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LEGISLATIVE ACTION

Senate

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House

Senator Braynon moved the following:

Senate Amendment (with title amendment)

Delete lines 1578 - 2015

and insert:

(3) Participate in the Florida Sheriff's Marshal Pilot Program, established pursuant to s. 1006.1491, if the district is authorized to participate in the program. Upon a participant's completion of the program, the district school board shall designate a special deputy sheriff, as appointed by the sheriff as a law enforcement officer certified under chapter 943, pursuant to s. 30.072(2).



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12 Section 1. Section 1006.149, Florida Statutes, is created
13 to read:

14 1006.149 Public School Emergency Response Learning System
15 Program.—

16 (1) The Public School Emergency Response Learning System
17 Program is established to assist school personnel in preparing
18 for and responding to active emergency situations and to
19 implement local notification systems for all Florida public
20 schools, with the ultimate goal of preventing tragedy and the
21 loss of life through proactive strategies.

22 (2) The program is created within the department and shall
23 be administered by the Office of Safe Schools, created pursuant
24 to s. 1001.217. Through the program, local law enforcement
25 agencies shall partner with participating public preschools,
26 public child care providers, or public school districts and
27 schools. Training, notifications, and resources must be
28 available for school personnel and students and their families
29 through, at minimum, the following mechanisms:

30 (a) Activities and direct training to mitigate risk and
31 save lives in emergency situations, such as lockdown, bomb
32 threat, active shooter, and other emergency situations.

33 (b) Vital local notification systems implemented to alert
34 schools of imminent danger.

35 (c) Other resources provided in conjunction with the
36 training, including, but not limited to, an emergency plan flip
37 chart, communication cards, instructional resources, activity
38 books for children and teachers, and certificates of training
39 and completion.

40 (3) Each program participant must develop a preemptive plan



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41 of action that includes multiple options for addressing various
42 situations based on the form of danger present and the unique
43 needs and circumstances of each school and its faculty, staff,
44 students, and visitors.

45 (4) A school district must include in its emergency
46 notification procedures established pursuant to s. 1006.07 any
47 program participant who notifies the district of his or her
48 desire to participate.

49 (5) Funding for program activities may be provided by the
50 Legislature to implement this section.

51 Section 2. Section 1006.1491, Florida Statutes, is created
52 to read:

53 1006.1491 Florida Sheriff's Marshal Pilot Program.—The
54 Florida Sheriff's Marshal Pilot Program is created within the
55 department as a voluntary program to assist public schools in
56 the school districts in Citrus, Holmes, and Nassau Counties in
57 enhancing the safety and security of students, faculty, and
58 staff of, and visitors to, public schools and campuses in those
59 counties. The program is administered by the Office of Safe
60 Schools, created pursuant to s. 1001.217.

61 (1) PURPOSE.—The purpose of the program is to provide
62 comprehensive firearm safety and proficiency training for
63 selected faculty and staff strategically focused on providing
64 security on campus during an active assailant incident. Public
65 school faculty and staff who voluntarily participate in and
66 complete the program, as recommended by the school district, are
67 designated as special deputy sheriffs with all rights,
68 responsibilities, and obligations in carrying concealed firearms
69 on campus, as authorized pursuant to s. 30.09.



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70 (2) DEFINITIONS.—As used in this section, the term:
71 (a) "Active assailant incident" means a situation in which
72 an armed assailant is posing an immediate deadly threat to
73 persons on the premises or campus of a public school.
74 (b) "Campus" means a school, as defined in s. 1003.01(2),
75 and facilities and school plants operated and controlled by a
76 public school district in accordance with s. 1003.02.
77 (c) "Partnership agreement" means a jointly approved
78 contract between the sheriff operating the program and the
79 superintendent of a participating school district sponsor.
80 (d) "Program" means a Florida Sheriff's Marshal Pilot
81 Program as established and administered by a sheriff in
82 accordance with this section.
83 (e) "Sheriff" means the county sheriff constitutional
84 officer elected or appointed in accordance with chapter 30 of a
85 county that is authorized and elects to participate in the
86 program.
87 (f) "Sheriff's marshal" means a faculty or staff member who
88 is recommended and sponsored by a school district and has been
89 successfully screened and approved by the sheriff to participate
90 in a program.
91 (g) "Special deputy sheriff" means a program participant
92 who has successfully completed the program and who is appointed
93 as a law enforcement officer in the same manner as a deputy
94 sheriff as provided in s. 30.072(2) and certified under chapter
95 943.
96 (3) PROGRAM ELIGIBILITY.—At a minimum, program eligibility
97 and participation requirements must include:
98 (a) A school district authorized to participate may sponsor



