

20187026e2

1 A bill to be entitled
2 An act relating to public safety; providing a short
3 title; providing legislative findings; amending s.
4 16.555, F.S.; authorizing the awarding of grants
5 through the Crime Stoppers Trust Fund for student
6 crime watch programs; amending s. 20.15, F.S.;
7 establishing the Office of Safe Schools within the
8 Department of Education; amending s. 30.15, F.S.;
9 providing that each sheriff may establish a Coach
10 Aaron Feis Guardian Program and appoint certain
11 volunteer school employees as school guardians;
12 providing sheriff and school guardian requirements;
13 requiring certain documentation and records be
14 maintained relating to such school guardians;
15 providing a directive to the Division of Law Revision
16 and Information; amending s. 121.091, F.S.;
17 authorizing certain retired law enforcement officers
18 to be reemployed as school resource officers after
19 meeting specified termination requirements;
20 authorizing such retired law enforcement officers to
21 receive compensation and retirement benefits after a
22 specified period; providing that such retired law
23 enforcement officers may not renew membership in the
24 Florida Retirement System, except as otherwise
25 provided; amending s. 394.463, F.S.; requiring when
26 practicable that a law enforcement officer with
27 certain training be assigned to serve and execute
28 certain ex parte orders; authorizing a law enforcement
29 officer to seize and hold firearms and ammunition if

20187026e2

30 taking custody of a person who poses a potential
31 danger to himself or herself or others and who has
32 made a credible threat against another person;
33 authorizing a law enforcement officer to seek the
34 voluntary surrender of firearms and ammunition kept in
35 the residence if the law enforcement officer takes
36 custody of the person at the person's residence and
37 certain criteria are met; authorizing such law
38 enforcement officer to petition an appropriate court
39 for a risk protection order under certain
40 circumstances; requiring that firearms and ammunition
41 seized or voluntarily surrendered be returned within a
42 certain timeframe under specified circumstances;
43 providing exceptions; requiring law enforcement
44 agencies to develop policies and procedures relating
45 to the seizure, storage, and return of firearms and
46 ammunition; amending s. 394.495, F.S.; requiring the
47 Department of Children and Families to contract for
48 community action treatment teams throughout the state
49 with the managing entities; specifying requirements
50 for community action treatment teams; subject to
51 legislative appropriation, requiring the department to
52 contract for additional teams to ensure statewide
53 availability of services; creating s. 790.064, F.S.;
54 prohibiting a person who has been adjudicated mentally
55 defective or been committed to a mental institution
56 from owning or possessing a firearm until certain
57 relief is obtained; specifying that the firearm
58 possession and ownership disability runs concurrently

20187026e2

59 with the firearm purchase disability under certain
60 provisions; authorizing a person to petition for
61 relief from the firearm possession and ownership
62 disability; requiring that petitions for relief follow
63 certain procedures; authorizing such person to
64 petition for simultaneous relief; amending s. 790.065,
65 F.S.; prohibiting a person younger than a certain age
66 from purchasing a firearm; prohibiting the sale or
67 transfer, or facilitation of a sale or transfer, of a
68 firearm to a person younger than a certain age by a
69 licensed importer, licensed manufacturer, or licensed
70 dealer; providing criminal penalties; providing
71 exceptions; amending s. 790.0655, F.S.; revising the
72 mandatory waiting period to the later of either 3
73 days, excluding weekends and legal holidays, or upon
74 the completion of certain records checks; revising and
75 redefining terms; requiring that records of firearm
76 sales be available for inspection by any law
77 enforcement agency during normal business hours;
78 revising applicability of the waiting period;
79 conforming provisions to changes made by the act;
80 creating s. 790.222, F.S.; defining the term "bump-
81 fire stock"; prohibiting specified acts relating to
82 the sale and possession of bump-fire stocks; providing
83 criminal penalties; providing legislative intent;
84 providing a short title; creating s. 790.401, F.S.;
85 defining terms; creating an action known as a petition
86 for a risk protection order to prevent persons who are
87 at high risk of harming themselves or others from

20187026e2

88 accessing firearms or ammunition; providing
89 requirements for petitions for such orders; providing
90 duties for courts and clerks of court; prohibiting
91 fees for the filing of or service of process of such
92 petitions; providing for jurisdiction for such
93 petitions; requiring hearings on petitions within a
94 specified period; providing service requirements;
95 providing grounds that may be considered in
96 determining whether to grant such a petition;
97 providing requirements for proceedings; providing
98 requirements for risk protection orders; requiring the
99 court to inform a respondent of his or her right to
100 request a certain hearing; authorizing temporary ex
101 parte orders under certain circumstances; providing
102 requirements for petitions for such ex parte orders;
103 providing for service of orders; providing for the
104 termination or extension of an order; providing for
105 the surrender and storage of firearms, ammunition, and
106 licenses to carry a concealed weapon or firearm after
107 issuance of a risk protection order; requiring law
108 enforcement agencies to develop certain policies and
109 procedures; providing for return of firearms and
110 ammunition upon the vacating or end without the
111 extension of an order under certain circumstances;
112 authorizing a respondent to elect to transfer all
113 firearms and ammunition surrendered or seized by a law
114 enforcement agency to another person under certain
115 circumstances; requiring a clerk of the court to
116 forward a copy of a risk protection order to the

20187026e2

117 appropriate law enforcement agency within a specified
118 timeframe; requiring the law enforcement agency to
119 enter the order into the Florida Crime Information
120 Center and the National Crime Information Center
121 systems; requiring that the order be maintained in the
122 systems for a specified period and prohibiting a law
123 enforcement from removing an order from the systems
124 which has not ended or been vacated; providing that
125 entry of an order into the systems constitutes notice
126 to law enforcement agencies; requiring an issuing
127 court to forward specified information concerning a
128 respondent to the Department of Agriculture and
129 Consumer Services within a specified timeframe;
130 requiring the department to suspend a license to carry
131 a concealed weapon or firearm which is held by a
132 person subject to such an order; prohibiting a person
133 from making a false statement under oath; providing
134 criminal penalties; prohibiting violations of such an
135 order; providing criminal penalties; providing
136 construction; providing that the risk protection order
137 provisions do not create liability for certain acts or
138 omissions; requiring the Office of the State Courts
139 Administrator to develop and distribute certain
140 instructional and informational material; amending s.
141 836.10, F.S.; prohibiting a person from making,
142 posting, or transmitting a threat to conduct a mass
143 shooting or an act of terrorism in a writing or other
144 record in any manner that would allow another person
145 to view the threat; providing criminal penalties;

20187026e2

146 amending s. 921.0022, F.S.; conforming a provision to
147 changes made by the act; creating s. 943.082, F.S.;
148 requiring the Department of Law Enforcement, in
149 collaboration with the Department of Legal Affairs, to
150 competitively procure a mobile suspicious activity
151 tool with certain features; requiring the department
152 to receive certain electronic reports; requiring the
153 reporting tool to notify the reporting party of
154 certain information; requiring the forwarding of
155 certain information to appropriate law enforcement
156 agencies; requiring that certain entities be made
157 aware of the reporting tool; requiring the department,
158 in collaboration with certain entities, to develop and
159 provide certain training and awareness relating to the
160 reporting tool; creating s. 943.687, F.S.; creating
161 the Marjory Stoneman Douglas High School Public Safety
162 Commission within the Department of Law Enforcement;
163 requiring the commission to convene by a certain date;
164 specifying the composition of the commission;
165 requiring Department of Law Enforcement staff to
166 assist the commission; specifying meeting
167 requirements; authorizing reimbursement for per diem
168 and travel expenses; providing the duties and
169 authority of the commission; requiring the commission
170 to submit an initial report to the Governor and the
171 Legislature within a specified time; providing for the
172 expiration of the commission; creating s. 1001.212,
173 F.S.; creating the Office of Safe Schools within the
174 Department of Education; providing duties of the

20187026e2

175 office; amending s. 1002.32, F.S.; conforming a cross-
176 reference; amending s. 1006.04, F.S.; revising the
177 purpose and duties of the educational multiagency
178 network for students with emotional and behavioral
179 disabilities; amending s. 1006.07, F.S.; revising
180 district school board duties relating to student
181 discipline and school safety; requiring students to
182 note referrals to mental health services upon initial
183 registration for school within a school district;
184 authorizing a district school board to refer a student
185 to certain mental health services under certain
186 circumstances; revising the code of student conduct
187 relating to the referral of certain students to
188 certain mental health services and law enforcement;
189 providing requirements for student crime watch
190 programs; revising the policies and procedures for
191 emergency drills to include drills for active shooter
192 and hostage situations; providing requirements for
193 such drills; revising requirements for the emergency
194 response policy; requiring model emergency management
195 and emergency preparedness procedures for active
196 shooter situations; requiring school districts to
197 establish a schedule to test emergency communication
198 systems; requiring district school superintendents to
199 establish certain policies and procedures relating to
200 the prevention of violence on school grounds and
201 designate a school safety specialist for the school
202 district; providing requirements and duties for school
203 safety specialists; providing school safety specialist

