified acts relating to  
2417 the sale and possession of bump-fire stocks; providing  
2418 criminal penalties; providing legislative intent;  
2419 providing a short title; creating s. 790.401, F.S.;  
2420 defining terms; creating an action known as a petition  
2421 for a risk protection order to prevent persons who are  
2422 at high risk of harming themselves or others from  
2423 accessing firearms or ammunition; providing  
2424 requirements for petitions for such orders; providing

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2425 duties for courts and clerks of court; prohibiting  
2426 fees for the filing of or service of process of such  
2427 petitions; providing for jurisdiction for such  
2428 petitions; requiring hearings on petitions within a  
2429 specified period; providing service requirements;  
2430 providing grounds that may be considered in  
2431 determining whether to grant such a petition;  
2432 providing requirements for proceedings; providing  
2433 requirements for risk protection orders; requiring the  
2434 court to inform a respondent of his or her right to  
2435 request a certain hearing; authorizing temporary ex  
2436 parte orders under certain circumstances; providing  
2437 requirements for petitions for such ex parte orders;  
2438 providing for service of orders; providing for the  
2439 termination or extension of an order; providing for  
2440 the surrender and storage of firearms, ammunition, and  
2441 licenses to carry a concealed weapon or firearm after  
2442 issuance of a risk protection order; requiring law  
2443 enforcement agencies to develop certain policies and  
2444 procedures; providing for return of firearms and  
2445 ammunition upon the vacating or end without the  
2446 extension of an order under certain circumstances;  
2447 authorizing a respondent to elect to transfer all  
2448 firearms and ammunition surrendered or seized by a law  
2449 enforcement agency to another person under certain

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2450 | circumstances; requiring a clerk of the court to  
2451 | forward a copy of a risk protection order to the  
2452 | appropriate law enforcement agency within a specified  
2453 | timeframe; requiring the law enforcement agency to  
2454 | enter the order into the Florida Crime Information  
2455 | Center and the National Crime Information Center  
2456 | systems; requiring that the order be maintained in the  
2457 | systems for a specified period and prohibiting a law  
2458 | enforcement from removing an order from the systems  
2459 | which has not ended or been vacated; providing that  
2460 | entry of an order into the systems constitutes notice  
2461 | to law enforcement agencies; requiring an issuing  
2462 | court to forward specified information concerning a  
2463 | respondent to the Department of Agriculture and  
2464 | Consumer Services within a specified timeframe;  
2465 | requiring the department to suspend a license to carry  
2466 | a concealed weapon or firearm which is held by a  
2467 | person subject to such an order; prohibiting a person  
2468 | from making a false statement under oath; providing  
2469 | criminal penalties; prohibiting violations of such an  
2470 | order; providing criminal penalties; providing  
2471 | construction; providing that the risk protection order  
2472 | provisions do not create liability for certain acts or  
2473 | omissions; requiring the Office of the State Courts  
2474 | Administrator to develop and distribute certain

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2475 instructional and informational material; amending s.  
2476 836.10, F.S.; prohibiting a person from making,  
2477 posting, or transmitting a threat to conduct a mass  
2478 shooting or an act of terrorism in a writing or other  
2479 record in any manner that would allow another person  
2480 to view the threat; providing criminal penalties;  
2481 amending s. 921.0022, F.S.; conforming a provision to  
2482 changes made by the act; creating s. 943.082, F.S.;  
2483 requiring the Department of Law Enforcement, in  
2484 collaboration with the Department of Legal Affairs, to  
2485 competitively procure a mobile suspicious activity  
2486 tool with certain features; requiring the department  
2487 to receive certain electronic reports; requiring the  
2488 reporting tool to notify the reporting party of  
2489 certain information; requiring the forwarding of  
2490 certain information to appropriate law enforcement  
2491 agencies; requiring that certain entities be made  
2492 aware of the reporting tool; requiring the department,  
2493 in collaboration with certain entities, to develop and  
2494 provide certain training and awareness relating to the  
2495 reporting tool; creating s. 943.687, F.S.; creating  
2496 the Marjory Stoneman Douglas High School Public Safety  
2497 Commission within the Department of Law Enforcement;  
2498 requiring the commission to convene by a certain date;  
2499 specifying the composition of the commission;

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2500 requiring Department of Law Enforcement staff to  
2501 assist the commission; specifying meeting  
2502 requirements; authorizing reimbursement for per diem  
2503 and travel expenses; providing the duties and  
2504 authority of the commission; requiring the commission  
2505 to submit an initial report to the Governor and the  
2506 Legislature within a specified time; providing for the  
2507 expiration of the commission; creating s. 1001.212,  
2508 F.S.; creating the Office of Safe Schools within the  
2509 Department of Education; providing duties of the  
2510 office; amending s. 1002.32, F.S.; conforming a cross-  
2511 reference; amending s. 1006.04, F.S.; revising the  
2512 purpose and duties of the educational multiagency  
2513 network for students with emotional and behavioral  
2514 disabilities; amending s. 1006.07, F.S.; revising  
2515 district school board duties relating to student  
2516 discipline and school safety; requiring students to  
2517 note referrals to mental health services upon initial  
2518 registration for school within a school district;  
2519 authorizing a district school board to refer a student  
2520 to certain mental health services under certain  
2521 circumstances; revising the code of student conduct  
2522 relating to the referral of certain students to  
2523 certain mental health services and law enforcement;  
2524 providing requirements for student crime watch

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2525 programs; revising the policies and procedures for  
2526 emergency drills to include drills for active shooter  
2527 and hostage situations; providing requirements for  
2528 such drills; revising requirements for the emergency  
2529 response policy; requiring model emergency management  
2530 and emergency preparedness procedures for active  
2531 shooter situations; requiring school districts to  
2532 establish a schedule to test emergency communication  
2533 systems; requiring district school superintendents to  
2534 establish certain policies and procedures relating to  
2535 the prevention of violence on school grounds and  
2536 designate a school safety specialist for the school  
2537 district; providing requirements and duties for school  
2538 safety specialists; providing school safety specialist  
2539 requirements relating to the required school security  
2540 risk assessments; requiring each district school board  
2541 to establish a threat assessment team at each school  
2542 within the district; providing requirements and duties  
2543 for threat assessment teams; authorizing a threat  
2544 assessment team to obtain certain criminal history  
2545 record information under certain circumstances;  
2546 prohibiting a member of a threat assessment team from  
2547 disclosing or using such information except for a  
2548 specified purpose; authorizing certain entities to  
2549 share specified confidential information and records

864999

Approved For Filing: 3/5/2018 7:23:23 PM

Amendment No.

2550 relating to students for specified purposes;  
2551 authorizing school personnel to address an immediate  
2552 mental health or substance abuse crisis; providing  
2553 requirements for addressing such situations; providing  
2554 threat assessment team reporting requirements;  
2555 amending s. 1006.08, F.S.; requiring a district school  
2556 superintendent to be notified by the court of a  
2557 student referred to mental health services; amending  
2558 s. 1006.12, F.S.; requiring district school boards to  
2559 establish or assign safe-school officers at each  
2560 district school facility within the district;  
2561 requiring school resource officers and school safety  
2562 officers to undergo specified evaluations;

864999

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