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99 and recommend to the sheriff public school faculty and staff
100 members as candidates for voluntary participation in the
101 program. The sheriff shall establish timelines and requirements
102 for participation through a partnership agreement with the
103 sponsoring school district superintendent. To be eligible for
104 consideration and recommendation, a candidate must be licensed
105 in accordance with s. 790.06.

106 (b) After screening a candidate, including performing
107 criminal background checks, drug testing, and a psychological
108 evaluation, the sheriff may approve a candidate to participate
109 in the program as a sheriff's marshal.

110 (c) Upon successful completion of the program, a sheriff's
111 marshal may be appointed by the sheriff as a special deputy
112 sheriff for the limited purpose of responding to an active
113 assailant incident on a campus of his or her school district
114 during an active assailant incident.

115 (4) SPECIAL DEPUTY SHERIFF.—

116 (a) At a minimum, the partnership agreement must provide
117 that a special deputy sheriff:

118 1. Must participate in and complete the program's
119 professional training requirements as a precondition to meeting
120 the legal requirements of chapter 30 to be eligible to carry a
121 concealed firearm on a campus of his or her sponsoring school
122 district.

123 2. May not act in any law enforcement capacity outside of
124 an active assailant incident on a school district campus and
125 does not have any authority in a law enforcement capacity off
126 campus in any way, except as otherwise expressly authorized by
127 law.



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128 3. May carry concealed, approved firearms on campus. The
129 firearms must be specifically purchased and issued for the sole
130 purpose of the program. Only concealed carry safety holsters and
131 firearms approved by the sheriff may be used under the program.

132 4. Must successfully complete training with the sheriff's
133 office before his or her appointment as a special deputy
134 sheriff, including meeting the requirements of this section.

135 (b) The appointment of a person as a special deputy sheriff
136 does not entitle the person to the special risk category that
137 applies to law enforcement officers pursuant to s. 121.0515.

138 (5) TRAINING AND INSTRUCTION.—All training must be
139 conducted by Criminal Justice Standards Training Commission
140 (CJSTC)-certified instructors.

141 (a) Required instruction must include 132 total hours of
142 comprehensive firearm safety and proficiency training in the
143 following topics:

144 1. Firearms: 80-hour block of instruction. The firearms
145 instruction must be based on the CJSTC Law Enforcement Academy
146 training model and must be enhanced to include 10 percent to 20
147 percent more rounds fired by each program participant beyond the
148 minimum average of approximately 1,000 training rounds
149 associated with academy training. Program participants must
150 achieve an 85 percent pass rate on the firearms training.

151 2. Firearms precision pistol: 16-hour block of instruction.

152 3. Firearms discretionary shooting: 4-hour block of
153 instruction using state-of-the-art simulator exercises.

154 4. Active shooter or assailant: 8-hour block of
155 instruction.

156 5. Defensive tactics: 4-hour block of instruction.



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157 6. Legal or high liability: 20-hour block of instruction.

158 (b) Program participants may complete an optional, 16-hour
159 precision pistol course as additional training.

160 (c) Ongoing and annual proficiency retraining must be
161 conducted by the sheriff, as specified in the agreement.

162 (6) PARTICIPATION DENIAL OR TERMINATION.—The sheriff or the
163 district superintendent may deny or terminate a sheriff's
164 marshal or special deputy sheriff's participation in the program
165 for any reason, including, but not limited to, any of the
166 following circumstances:

167 (a) An arrest or filing of criminal charges against a
168 program participant by a law enforcement agency.

169 (b) The service of process on the program participant as
170 the respondent of an injunction for protection.

171 (c) The involuntary placement of the program participant in
172 a treatment facility for a mental health examination under The
173 Baker Act.