20187026e2

204 requirements relating to the required school security
205 risk assessments; requiring each district school board
206 to establish a threat assessment team at each school
207 within the district; providing requirements and duties
208 for threat assessment teams; authorizing a threat
209 assessment team to obtain certain criminal history
210 record information under certain circumstances;
211 prohibiting a member of a threat assessment team from
212 disclosing or using such information except for a
213 specified purpose; authorizing certain entities to
214 share specified confidential information and records
215 relating to students for specified purposes;
216 authorizing school personnel to address an immediate
217 mental health or substance abuse crisis; providing
218 requirements for addressing such situations; providing
219 threat assessment team reporting requirements;
220 amending s. 1006.08, F.S.; requiring a district school
221 superintendent to be notified by the court of a
222 student referred to mental health services; amending
223 s. 1006.12, F.S.; requiring district school boards to
224 establish or assign safe-school officers at each
225 district school facility within the district;
226 requiring school resource officers and school safety
227 officers to undergo specified evaluations; specifying
228 that participation in the school marshal program meets
229 the requirement, if such a program is available;
230 amending s. 1006.13, F.S.; revising the policy of zero
231 tolerance for crime and victimization; providing
232 district school board responsibilities; authorizing a

20187026e2

233 threat assessment team to use specified alternatives
234 to expulsion or referral to law enforcement to address
235 disruptive behavior; providing requirements for zero-
236 tolerance policies; requiring a threat assessment team
237 to consult with law enforcement under certain
238 circumstances; creating s. 1006.1493, F.S.; requiring
239 the department to contract with a security consulting
240 firm to develop, update, and implement a risk
241 assessment tool; providing requirements for the
242 Florida Safe Schools Assessment Tool; requiring
243 reports, training, and advice in the security
244 consulting firm contract; requiring a specified annual
245 report to the Governor and Legislature by a specified
246 date; providing for construction regarding the
247 applicability of public records exemptions for certain
248 security data and information; amending s. 1011.62,
249 F.S.; authorizing a district school board to use
250 certain categorical appropriations to improve school
251 safety; revising the safe schools allocation; creating
252 the mental health assistance allocation; providing the
253 purpose of the allocation; requiring that funds be
254 allocated annually in the General Appropriations Act;
255 providing for the annual allocation of such funds on a
256 specified basis; providing that eligible charter
257 schools are entitled to a proportionate share;
258 prohibiting the use of allocated funds to supplant
259 funds provided from other operating funds, to increase
260 salaries, or to provide bonuses, except in certain
261 circumstances; requiring that school districts and

20187026e2

262 schools maximize certain third-party funding;
263 requiring that school districts and charter schools
264 annually develop and submit certain detailed plans;
265 requiring that approved charter school plans be
266 provided to the district for submission to the
267 commissioner; providing that required plans must
268 include certain elements; requiring school districts
269 to annually submit approved plans to the Commissioner
270 of Education by a specified date; requiring that
271 entities receiving such allocations annually submit a
272 final report on program outcomes and specific
273 expenditures to the commissioner by a specified date;
274 creating s. 1012.584, F.S.; requiring the department
275 to establish a youth mental health awareness and
276 assistance training program for specified purposes;
277 providing department and program requirements;
278 requiring certain school personnel to receive such
279 training; requiring the school safety specialist to
280 ensure certain personnel receive such training;
281 requiring school districts to inform such personnel of
282 the mental health services available in the district;
283 providing appropriations for specified purposes;
284 amending s. 1013.64, F.S.; specifying that the cost
285 per student station does not include certain
286 improvements related to enhanced safety and security;
287 reenacting ss. 397.6760(2) and 790.335(3)(e), F.S.;

288 relating to the confidentiality of court records and
289 exceptions to the prohibition of registration of
290 firearms, respectively, to incorporate the amendment

20187026e2

291 made to s. 790.065, F.S., in references thereto;
292 providing appropriations; reenacting ss. 794.056 and
293 938.085, F.S.; relating to the Rape Crises Program
294 Trust Fund and additional cost to fund rape crises
295 centers, respectively, to incorporate the amendment
296 made to s. 836.10, F.S.; providing appropriations;
297 providing effective dates.

298
299 Be It Enacted by the Legislature of the State of Florida:

300
301 Section 1. This act may be cited as the "Marjory Stoneman
302 Douglas High School Public Safety Act."

303 Section 2. The Legislature finds there is a need to
304 comprehensively address the crisis of gun violence, including
305 but not limited to, gun violence on school campuses. The
306 Legislature intends to address this crisis by providing law
307 enforcement and the courts with the tools to enhance public
308 safety by temporarily restricting firearm possession by a person
309 who is undergoing a mental health crisis and when there is
310 evidence of a threat of violence, and by promoting school safety
311 and enhanced coordination between education and law enforcement
312 entities at the state and local level.

313 Section 3. Paragraph (d) is added to subsection (5) of
314 section 16.555, Florida Statutes, to read:

315 16.555 Crime Stoppers Trust Fund; rulemaking.—

316 (5)

317 (d) Grants may be awarded to fund student crime watch
318 programs pursuant to s. 1006.07(3).

319 Section 4. Paragraph (j) is added to subsection (3) of

20187026e2

320 section 20.15, Florida Statutes, to read:

321 20.15 Department of Education.—There is created a
322 Department of Education.

323 (3) DIVISIONS.—The following divisions of the Department of
324 Education are established:

325 (j) The Office of Safe Schools.

326 Section 5. Paragraph (k) is added to subsection (1) of
327 section 30.15, Florida Statutes, to read:

328 30.15 Powers, duties, and obligations.—

329 (1) Sheriffs, in their respective counties, in person or by
330 deputy, shall:

331 (k) Establish, if the sheriff so chooses, a Coach Aaron
332 Feis Guardian Program to aid in the prevention or abatement of
333 active assailant incidents on school premises. A school guardian
334 has no authority to act in any law enforcement capacity except
335 to the extent necessary to prevent or abate an active assailant
336 incident on a school premises. Excluded from participating in
337 the Coach Aaron Feis Guardian Program are individuals who
338 exclusively perform classroom duties as classroom teachers as
339 defined in s. 1012.01(2)(a). This limitation does not apply to
340 classroom teachers of a Junior Reserve Officers' Training Corps
341 program, a current servicemember, as defined in s. 250.01, or a
342 current or former law enforcement officer, as defined in s.
343 943.10(1), (6), or (8). The sheriff who chooses to establish the
344 program shall appoint as school guardians, without the power of
345 arrest, school employees who volunteer and who:

346 1. Hold a valid license issued under s. 790.06.

347 2. Complete 132 total hours of comprehensive firearm safety
348 and proficiency training conducted by Criminal Justice Standards

20187026e2

- 349 and Training Commission-certified instructors, which must
350 include:
- 351 a. Eighty hours of firearms instruction based on the
352 Criminal Justice Standards and Training Commission's Law
353 Enforcement Academy training model, which must include at least
354 10 percent but no more than 20 percent more rounds fired than
355 associated with academy training. Program participants must
356 achieve an 85 percent pass rate on the firearms training.
 - 357 b. Sixteen hours of instruction in precision pistol.
 - 358 c. Eight hours of discretionary shooting instruction using
359 state-of-the-art simulator exercises.
 - 360 d. Eight hours of instruction in active shooter or
361 assailant scenarios.
 - 362 e. Eight hours of instruction in defensive tactics.
 - 363 f. Twelve hours of instruction in legal issues.
- 364 3. Pass a psychological evaluation administered by a
365 psychologist licensed under chapter 490 and designated by the
366 Department of Law Enforcement and submit the results of the
367 evaluation to the sheriff's office. The Department of Law
368 Enforcement is authorized to provide the sheriff's office with
369 mental health and substance abuse data for compliance with this
370 paragraph.
- 371 4. Submit to and pass an initial drug test and subsequent
372 random drug tests in accordance with the requirements of s.
373 112.0455 and the sheriff's office.
- 374 5. Successfully complete ongoing training, weapon
375 inspection, and firearm qualification on at least an annual
376 basis.
- 377 6. Successfully complete at least 12 hours of a certified

20187026e2

378 nationally recognized diversity training program.

379

380 The sheriff shall issue a school guardian certificate to
381 individuals who meet the requirements of subparagraph 2. The
382 sheriff shall maintain documentation of weapon and equipment
383 inspections, as well as the training, certification, inspection,
384 and qualification records of each school guardian appointed by
385 the sheriff.

386 Section 6. The Division of Law Revision and Information is
387 instructed to change references from "school marshal program" to
388 "Coach Aaron Feis Guardian Program" and references from "school
389 marshal" to "school guardian" wherever those terms appear in
390 this act.