174 (d) A violation of sheriff office policies, orders, or
175 requirements by the program participant.

176 (e) A violation of the school district's code of conduct or
177 employee handbook or policy by the program participant.

178 (7) IMPLEMENTATION.—

179 (a) The sheriff shall maintain documentation of weapon and
180 equipment inspections, as well as the training, certification,
181 inspection, and qualification records of each program
182 participant.

183 (b) Each program participant must be distinctly and
184 visually identifiable to responding law enforcement officers,
185 faculty, staff, and students, in the case of any active



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186 assailant incident on a sponsoring school district's campus.

187 (c) Each sheriff's marshal must execute a volunteer
188 agreement with the sheriff's office outlining duties and
189 responsibilities.

190 (d) A sponsoring school district must conduct awareness
191 training about the program for all school district faculty and
192 staff members.

193 (e) Specific implementation requirements, responsibilities,
194 and other aspects of implementation must be specified in a
195 partnership agreement.

196 (8) FUNDING.—The costs of program participation must be
197 established in the partnership agreement. Funding may be
198 provided by the Legislature to support school district and
199 sheriff office administration, sponsorship, participation, and
200 implementation of this section.

201 Section 3. Section 1006.1493, Florida Statutes, is created
202 to read:

203 1006.1493 Florida Safe Schools Assessment Tool.—

204 (1) The department shall contract with a security
205 consulting firm that specializes in the development of risk
206 assessment software solutions and has experience in conducting
207 security assessments of public facilities to develop, update,
208 and implement a risk assessment tool, which shall be known as
209 the Florida Safe Schools Assessment Tool (FSSAT). The FSSAT must
210 be used by school officials at each school district and public
211 school site in the state in conducting security assessments for
212 use by school officials at each school district and public
213 school site in the state.

214 (2) The FSSAT must help school officials identify threats,



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215 vulnerabilities, and appropriate safety controls for the schools
216 that they supervise, pursuant to the security risk assessment
217 requirements of s. 1006.07(6).

218 (a) At a minimum, the FSSAT must address all of the
219 following components:

220 1. School emergency and crisis preparedness planning;

221 2. Security, crime, and violence prevention policies and
222 procedures;

223 3. Physical security measures;

224 4. Professional development training needs;

225 5. An examination of support service roles in school
226 safety, security, and emergency planning;

227 6. School security and school police staffing, operational
228 practices, and related services;

229 7. School and community collaboration on school safety; and

230 8. A return on investment analysis of the recommended
231 physical security controls.

232 (b) The department shall require by contract that the
233 security consulting firm:

234 1. Generate written automated reports on assessment
235 findings for review by the department and school and district
236 officials;

237 2. Provide training to the department and school officials
238 in the use of the FSSAT and other areas of importance identified
239 by the department; and

240 3. Advise in the development and implementation of
241 templates, formats, guidance, and other resources necessary to
242 facilitate the implementation of this section at state,
243 district, school, and local levels.



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244 (3) By December 1, 2018, and annually by that date
245 thereafter, the department must report to the Governor, the
246 President of the Senate, and the Speaker of the House of
247 Representatives on the status of implementation across school
248 districts and schools. The report must include a summary of the
249 positive school safety measures in place at the time of the
250 assessment and any recommendations for policy changes or funding
251 needed to facilitate continued school safety planning,
252 improvement, and response at the state, district, or school
253 levels.

254 (4) In accordance with ss. 119.071(3)(a) and 281.301, data
255 and information related to security risk assessments
256 administered pursuant to this section and s. 1006.07(6) and the
257 security information contained in the annual report required
258 pursuant to subsection (3) are confidential and exempt from
259 public records requirements.