391 Section 7. Paragraph (c) of subsection (9) of section
392 121.091, Florida Statutes, is amended, and paragraph (f) is
393 added to that subsection to read:

394 121.091 Benefits payable under the system.—Benefits may not
395 be paid under this section unless the member has terminated
396 employment as provided in s. 121.021(39) (a) or begun
397 participation in the Deferred Retirement Option Program as
398 provided in subsection (13), and a proper application has been
399 filed in the manner prescribed by the department. The department
400 may cancel an application for retirement benefits when the
401 member or beneficiary fails to timely provide the information
402 and documents required by this chapter and the department's
403 rules. The department shall adopt rules establishing procedures
404 for application for retirement benefits and for the cancellation
405 of such application when the required information or documents
406 are not received.

20187026e2

(9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

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

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

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

3. A retiree initially reemployed in violation of this paragraph and an employer that employs or appoints such person are jointly and severally liable for reimbursement of any retirement benefits paid to the retirement trust fund from which

20187026e2

436 the benefits were paid, including the Florida Retirement System
437 Trust Fund and the Public Employee Optional Retirement Program
438 Trust Fund, as appropriate. The employer must have a written
439 statement from the employee that he or she is not retired from a
440 state-administered retirement system. Retirement benefits shall
441 remain suspended until repayment is made. Benefits suspended
442 beyond the end of the retiree's 6-month reemployment limitation
443 period shall apply toward the repayment of benefits received in
444 violation of this paragraph.

445 (f) A retired law enforcement officer may be reemployed as
446 a school resource officer by an employer that participates in
447 the Florida Retirement System and receive compensation from that
448 employer and retirement benefits after meeting the definition of
449 termination in s. 121.021, but may not receive both a salary
450 from the employer and retirement benefits for 6 calendar months
451 immediately subsequent to the date of retirement. The reemployed
452 retired law enforcement officer may not renew membership in the
453 Florida Retirement System, except as provided in s. 121.122.

454 Section 8. Paragraphs (c) and (d) of subsection (2) of
455 section 394.463, Florida Statutes, are amended to read:

456 394.463 Involuntary examination.—

457 (2) INVOLUNTARY EXAMINATION.—

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

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

462 2. Use such reasonable physical force as is necessary to
463 gain entry to the premises, and any dwellings, buildings, or
464 other structures located on the premises, and take custody of

20187026e2

465 the person who is the subject of the ex parte order. When
466 practicable, a law enforcement officer who has received crisis
467 intervention team (CIT) training shall be assigned to serve and
468 execute the ex parte order.

469 (d)1. A law enforcement officer taking custody of a person
470 under this subsection may seize and hold a firearm or any
471 ammunition the person possesses at the time of taking him or her
472 into custody if the person poses a potential danger to himself
473 or herself or others and has made a credible threat of violence
474 against another person.

475 2. If the law enforcement officer takes custody of the
476 person at the person's residence and the criteria in
477 subparagraph 1. have been met, the law enforcement officer may
478 seek the voluntary surrender of firearms or ammunition kept in
479 the residence which have not already been seized under
480 subparagraph 1. If such firearms or ammunition are not
481 voluntarily surrendered, or if the person has other firearms or
482 ammunition that were not seized or voluntarily surrendered when
483 he or she was taken into custody, a law enforcement officer may
484 petition the appropriate court under s. 790.401 for a risk
485 protection order against the person.

486 3. Firearms or ammunition seized or voluntarily surrendered
487 under this paragraph must be made available for return no later
488 than 24 hours after the person taken into custody can document
489 that he or she is no longer subject to involuntary examination
490 and has been released or discharged from any inpatient or
491 involuntary outpatient treatment provided or ordered under
492 paragraph (g), unless a risk protection order entered under s.
493 790.401 directs the law enforcement agency to hold the firearms

20187026e2

494 or ammunition for a longer period or the person is subject to a
495 firearm purchase disability under s. 790.065(2), or a firearm
496 possession and firearm ownership disability under s. 790.064.
497 The process for the actual return of firearms or ammunition
498 seized or voluntarily surrendered under this paragraph may not
499 take longer than 7 days.

500 4. Law enforcement agencies must develop policies and
501 procedures relating to the seizure, storage, and return of
502 firearms or ammunition held under this paragraph. A law
503 ~~enforcement officer acting in accordance with an ex parte order~~
504 ~~issued pursuant to this subsection may use such reasonable~~
505 ~~physical force as is necessary to gain entry to the premises,~~
506 ~~and any dwellings, buildings, or other structures located on the~~
507 ~~premises, and to take custody of the person who is the subject~~
508 ~~of the ex parte order.~~

509 Section 9. Section 394.495, Florida Statutes, is amended to
510 read:

511 394.495 Child and adolescent mental health system of care;
512 programs and services.—

513 (1) The department shall establish, within available
514 resources, an array of services to meet the individualized
515 service and treatment needs of children and adolescents who are
516 members of the target populations specified in s. 394.493, and
517 of their families. It is the intent of the Legislature that a
518 child or adolescent may not be admitted to a state mental health
519 facility and such a facility may not be included within the
520 array of services.

521 (2) The array of services must include assessment services
522 that provide a professional interpretation of the nature of the

20187026e2

523 problems of the child or adolescent and his or her family;
524 family issues that may impact the problems; additional factors
525 that contribute to the problems; and the assets, strengths, and
526 resources of the child or adolescent and his or her family. The
527 assessment services to be provided shall be determined by the
528 clinical needs of each child or adolescent. Assessment services
529 include, but are not limited to, evaluation and screening in the
530 following areas:

531 (a) Physical and mental health for purposes of identifying
532 medical and psychiatric problems.

533 (b) Psychological functioning, as determined through a
534 battery of psychological tests.

535 (c) Intelligence and academic achievement.

536 (d) Social and behavioral functioning.

537 (e) Family functioning.

538

539 The assessment for academic achievement is the financial
540 responsibility of the school district. The department shall
541 cooperate with other state agencies and the school district to
542 avoid duplicating assessment services.

543 (3) Assessments must be performed by:

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

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

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

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

20187026e2

- 552 (a) Prevention services.
553 (b) Home-based services.
554 (c) School-based services.
555 (d) Family therapy.
556 (e) Family support.
557 (f) Respite services.
558 (g) Outpatient treatment.
559 (h) Day treatment.
560 (i) Crisis stabilization.
561 (j) Therapeutic foster care.
562 (k) Residential treatment.
563 (l) Inpatient hospitalization.
564 (m) Case management.
565 (n) Services for victims of sex offenses.
566 (o) Transitional services.
567 (p) Trauma-informed services for children who have suffered
568 sexual exploitation as defined in s. 39.01(71)(g).
- 569 (5) In order to enhance collaboration between agencies and
570 to facilitate the provision of services by the child and
571 adolescent mental health treatment and support system and the
572 school district, the local child and adolescent mental health
573 system of care shall include the local educational multiagency
574 network for severely emotionally disturbed students specified in
575 s. 1006.04.
- 576 (6) The department shall contract for community action
577 treatment teams throughout the state with the managing entities.
578 A community action treatment team shall:
- 579 (a) Provide community-based behavioral health and support
580 services to children from 11 to 13 years of age, adolescents,

20187026e2

581 and young adults from 18 to 21 years of age with serious
582 behavioral health conditions who are at risk of out-of-home
583 placement as demonstrated by:

- 584 1. Repeated failures at less intensive levels of care;
585 2. Two or more behavioral health hospitalizations;
586 3. Involvement with the Department of Juvenile Justice;
587 4. A history of multiple episodes involving law
588 enforcement; or
589 5. A record of poor academic performance or suspensions.

590
591 Children younger than 11 years of age who otherwise meet the
592 criteria in this paragraph may be candidates for such services
593 if they demonstrate two or more of the characteristics listed in
594 subparagraph 1.-5.

595 (b) Use an integrated service delivery approach to
596 comprehensively address the needs of the child, adolescent, or
597 young adult and strengthen his or her family and support systems
598 to assist the child, adolescent, or young adult to live
599 successfully in the community. A community action treatment team
600 shall address the therapeutic needs of the child, adolescent, or
601 young adult receiving services and assist parents and caregivers
602 in obtaining services and support. The community action
603 treatment team shall make referrals to specialized treatment
604 providers if necessary, with follow up by the community action
605 treatment team to ensure services are received.

606 (c) Focus on engaging the child, adolescent, or young adult
607 and his or her family as active participants in every phase of
608 the treatment process. Community action treatment teams shall be
609 available to the child, adolescent, or young adult and his or

20187026e2

610 her family at all times.

611 (d) Coordinate with other key entities providing services
612 and supports to the child, adolescent, or young adult and his or
613 her family, including, but not limited to, the child's,
614 adolescent's, or young adult's school, the local educational
615 multiagency network for severely emotionally disturbed students
616 under s. 1006.04, the child welfare system, and the juvenile
617 justice system. Community action treatment teams shall also
618 coordinate with the managing entity in their service location.

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

621 a. Alachua.

622 b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and
623 Suwannee.

624 c. Bay.

625 d. Brevard.

626 e. Collier.

627 f. DeSoto and Sarasota.

628 g. Duval.

629 h. Escambia.

630 i. Hardee, Highlands, and Polk.

631 j. Hillsborough.

632 k. Indian River, Martin, Okeechobee, and St. Lucie.

633 l. Lake and Sumter.

634 m. Lee.

635 n. Manatee.

636 o. Marion.

637 p. Miami-Dade.

638 q. Okaloosa.

20187026e2

639 r. Orange.

640 s. Palm Beach.

641 t. Pasco.

642 u. Pinellas.

643 v. Walton.

644 2. Subject to appropriations, the department shall contract
645 for additional teams through the managing entities to ensure the
646 availability of community action treatment team services in the
647 remaining areas of the state.

648 Section 10. Section 790.064, Florida Statutes, is created
649 to read:

650 790.064 Firearm possession and firearm ownership
651 disability.—

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

657 (2) The firearm possession and firearm ownership disability
658 runs concurrently with the firearm purchase disability provided
659 in s. 790.065(2).

660 (3) A person may petition the court that made the
661 adjudication or commitment, or that ordered that the record be
662 submitted to the Department of Law Enforcement pursuant to s.
663 790.065(2), for relief from the firearm possession and firearm
664 ownership disability.

665 (4) The person seeking relief must follow the procedures
666 set forth in s. 790.065(2) for obtaining relief from the firearm
667 purchase disability in seeking relief from the firearm

20187026e2

668 possession and firearm ownership disability.

669 (5) The person may seek relief from the firearm possession
670 and firearm ownership disability simultaneously with the relief
671 being sought from the firearm purchase disability, if such
672 relief is sought, pursuant to the procedure set forth in s.
673 790.065(2).

674 Section 11. Present subsection (13) of section 790.065,
675 Florida Statutes, is redesignated as subsection (14), and a new
676 subsection (13) is added to that section, to read:

677 790.065 Sale and delivery of firearms.—

678 (13) A person younger than 21 years of age may not purchase
679 a firearm. The sale or transfer of a firearm to a person younger
680 than 21 years of age may not be made or facilitated by a
681 licensed importer, licensed manufacturer, or licensed dealer. A
682 person who violates this subsection commits a felony of the
683 third degree, punishable as provided in s. 775.082, s. 775.083,
684 or s. 775.084. The prohibitions of this subsection do not apply
685 to the purchase of a rifle or shotgun by a law enforcement
686 officer or correctional officer, as those terms are defined in
687 s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a
688 servicemember as defined in s. 250.01.

689 Section 12. Section 790.0655, Florida Statutes, is amended
690 to read:

691 790.0655 Purchase and delivery of firearms ~~handguns~~;
692 mandatory waiting period; exceptions; penalties.—

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

20187026e2

697 the records checks required under s. 790.065, whichever occurs
698 later between the purchase and the delivery at retail of any
699 handgun. "Purchase" means the transfer of money or other
700 valuable consideration to the retailer. "~~Handgun~~" means a
701 ~~firearm capable of being carried and used by one hand, such as a~~
702 ~~pistol or revolver.~~ "Retailer" means and includes a licensed
703 importer, licensed manufacturer, or licensed dealer ~~every person~~
704 engaged in the business of making firearm sales at retail or for
705 distribution, or use, or consumption, or storage to be used or
706 consumed in this state, as defined in s. 212.02(13).

707 (b) Records of firearm handgun sales must be available for
708 inspection by any law enforcement agency, as defined in s.
709 934.02, during normal business hours.

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

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

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

715 (c) To the purchase of a rifle or shotgun, upon a person's
716 successfully completing a minimum of a 16-hour hunter safety
717 course and possessing a hunter safety certification card issued
718 under s. 379.3581. A person who is exempt from the hunter safety
719 course requirements under s. 379.3581 and holds a valid Florida
720 hunting license, is exempt from the mandatory waiting period
721 under this section for the purchase of a rifle or shotgun.

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

20187026e2

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

728 (a) For any retailer, or any employee or agent of a
729 retailer, to deliver a firearm handgun before the expiration of
730 the ~~3-day~~ waiting period, subject to the exceptions provided in
731 subsection (2).

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

734 Section 13. Effective October 1, 2018, section 790.222,
735 Florida Statutes, is created to read:

736 790.222 Bump-fire stocks prohibited.—A person may not
737 import into this state or transfer, distribute, sell, keep for
738 sale, offer for sale, possess, or give to another person a bump-
739 fire stock. A person who violates this section commits a felony
740 of the third degree, punishable as provided in s. 775.082, s.
741 775.083, or s. 775.084. As used in this section, the term "bump-
742 fire stock" means a conversion kit, a tool, an accessory, or a
743 device used to alter the rate of fire of a firearm to mimic
744 automatic weapon fire or which is used to increase the rate of
745 fire to a faster rate than is possible for a person to fire such
746 semiautomatic firearm unassisted by a kit, a tool, an accessory,
747 or a device.

748 Section 14. (1) Section 790.401, Florida Statutes, is
749 intended to temporarily prevent individuals who are at high risk
750 of harming themselves or others from accessing firearms or
751 ammunition by allowing law enforcement officers to obtain a
752 court order when there is demonstrated evidence that a person
753 poses a significant danger to himself or herself or others,
754 including significant danger as a result of a mental health

20187026e2

755 crisis or violent behavior.

756 (2) The purpose and intent of s. 790.401, Florida Statutes,
757 is to reduce deaths and injuries as a result of certain
758 individuals' use of firearms while respecting constitutional
759 rights by providing a judicial procedure for law enforcement
760 officers to obtain a court order temporarily restricting a
761 person's access to firearms and ammunition. The process
762 established by s. 790.401, Florida Statutes, is intended to
763 apply only to situations in which the person poses a significant
764 danger of harming himself or herself or others by possessing a
765 firearm or ammunition and to include standards and safeguards to
766 protect the rights of respondents and due process of law.

767 Section 15. Section 790.401, Florida Statutes, may be cited
768 as "The Risk Protection Order Act."

769 Section 16. Section 790.401, Florida Statutes, is created
770 to read:

771 790.401 Risk protection orders.—

772 (1) DEFINITIONS.—As used in this section, the term:

773 (a) "Petitioner" means a law enforcement officer or a law
774 enforcement agency that petitions a court for a risk protection
775 order under this section.

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

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

780 (2) PETITION FOR A RISK PROTECTION ORDER.—There is created
781 an action known as a petition for a risk protection order.

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

20187026e2

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

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

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

791 (e) A petition must:

792 1. Allege that the respondent poses a significant danger of
793 causing personal injury to himself or herself or others by
794 having a firearm or any ammunition in his or her custody or
795 control or by purchasing, possessing, or receiving a firearm or
796 any ammunition, and must be accompanied by an affidavit made
797 under oath stating the specific statements, actions, or facts
798 that give rise to a reasonable fear of significant dangerous
799 acts by the respondent;

800 2. Identify the quantities, types, and locations of all
801 firearms and ammunition the petitioner believes to be in the
802 respondent's current ownership, possession, custody, or control;
803 and

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

807 (f) The petitioner must make a good faith effort to provide
808 notice to a family or household member of the respondent and to
809 any known third party who may be at risk of violence. The notice
810 must state that the petitioner intends to petition the court for
811 a risk protection order or has already done so and must include
812 referrals to appropriate resources, including mental health,

20187026e2

813 domestic violence, and counseling resources. The petitioner must
814 attest in the petition to having provided such notice or must
815 attest to the steps that will be taken to provide such notice.

816 (g) The petitioner must list the address of record on the
817 petition as being where the appropriate law enforcement agency
818 is located.

819 (h) A court or a public agency may not charge fees for
820 filing or for service of process to a petitioner seeking relief
821 under this section and must provide the necessary number of
822 certified copies, forms, and instructional brochures free of
823 charge.

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

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

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

829 (a) Upon receipt of a petition, the court must order a
830 hearing to be held no later than 14 days after the date of the
831 order and must issue a notice of hearing to the respondent for
832 the same.

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

837 2. The court may, as provided in subsection (4), issue a
838 temporary ex parte risk protection order pending the hearing
839 ordered under this subsection. Such temporary ex parte order
840 must be served concurrently with the notice of hearing and
841 petition as provided in subsection (5).

20187026e2

842 3. The court may conduct a hearing by telephone pursuant to
843 a local court rule to reasonably accommodate a disability or
844 exceptional circumstances. The court must receive assurances of
845 the petitioner's identity before conducting a telephonic
846 hearing.

847 (b) Upon notice and a hearing on the matter, if the court
848 finds by clear and convincing evidence that the respondent poses
849 a significant danger of causing personal injury to himself or
850 herself or others by having in his or her custody or control, or
851 by purchasing, possessing, or receiving, a firearm or any
852 ammunition, the court must issue a risk protection order for a
853 period that it deems appropriate, up to and including but not
854 exceeding 12 months.