260 Section 4. Present subsections (16) and (17) of section
261 1011.62, Florida Statutes, are redesignated as subsections (17)
262 and (18), respectively, paragraph (a) of subsection (4) and
263 subsections (14) and (15) of that section are amended, and a new
264 subsection (16) is added to that section, to read:

265 1011.62 Funds for operation of schools.—If the annual
266 allocation from the Florida Education Finance Program to each
267 district for operation of schools is not determined in the
268 annual appropriations act or the substantive bill implementing
269 the annual appropriations act, it shall be determined as
270 follows:

271 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
272 Legislature shall prescribe the aggregate required local effort



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273 for all school districts collectively as an item in the General
274 Appropriations Act for each fiscal year. The amount that each
275 district shall provide annually toward the cost of the Florida
276 Education Finance Program for kindergarten through grade 12
277 programs shall be calculated as follows:

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

279 1.a. Not later than 2 working days before July 19, the
280 Department of Revenue shall certify to the Commissioner of
281 Education its most recent estimate of the taxable value for
282 school purposes in each school district and the total for all
283 school districts in the state for the current calendar year
284 based on the latest available data obtained from the local
285 property appraisers. The value certified shall be the taxable
286 value for school purposes for that year, and no further
287 adjustments shall be made, except those made pursuant to
288 paragraphs (c) and (d), or an assessment roll change required by
289 final judicial decisions as specified in paragraph (17) (b)

290 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
291 shall compute a millage rate, rounded to the next highest one
292 one-thousandth of a mill, which, when applied to 96 percent of
293 the estimated state total taxable value for school purposes,
294 would generate the prescribed aggregate required local effort
295 for that year for all districts. The Commissioner of Education
296 shall certify to each district school board the millage rate,
297 computed as prescribed in this subparagraph, as the minimum
298 millage rate necessary to provide the district required local
299 effort for that year.

300 b. The General Appropriations Act shall direct the
301 computation of the statewide adjusted aggregate amount for



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302 required local effort for all school districts collectively from
303 ad valorem taxes to ensure that no school district's revenue
304 from required local effort millage will produce more than 90
305 percent of the district's total Florida Education Finance
306 Program calculation as calculated and adopted by the
307 Legislature, and the adjustment of the required local effort
308 millage rate of each district that produces more than 90 percent
309 of its total Florida Education Finance Program entitlement to a
310 level that will produce only 90 percent of its total Florida
311 Education Finance Program entitlement in the July calculation.

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

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

319 b. For each year identified in sub-subparagraph a., the
320 taxable value certified by the appraiser pursuant to s.
321 193.122(2) or (3), if applicable, since the prior certification
322 under sub-subparagraph 1.a. This is the certification that
323 reflects all final administrative actions of the value
324 adjustment board.

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



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331 in subsection (17) ~~(16)~~, quality guarantee funds, and actual
332 nonvoted discretionary local effort from taxes. From the base
333 funding per unweighted FTE, the increase shall be calculated for
334 the current year. The current year funds from which the
335 guarantee shall be determined shall include the adjusted FTE
336 dollars as provided in subsection (17) ~~(16)~~ and potential
337 nonvoted discretionary local effort from taxes. A comparison of
338 current year funds per unweighted FTE to prior year funds per
339 unweighted FTE shall be computed. For those school districts
340 which have less than the legislatively assigned percentage
341 increase, funds shall be provided to guarantee the assigned
342 percentage increase in funds per unweighted FTE student. Should
343 appropriated funds be less than the sum of this calculated
344 amount for all districts, the commissioner shall prorate each
345 district's allocation. This provision shall be implemented to
346 the extent specifically funded.

347 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
348 created to provide funding to assist school districts in their
349 compliance with subpart I.C. of chapter 1006 ~~ss. 1006.07-~~
350 ~~1006.148~~, with priority given to satisfying the requirement of
351 establishing or assigning at least one safe-school officer at
352 each school facility within the district ~~a school resource~~
353 ~~officer program~~ pursuant to s. 1006.12. Each school district
354 shall receive a minimum safe schools allocation in an amount
355 provided in the General Appropriations Act. Of the remaining
356 balance of the safe schools allocation, two-thirds shall be
357 allocated to school districts based on the most recent official
358 Florida Crime Index provided by the Department of Law
359 Enforcement and one-third shall be allocated based on each



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360 school district's proportionate share of the state's total
361 unweighted full-time equivalent student enrollment.