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

858 1. A recent act or threat of violence by the respondent
859 against himself or herself or others, whether or not such
860 violence or threat of violence involves a firearm.

861 2. An act or threat of violence by the respondent within
862 the past 12 months, including, but not limited to, acts or
863 threats of violence by the respondent against himself or herself
864 or others.

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

867 4. A violation by the respondent of a risk protection order
868 or a no contact order issued under s. 741.30, s. 784.046, or s.
869 784.0485.

870 5. A previous or existing risk protection order issued

20187026e2

871 against the respondent.

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

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

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

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

882 10. The recurring use of, or threat to use, physical force
883 by the respondent against another person or the respondent
884 stalking another person.

885 11. Whether the respondent, in this state or any other
886 state, has been arrested for, convicted of, had adjudication
887 withheld on, or pled nolo contendere to a crime involving
888 violence or a threat of violence.

889 12. Corroborated evidence of the abuse of controlled
890 substances or alcohol by the respondent.

891 13. Evidence of recent acquisition of firearms or
892 ammunition by the respondent.

893 14. Any relevant information from family and household
894 members concerning the respondent.

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

897 (d) A person, including an officer of the court, who offers
898 evidence or recommendations relating to the cause of action
899 either must present the evidence or recommendations in writing

20187026e2

900 to the court with copies to each party and his or her attorney,
901 if one is retained, or must present the evidence under oath at a
902 hearing at which all parties are present.

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

906 (f) During the hearing, the court must consider whether a
907 mental health evaluation or chemical dependency evaluation is
908 appropriate and, if such determination is made, may order such
909 evaluations, if appropriate.

910 (g) A risk protection order must include all of the
911 following:

912 1. A statement of the grounds supporting the issuance of
913 the order;

914 2. The date the order was issued;

915 3. The date the order ends;

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

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

920 6. A description of the requirements for the surrender of
921 all firearms and ammunition that the respondent owns, under
922 subsection (7); and

923 7. The following statement:

924
925 "To the subject of this protection order: This order will last
926 until the date noted above. If you have not done so already, you
927 must surrender immediately to the (insert name of local law
928 enforcement agency) all firearms and ammunition that you own in

20187026e2

929 your custody, control, or possession and any license to carry a
930 concealed weapon or firearm issued to you under s. 790.06,
931 Florida Statutes. You may not have in your custody or control,
932 or purchase, possess, receive, or attempt to purchase or
933 receive, a firearm or ammunition while this order is in effect.
934 You have the right to request one hearing to vacate this order,
935 starting after the date of the issuance of this order, and to
936 request another hearing after every extension of the order, if
937 any. You may seek the advice of an attorney as to any matter
938 connected with this order."

939
940 (h) If the court issues a risk protection order, the court
941 must inform the respondent that he or she is entitled to request
942 a hearing to vacate the order in the manner provided by
943 subsection (6). The court shall provide the respondent with a
944 form to request a hearing to vacate.

945 (i) If the court denies the petitioner's request for a risk
946 protection order, the court must state the particular reasons
947 for the denial.

948 (4) TEMPORARY EX PARTE RISK PROTECTION ORDERS.—

949 (a) A petitioner may request that a temporary ex parte risk
950 protection order be issued before a hearing for a risk
951 protection order, without notice to the respondent, by including
952 in the petition detailed allegations based on personal knowledge
953 that the respondent poses a significant danger of causing
954 personal injury to himself or herself or others in the near
955 future by having in his or her custody or control, or by
956 purchasing, possessing, or receiving, a firearm or ammunition.

957 (b) In considering whether to issue a temporary ex parte

20187026e2

958 risk protection order under this section, the court shall
959 consider all relevant evidence, including the evidence described
960 in paragraph (3) (c).

961 (c) If a court finds there is reasonable cause to believe
962 that the respondent poses a significant danger of causing
963 personal injury to himself or herself or others in the near
964 future by having in his or her custody or control, or by
965 purchasing, possessing, or receiving, a firearm or ammunition,
966 the court must issue a temporary ex parte risk protection order.

967 (d) The court must hold a temporary ex parte risk
968 protection order hearing in person or by telephone on the day
969 the petition is filed or on the business day immediately
970 following the day the petition is filed.

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

- 973 1. A statement of the grounds asserted for the order;
974 2. The date the order was issued;
975 3. The address of the court in which any responsive
976 pleading may be filed;
977 4. The date and time of the scheduled hearing;
978 5. A description of the requirements for the surrender of
979 all firearms and ammunition that the respondent owns, under
980 subsection (7); and
981 6. The following statement:

982
983 "To the subject of this protection order: This order is valid
984 until the date noted above. You are required to surrender all
985 firearms and ammunition that you own in your custody, control,
986 or possession. You may not have in your custody or control, or

20187026e2

987 purchase, possess, receive, or attempt to purchase or receive, a
988 firearm or ammunition while this order is in effect. You must
989 surrender immediately to the (insert name of local law
990 enforcement agency) all firearms and ammunition in your custody,
991 control, or possession and any license to carry a concealed
992 weapon or firearm issued to you under s. 790.06, Florida
993 Statutes. A hearing will be held on the date and at the time
994 noted above to determine if a risk protection order should be
995 issued. Failure to appear at that hearing may result in a court
996 issuing an order against you which is valid for 1 year. You may
997 seek the advice of an attorney as to any matter connected with
998 this order.”

999
1000 (f) A temporary ex parte risk protection order ends upon
1001 the hearing on the risk protection order.

1002 (g) A temporary ex parte risk protection order must be
1003 served by a law enforcement officer in the same manner as
1004 provided for in subsection (5) for service of the notice of
1005 hearing and petition and must be served concurrently with the
1006 notice of hearing and petition.

1007 (h) If the court denies the petitioner’s request for a
1008 temporary ex parte risk protection order, the court must state
1009 the particular reasons for the denial.

1010 (5) SERVICE.—

1011 (a) The clerk of the court shall furnish a copy of the
1012 notice of hearing, petition, and temporary ex parte risk
1013 protection order or risk protection order, as applicable, to the
1014 sheriff of the county where the respondent resides or can be
1015 found, who shall serve it upon the respondent as soon thereafter

20187026e2

1016 as possible on any day of the week and at any time of the day or
1017 night. When requested by the sheriff, the clerk of the court may
1018 transmit a facsimile copy of a temporary ex parte risk
1019 protection order or a risk protection order that has been
1020 certified by the clerk of the court, and this facsimile copy may
1021 be served in the same manner as a certified copy. Upon receiving
1022 a facsimile copy, the sheriff must verify receipt with the
1023 sender before attempting to serve it upon the respondent. The
1024 clerk of the court shall be responsible for furnishing to the
1025 sheriff information on the respondent's physical description and
1026 location. Notwithstanding any other provision of law to the
1027 contrary, the chief judge of each circuit, in consultation with
1028 the appropriate sheriff, may authorize a law enforcement agency
1029 within the jurisdiction to effect service. A law enforcement
1030 agency effecting service pursuant to this section shall use
1031 service and verification procedures consistent with those of the
1032 sheriff. Service under this section takes precedence over the
1033 service of other documents, unless the other documents are of a
1034 similar emergency nature.

1035 (b) All orders issued, changed, continued, extended, or
1036 vacated after the original service of documents specified in
1037 paragraph (a) must be certified by the clerk of the court and
1038 delivered to the parties at the time of the entry of the order.
1039 The parties may acknowledge receipt of such order in writing on
1040 the face of the original order. If a party fails or refuses to
1041 acknowledge the receipt of a certified copy of an order, the
1042 clerk shall note on the original order that service was
1043 effected. If delivery at the hearing is not possible, the clerk
1044 shall mail certified copies of the order to the parties at the

20187026e2

1045 last known address of each party. Service by mail is complete
1046 upon mailing. When an order is served pursuant to this
1047 subsection, the clerk shall prepare a written certification to
1048 be placed in the court file specifying the time, date, and
1049 method of service and shall notify the sheriff.

1050 (6) TERMINATION AND EXTENSION OF ORDERS.—

1051 (a) The respondent may submit one written request for a
1052 hearing to vacate a risk protection order issued under this
1053 section, starting after the date of the issuance of the order,
1054 and may request another hearing after every extension of the
1055 order, if any.

1056 1. Upon receipt of the request for a hearing to vacate a
1057 risk protection order, the court shall set a date for a hearing.
1058 Notice of the request must be served on the petitioner in
1059 accordance with subsection (5). The hearing must occur no sooner
1060 than 14 days and no later than 30 days after the date of service
1061 of the request upon the petitioner.

1062 2. The respondent shall have the burden of proving by clear
1063 and convincing evidence that the respondent does not pose a
1064 significant danger of causing personal injury to himself or
1065 herself or others by having in his or her custody or control,
1066 purchasing, possessing, or receiving a firearm or ammunition.
1067 The court may consider any relevant evidence, including evidence
1068 of the considerations listed in paragraph (3) (c).

1069 3. If the court finds after the hearing that the respondent
1070 has met his or her burden of proof, the court must vacate the
1071 order.

1072 4. The law enforcement agency holding any firearm or
1073 ammunition or license to carry a concealed weapon or firearm

20187026e2

1074 that has been surrendered pursuant to this section shall be
1075 notified of the court order to vacate the risk protection order.

1076 (b) The court must notify the petitioner of the impending
1077 end of a risk protection order. Notice must be received by the
1078 petitioner at least 30 days before the date the order ends.

1079 (c) The petitioner may, by motion, request an extension of
1080 a risk protection order at any time within 30 days before the
1081 end of the order.

1082 1. Upon receipt of the motion to extend, the court shall
1083 order that a hearing be held no later than 14 days after the
1084 date the order is issued and shall schedule such hearing.

1085 a. The court may schedule a hearing by telephone in the
1086 manner provided by subparagraph (3) (a)3.

1087 b. The respondent must be personally serviced in the same
1088 manner provided by subsection (5).

1089 2. In determining whether to extend a risk protection order
1090 issued under this section, the court may consider all relevant
1091 evidence, including evidence of the considerations listed in
1092 paragraph (3) (c).

1093 3. If the court finds by clear and convincing evidence that
1094 the requirements for issuance of a risk protection order as
1095 provided in subsection (3) continue to be met, the court must
1096 extend the order. However, if, after notice, the motion for
1097 extension is uncontested and no modification of the order is
1098 sought, the order may be extended on the basis of a motion or
1099 affidavit stating that there has been no material change in
1100 relevant circumstances since entry of the order and stating the
1101 reason for the requested extension.

1102 4. The court may extend a risk protection order for a

20187026e2

1103 period that it deems appropriate, up to and including but not
1104 exceeding 12 months, subject to an order to vacate as provided
1105 in paragraph (a) or to another extension order by the court.

1106 (7) SURRENDER OF FIREARMS AND AMMUNITION.—

1107 (a) Upon issuance of a risk protection order under this
1108 section, including a temporary ex parte risk protection order,
1109 the court shall order the respondent to surrender to the local
1110 law enforcement agency all firearms and ammunition owned by the
1111 respondent in the respondent's custody, control, or possession
1112 except as provided in subsection (9), and any license to carry a
1113 concealed weapon or firearm issued under s. 790.06, held by the
1114 respondent.

1115 (b) The law enforcement officer serving a risk protection
1116 order under this section, including a temporary ex parte risk
1117 protection order, shall request that the respondent immediately
1118 surrender all firearms and ammunition owned by the respondent in
1119 his or her custody, control, or possession and any license to
1120 carry a concealed weapon or firearm issued under s. 790.06, held
1121 by the respondent. The law enforcement officer shall take
1122 possession of all firearms and ammunition owned by the
1123 respondent and any license to carry a concealed weapon or
1124 firearm issued under s. 790.06, held by the respondent, which
1125 are surrendered. Alternatively, if personal service by a law
1126 enforcement officer is not possible or is not required because
1127 the respondent was present at the risk protection order hearing,
1128 the respondent must surrender any firearms and ammunition owned
1129 by the respondent and any license to carry a concealed weapon or
1130 firearm issued under s. 790.06, held by the respondent, in a
1131 safe manner to the control of the local law enforcement agency

20187026e2

1132 immediately after being served with the order by service or
1133 immediately after the hearing at which the respondent was
1134 present. Notwithstanding ss. 933.02 and 933.18, a law
1135 enforcement officer may seek a search warrant from a court of
1136 competent jurisdiction to conduct a search for firearms or
1137 ammunition owned by the respondent if the officer has probable
1138 cause to believe that there are firearms or ammunition owned by
1139 the respondent in the respondent's custody, control, or
1140 possession which have not been surrendered.

1141 (c) At the time of surrender, a law enforcement officer
1142 taking possession of any firearm or ammunition owned by the
1143 respondent, or a license to carry a concealed weapon or firearm
1144 issued under s. 790.06, held by the respondent shall issue a
1145 receipt identifying all firearms and the quantity and type of
1146 ammunition that have been surrendered, and any license
1147 surrendered and shall provide a copy of the receipt to the
1148 respondent. Within 72 hours after service of the order, the law
1149 enforcement officer serving the order shall file the original
1150 receipt with the court and shall ensure that his or her law
1151 enforcement agency retains a copy of the receipt.

1152 (d) Notwithstanding ss. 933.02 and 933.18, upon the sworn
1153 statement or testimony of any person alleging that the
1154 respondent has failed to comply with the surrender of firearms
1155 or ammunition owned by the respondent, as required by an order
1156 issued under this section, the court shall determine whether
1157 probable cause exists to believe that the respondent has failed
1158 to surrender all firearms or ammunition owned by the respondent
1159 in the respondent's custody, control, or possession. If the
1160 court finds that probable cause exists, the court must issue a

20187026e2

1161 warrant describing the firearms or ammunition owned by the
1162 respondent and authorizing a search of the locations where the
1163 firearms or ammunition owned by the respondent are reasonably
1164 believed to be found and the seizure of any firearms or
1165 ammunition owned by the respondent discovered pursuant to such
1166 search.

1167 (e) If a person other than the respondent claims title to
1168 any firearms or ammunition surrendered pursuant to this section
1169 and he or she is determined by the law enforcement agency to be
1170 the lawful owner of the firearm or ammunition, the firearm or
1171 ammunition shall be returned to him or her, if:

1172 1. The lawful owner agrees to store the firearm or
1173 ammunition in a manner such that the respondent does not have
1174 access to or control of the firearm or ammunition.

1175 2. The firearm or ammunition is not otherwise unlawfully
1176 possessed by the owner.

1177 (f) Upon the issuance of a risk protection order, the court
1178 shall order a new hearing date and require the respondent to
1179 appear no later than 3 business days after the issuance of the
1180 order. The court shall require proof that the respondent has
1181 surrendered any firearms or ammunition owned by the respondent
1182 in the respondent's custody, control, or possession. The court
1183 may cancel the hearing upon a satisfactory showing that the
1184 respondent is in compliance with the order.

1185 (g) All law enforcement agencies must develop policies and
1186 procedures regarding the acceptance, storage, and return of
1187 firearms, ammunition, or licenses required to be surrendered
1188 under this section.

1189 (8) RETURN AND DISPOSAL OF FIREARMS AND AMMUNITION.—

20187026e2

1190 (a) If a risk protection order is vacated or ends without
1191 extension, a law enforcement agency holding a firearm or any
1192 ammunition owned by the respondent or a license to carry a
1193 concealed weapon or firearm issued under s. 790.06, held by the
1194 respondent, that has been surrendered or seized pursuant to this
1195 section must return such surrendered firearm, ammunition, or
1196 license to carry a concealed weapon or firearm issued under s.
1197 790.06, as requested by a respondent only after confirming
1198 through a background check that the respondent is currently
1199 eligible to own or possess firearms and ammunition under federal
1200 and state law and after confirming with the court that the risk
1201 protection order has been vacated or has ended without
1202 extension.

1203 (b) If a risk protection order is vacated or ends without
1204 extension, the Department of Agriculture and Consumer Services,
1205 if it has suspended a license to carry a concealed weapon or
1206 firearm pursuant to this section, must reinstate such license
1207 only after confirming that the respondent is currently eligible
1208 to have a license to carry a concealed weapon or firearm
1209 pursuant to s. 790.06.

1210 (c) A law enforcement agency must provide notice to any
1211 family or household members of the respondent before the return
1212 of any surrendered firearm and ammunition owned by the
1213 respondent.

1214 (d) Any firearm and ammunition surrendered by a respondent
1215 pursuant to subsection (7) which remains unclaimed for 1 year by
1216 the lawful owner after an order to vacate the risk protection
1217 order shall be disposed of in accordance with the law
1218 enforcement agency's policies and procedures for the disposal of

20187026e2

1219 firearms in police custody.

1220 (9) TRANSFER OF FIREARMS AND AMMUNITION.—A respondent may
1221 elect to transfer all firearms and ammunition owned by the
1222 respondent that have been surrendered to or seized by a local
1223 law enforcement agency pursuant to subsection (7) to another
1224 person who is willing to receive the respondent's firearms and
1225 ammunition. The law enforcement agency must allow such a
1226 transfer only if it is determined that the chosen recipient:

1227 (a) Currently is eligible to own or possess a firearm and
1228 ammunition under federal and state law after confirmation
1229 through a background check;

1230 (b) Attests to storing the firearms and ammunition in a
1231 manner such that the respondent does not have access to or
1232 control of the firearms and ammunition until the risk protection
1233 order against the respondent is vacated or ends without
1234 extension; and

1235 (c) Attests not to transfer the firearms or ammunition back
1236 to the respondent until the risk protection order against the
1237 respondent is vacated or ends without extension.

1238 (10) REPORTING OF ORDERS.—

1239 (a) Within 24 hours after issuance, the clerk of the court
1240 shall enter any risk protection order or temporary ex parte risk
1241 protection order issued under this section into the uniform case
1242 reporting system.