362 (16) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
363 assistance allocation is created to provide funding to assist
364 school districts and charter schools in their compliance with
365 the requirements and specifications established in s. 1006.05.
366 These funds must be allocated annually in the General
367 Appropriations Act to each eligible school district and
368 developmental research school based on each entity's
369 proportionate share of Florida Education Finance Program base
370 funding, in accordance with s. 1006.05. The district funding
371 allocation must include a minimum amount, as provided in the
372 General Appropriations Act. Eligible charter schools are
373 entitled to a proportionate share of district funding for the
374 program. The allocated funds may not supplant funds that are
375 provided for this purpose from other operating funds and may not
376 be used to increase salaries or provide bonuses, except for
377 personnel hired to implement the plans required by s. 1006.05.
378 School districts and schools must maximize third-party funding
379 from Medicaid and private insurance when appropriate.

380 Section 5. For the purpose of incorporating the amendment
381 made by this act to section 790.065, Florida Statutes, in a
382 reference thereto, subsection (2) of section 397.6760, Florida
383 Statutes, is reenacted to read:

384 397.6760 Court records; confidentiality.—

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

388 Section 6. For the purpose of incorporating the amendment



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389 made by this act to section 790.065, Florida Statutes, in a
390 reference thereto, paragraph (e) of subsection (3) of section
391 790.335, Florida Statutes, is reenacted to read:

392 790.335 Prohibition of registration of firearms; electronic
393 records.—

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

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

401 2. Nothing in this paragraph shall be construed to allow
402 the maintaining of records containing the names of purchasers or
403 transferees who receive unique approval numbers or the
404 maintaining of records of firearm transactions.

405 Section 7. Each January 1, the Department of Agriculture
406 and Consumer Services shall transfer 10 percent of the fees
407 collected for new and renewal concealed weapon or firearm
408 licenses from the Division of Licensing Trust Fund to the
409 Department of Legal Affairs to reimburse verified or designated
410 trauma centers for documented medical costs of treating victims
411 of mass shootings through its Medical Reimbursement Program for
412 Victims of Mass Shootings.

413 Section 8. The sum of \$10 million in recurring funds from
414 the General Revenue Fund is appropriated to the Department of
415 Legal Affairs to reimburse verified or designated trauma centers
416 for documented medical costs of treating victims of mass
417 shootings through its Medical Reimbursement Program for Victims



418 of Mass Shootings.

419 Section 9. For the 2018-2019 fiscal year, the sum of \$100
420 million in recurring funds is appropriated from the General
421 Revenue Fund to the Department of Education in the Aid to Local
422 Governments Grants and Aids - Florida Education Finance Program
423 to fund the mental health assistance allocation created pursuant
424 to s. 1011.62(16), Florida Statutes.

425 Section 10. For the 2018-2019 fiscal year, the sum of
426 \$500,000 in nonrecurring funds is appropriated from the General
427 Revenue Fund to the Department of Education for the design and
428 construction of a memorial honoring those who lost their lives
429 on February 14, 2018, at Marjory Stoneman Douglas High School in
430 Broward County. The department shall collaborate with the
431 students and faculty of Marjory Stoneman Douglas High School,
432 the families of the victims, the Broward County School District,
433 and other relevant entities of the Parkland community on the
434 design and placement of the memorial.

435 Section 11. For the 2018-2019 fiscal year, the sum of \$15
436 million in nonrecurring funds is appropriated from the General
437 Revenue Fund to the Department of Education combined with an
438 equal amount of local matching funds for the purpose of
439 replacing Building 12, as listed in the Florida Inventory of
440 School Houses, at Marjory Stoneman Douglas High School in
441 Broward County.

442
443 ===== T I T L E A M E N D M E N T =====

444 And the title is amended as follows:

445 Delete lines 188 - 200

446 and insert:



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447 participation in the Florida Sheriff's Marshal Pilot
448 Program meets the requirement; creating s. 1006.149,
449 F.S.; establishing the Public School Emergency
450 Response Learning System Program within the
451 department; establishing the program as a partnership
452 between local law enforcement agencies and public
453 education entities; specifying activities, training,
454 notification systems, and resources provided through
455 the program; requiring each program participant to
456 develop a preemptive plan of action; authorizing
457 funding provided by the Legislature to implement the
458 program; creating s. 1006.1491, F.S.; creating the
459 Florida Sheriff's Marshal Pilot Program within the