1243 (b) Within 24 hours after issuance, the clerk of the court
1244 shall forward a copy of an order issued under this section to
1245 the appropriate law enforcement agency specified in the order.
1246 Upon receipt of the copy of the order, the law enforcement
1247 agency shall enter the order into the Florida Crime Information

20187026e2

1248 Center and National Crime Information Center. The order must
1249 remain in each system for the period stated in the order, and
1250 the law enforcement agency may only remove an order from the
1251 systems which has ended or been vacated. Entry of the order into
1252 the Florida Crime Information Center and National Crime
1253 Information Center constitutes notice to all law enforcement
1254 agencies of the existence of the order. The order is fully
1255 enforceable in any county in this state.

1256 (c) The issuing court shall, within 3 business days after
1257 issuance of a risk protection order or temporary ex parte risk
1258 protection order, forward all available identifying information
1259 concerning the respondent, along with the date of order
1260 issuance, to the Department of Agriculture and Consumer
1261 Services. Upon receipt of the information, the department shall
1262 determine if the respondent has a license to carry a concealed
1263 weapon or firearm. If the respondent does have a license to
1264 carry a concealed weapon or firearm, the department must
1265 immediately suspend the license.

1266 (d) If a risk protection order is vacated before its end
1267 date, the clerk of the court shall, on the day of the order to
1268 vacate, forward a copy of the order to the Department of
1269 Agriculture and Consumer Services and the appropriate law
1270 enforcement agency specified in the order to vacate. Upon
1271 receipt of the order, the law enforcement agency shall promptly
1272 remove the order from any computer-based system in which it was
1273 entered pursuant to paragraph (b).

1274 (11) PENALTIES.—

1275 (a) A person who makes a false statement, which he or she
1276 does not believe to be true, under oath in a hearing under this

20187026e2

1277 section in regard to any material matter commits a felony of the
1278 third degree, punishable as provided in s. 775.082, s. 775.083,
1279 or s. 775.084.

1280 (b) A person who has in his or her custody or control a
1281 firearm or any ammunition or who purchases, possesses, or
1282 receives a firearm or any ammunition with knowledge that he or
1283 she is prohibited from doing so by an order issued under this
1284 section commits a felony of the third degree, punishable as
1285 provided in s. 775.082, s. 775.083, or s. 775.084.

1286 (12) LAW ENFORCEMENT RETAINS OTHER AUTHORITY.—This section
1287 does not affect the ability of a law enforcement officer to
1288 remove a firearm or ammunition or license to carry a concealed
1289 weapon or concealed firearm from any person or to conduct any
1290 search and seizure for firearms or ammunition pursuant to other
1291 lawful authority.

1292 (13) LIABILITY.—Except as provided in subsection (8) or
1293 subsection (11), this section does not impose criminal or civil
1294 liability on any person or entity for acts or omissions related
1295 to obtaining a risk protection order or temporary ex parte risk
1296 protection order, including, but not limited to, providing
1297 notice to the petitioner, a family or household member of the
1298 respondent, and any known third party who may be at risk of
1299 violence or failure to provide such notice, or reporting,
1300 declining to report, investigating, declining to investigate,
1301 filing, or declining to file, a petition under this section.

1302 (14) INSTRUCTIONAL AND INFORMATIONAL MATERIAL.—

1303 (a) The Office of the State Courts Administrator shall
1304 develop and prepare instructions and informational brochures,
1305 standard petitions and risk protection order forms, and a court

20187026e2

1306 staff handbook on the risk protection order process. The
1307 standard petition and order forms must be used after January 1,
1308 2019, for all petitions filed and orders issued pursuant to this
1309 section. The office shall determine the significant non-English-
1310 speaking or limited English-speaking populations in the state
1311 and prepare the instructions and informational brochures and
1312 standard petitions and risk protection order forms in such
1313 languages. The instructions, brochures, forms, and handbook must
1314 be prepared in consultation with interested persons, including
1315 representatives of gun violence prevention groups, judges, and
1316 law enforcement personnel. Materials must be based on best
1317 practices and must be available online to the public.

1318 1. The instructions must be designed to assist petitioners
1319 in completing the petition and must include a sample of a
1320 standard petition and order for protection forms.

1321 2. The instructions and standard petition must include a
1322 means for the petitioner to identify, with only layman's
1323 knowledge, the firearms or ammunition the respondent may own,
1324 possess, receive, or have in his or her custody or control. The
1325 instructions must provide pictures of types of firearms and
1326 ammunition that the petitioner may choose from to identify the
1327 relevant firearms or ammunition, or must provide an equivalent
1328 means to allow petitioners to identify firearms or ammunition
1329 without requiring specific or technical knowledge regarding the
1330 firearms or ammunition.

1331 3. The informational brochure must describe the use of and
1332 the process for obtaining, extending, and vacating a risk
1333 protection order under this section and must provide relevant
1334 forms.

20187026e2

1335 4. The risk protection order form must include, in a
1336 conspicuous location, notice of criminal penalties resulting
1337 from violation of the order and the following statement: "You
1338 have the sole responsibility to avoid or refrain from violating
1339 this order's provisions. Only the court can change the order and
1340 only upon written request."

1341 5. The court staff handbook must allow for the addition of
1342 a community resource list by the clerk of the court.

1343 (b) Any clerk of court may create a community resource list
1344 of crisis intervention, mental health, substance abuse,
1345 interpreter, counseling, and other relevant resources serving
1346 the county in which the court is located. The court may make the
1347 community resource list available as part of or in addition to
1348 the informational brochures described in paragraph (a).

1349 (c) The Office of the State Courts Administrator shall
1350 distribute a master copy of the petition and order forms,
1351 instructions, and informational brochures to the clerks of
1352 court. Distribution of all documents shall, at a minimum, be in
1353 an electronic format or formats accessible to all courts and
1354 clerks of court in the state.

1355 (d) Within 90 days after receipt of the master copy from
1356 the Office of the State Courts Administrator, the clerk of the
1357 court shall make available the standardized forms, instructions,
1358 and informational brochures required by this subsection.

1359 (e) The Office of the State Courts Administrator shall
1360 update the instructions, brochures, standard petition and risk
1361 protection order forms, and court staff handbook as necessary,
1362 including when changes in the law make an update necessary.

1363 Section 17. Section 836.10, Florida Statutes, is amended to

20187026e2

1364 read:

1365 836.10 Written threats to kill, ~~or~~ do bodily injury, or
 1366 conduct a mass shooting or an act of terrorism; punishment.—Any
 1367 person who writes or composes and also sends or procures the
 1368 sending of any letter, inscribed communication, or electronic
 1369 communication, whether such letter or communication be signed or
 1370 anonymous, to any person, containing a threat to kill or to do
 1371 bodily injury to the person to whom such letter or communication
 1372 is sent, or a threat to kill or do bodily injury to any member
 1373 of the family of the person to whom such letter or communication
 1374 is sent, or any person who makes, posts, or transmits a threat
 1375 in a writing or other record, including an electronic record, to
 1376 conduct a mass shooting or an act of terrorism, in any manner
 1377 that would allow another person to view the threat, commits a
 1378 felony of the second degree, punishable as provided in s.
 1379 775.082, s. 775.083, or s. 775.084.

1380 Section 18. Paragraph (f) of subsection (3) of section
 1381 921.0022, Florida Statutes, is amended to read:

1382 921.0022 Criminal Punishment Code; offense severity ranking
 1383 chart.—

1384 (3) OFFENSE SEVERITY RANKING CHART

1385 (f) LEVEL 6

1386

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.

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20187026e2

1388	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
1389	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
1390	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
1391	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
1392	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
1393	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
1394	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without

20187026e2

			intent to kill.
1395	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
1396	784.041	3rd	Felony battery; domestic battery by strangulation.
1397	784.048 (3)	3rd	Aggravated stalking; credible threat.
1398	784.048 (5)	3rd	Aggravated stalking of person under 16.
1399	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
1400	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
1401	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
1402	784.081 (2)	2nd	Aggravated assault on specified official or

20187026e2

1403			employee.
	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
1404			
	784.083 (2)	2nd	Aggravated assault on code inspector.
1405			
	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
1406			
	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
1407			
	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
1408			
	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use

20187026e2

1409			of firearms in violent manner.
	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
1410			
	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
1411			
	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
1412			
	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.
1413			
	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
1414			
	806.031 (2)	2nd	Arson resulting in great bodily harm to

20187026e2

1415			firefighter or any other person.
1416	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
1417	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
1418	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
1419	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
1420	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
1421	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.

20187026e2

1422	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
1423	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
1424	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
1425	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
1426	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
1427	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.

20187026e2

1428	827.03 (2) (c)	3rd	Abuse of a child.
1429	827.03 (2) (d)	3rd	Neglect of a child.
1430	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1431	836.05	2nd	Threats; extortion.
1432	836.10	2nd	Written threats to kill, or <u>do bodily injury, or conduct a mass shooting or an act of terrorism.</u>
1433	843.12	3rd	Aids or assists person to escape.
1434	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
1435	847.012	3rd	Knowingly using a minor in the production of

20187026e2

1436			materials harmful to minors.
	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
1437			
	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
1438			
	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.
1439			
	944.40	2nd	Escapes.
1440			
	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
1441			

20187026e2

1462 (a) That the reporting party may provide his or her report
1463 anonymously.

1464 (b) That if the reporting party chooses to disclose his or
1465 her identity, that information shall be shared with the
1466 appropriate law enforcement agency and school officials;
1467 however, the law enforcement agency and school officials shall
1468 be required to maintain the information as confidential.

1469 (3) Information reported using the tool must be promptly
1470 forwarded to the appropriate law enforcement agency or school
1471 official.

1472 (4) Law enforcement dispatch centers, school districts,
1473 schools, and other entities identified by the department shall
1474 be made aware of the mobile suspicious activity reporting tool.

1475 (5) The department, in collaboration with the Division of
1476 Victims Services within the Office of the Attorney General and
1477 the Office of Safe Schools within the Department of Education,
1478 shall develop and provide a comprehensive training and awareness
1479 program on the use of the mobile suspicious activity reporting
1480 tool.

1481 Section 20. Section 943.687, Florida Statutes, is created
1482 to read:

1483 943.687 Marjory Stoneman Douglas High School Public Safety
1484 Commission.—

1485 (1) There is created within the Department of Law
1486 Enforcement the Marjory Stoneman Douglas High School Public
1487 Safety Commission, a commission as defined in s. 20.03.

1488 (2) (a) The commission shall convene no later than June 1,
1489 2018, and shall be composed of 16 members. Five members shall be
1490 appointed by the President of the Senate, five members shall be

20187026e2

1491 appointed by the Speaker of the House of Representatives, and
1492 five members shall be appointed by the Governor. From the
1493 members of the commission, the Governor shall appoint the chair.
1494 Appointments must be made by April 30, 2018. The Commissioner of
1495 the Department of Law Enforcement shall serve as a member of the
1496 commission. The Secretary of Children and Families, the
1497 Secretary of Juvenile Justice, the Secretary of Health Care
1498 Administration, and the Commissioner of Education shall serve as
1499 ex officio, nonvoting members of the commission. Members shall
1500 serve at the pleasure of the officer who appointed the member. A
1501 vacancy on the commission shall be filled in the same manner as
1502 the original appointment.

1503 (b) The General Counsel of the Department of Law
1504 Enforcement shall serve as the general counsel for the
1505 commission.

1506 (c) The Department of Law Enforcement staff, as assigned by
1507 the chair, shall assist the commission in performing its duties.

1508 (d) The commission shall meet as necessary to conduct its
1509 work at the call of the chair and at the time designated by him
1510 or her at locations throughout the state. The commission may
1511 conduct its meetings through teleconferences or other similar
1512 means.

1513 (e) Members of the commission are entitled to receive
1514 reimbursement for per diem and travel expenses pursuant to s.
1515 112.061.

1516 (3) The commission shall investigate system failures in the
1517 Marjory Stoneman Douglas High School shooting and prior mass
1518 violence incidents in this state and develop recommendations for
1519 system improvements. At a minimum, the commission shall analyze

20187026e2

1520 information and evidence from the Marjory Stoneman Douglas High
1521 School shooting and other mass violence incidents in this state.

1522 At a minimum the commission shall:

1523 (a) Develop a timeline of the incident, incident response,
1524 and all relevant events preceding the incident, with particular
1525 attention to all perpetrator contacts with local, state and
1526 national government agencies and entities and any contract
1527 providers of such agencies and entities.

1528 (b) Investigate any failures in incident responses by local
1529 law enforcement agencies and school resource officers.

1530 1. Identify existing policies and procedures for active
1531 assailant incidents on school premises and evaluate the
1532 compliance with such policies and procedures in the execution of
1533 incident responses.

1534 2. Evaluate existing policies and procedures for active
1535 assailant incidents on school premises in comparison with
1536 national best practices.

1537 3. Evaluate the extent to which any failures in policy,
1538 procedure, or execution contributed to an inability to prevent
1539 deaths and injuries.

1540 4. Make specific recommendations for improving law
1541 enforcement and school resource officer incident response in the
1542 future.

1543 5. Make specific recommendations for determining the
1544 appropriate ratio of school resource officers per school by
1545 school type. At a minimum, the methodology for determining the
1546 ratio should include the school location, student population,
1547 and school design.

1548 (c) Investigate any failures in interactions with

20187026e2

1549 perpetrators preceding mass violence incidents.

1550 1. Identify the history of interactions between
1551 perpetrators and governmental entities such as schools, law
1552 enforcement agencies, courts and social service agencies, and
1553 identify any failures to adequately communicate or coordinate
1554 regarding indicators of risk or possible threats.

1555 2. Evaluate the extent to which any such failures
1556 contributed to an inability to prevent deaths and injuries.

1557 3. Make specific recommendations for improving
1558 communication and coordination among entities with knowledge of
1559 indicators of risk or possible threats of mass violence in the
1560 future.

1561 4. Identify available state and local tools and resources
1562 for enhancing communication and coordination regarding
1563 indicators of risk or possible threats, including, but not
1564 limited to, the Department of Law Enforcement Fusion Center or
1565 Judicial Inquiry System, and make specific recommendations for
1566 using such tools and resources more effectively in the future.

1567 (4) The commission has the power to investigate. The
1568 commission may delegate to its investigators the authority to
1569 administer oaths and affirmations.

1570 (5) The Commissioner of the Department of Law Enforcement
1571 shall use his or her subpoena power to compel the attendance of
1572 witnesses to testify before the commission. The Commissioner of
1573 the Department of Law Enforcement shall use his or her subpoena
1574 power to compel the production of any books, papers, records,
1575 documentary evidence, and other items, including confidential
1576 information, relevant to the performance of the duties of the
1577 commission or to the exercise of its powers. The chair or any

20187026e2

1578 other member of the commission may administer all oaths and
1579 affirmations in the manner prescribed by law to witnesses who
1580 appear before the commission for the purpose of testifying in
1581 any matter of which the commission desires evidence. In the case
1582 of a refusal to obey a subpoena, the commission may make
1583 application to any circuit court of this state having
1584 jurisdiction to order the witness to appear before the
1585 commission and to produce evidence, if so ordered, or to give
1586 testimony relevant to the matter in question. Failure to obey
1587 the order may be punished by the court as contempt.

1588 (6) The commission may call upon appropriate agencies of
1589 state government for such professional assistance as may be
1590 needed in the discharge of its duties, and such agencies shall
1591 provide such assistance in a timely manner.

1592 (7) Notwithstanding any other law, the commission may
1593 request and shall be provided with access to any information or
1594 records, including exempt or confidential and exempt information
1595 or records, which pertain to the Marjory Stoneman Douglas High
1596 School shooting and prior mass violence incidents in Florida
1597 being reviewed by the commission and which are necessary for the
1598 commission to carry out its duties. Information or records
1599 obtained by the commission which are otherwise exempt or
1600 confidential and exempt shall retain such exempt or confidential
1601 and exempt status and the commission may not disclose any such
1602 information or records.

1603 (8) The commission shall submit an initial report on its
1604 findings and recommendations to the Governor, President of the
1605 Senate, and Speaker of the House of Representatives by January
1606 1, 2019, and may issue reports annually thereafter. The

20187026e2

1607 commission shall sunset July 1, 2023, and this section is
1608 repealed on that date.

1609 Section 21. Section 1001.212, Florida Statutes, is created
1610 to read:

1611 1001.212 Office of Safe Schools.—There is created in the
1612 Department of Education the Office of Safe Schools. The office
1613 is fully accountable to the Commissioner of Education. The
1614 office shall serve as a central repository for best practices,
1615 training standards, and compliance oversight in all matters
1616 regarding school safety and security, including prevention
1617 efforts, intervention efforts, and emergency preparedness
1618 planning. The office shall:

1619 (1) Establish and update as necessary a school security
1620 risk assessment tool for use by school districts pursuant to s.
1621 1006.07(6). The office shall make the security risk assessment
1622 tool available for use by charter schools.

1623 (2) Provide ongoing professional development opportunities
1624 to school district personnel.

1625 (3) Provide a coordinated and interdisciplinary approach to
1626 providing technical assistance and guidance to school districts
1627 on safety and security and recommendations to address findings
1628 identified pursuant to s. 1006.07(6).

1629 (4) Develop and implement a School Safety Specialist
1630 Training Program for school safety specialists appointed
1631 pursuant to s. 1006.07(6). The office shall develop the training
1632 program which shall be based on national and state best
1633 practices on school safety and security and must include active
1634 shooter training. The office shall develop training modules in
1635 traditional or online formats. A school safety specialist

20187026e2

1636 certificate of completion shall be awarded to a school safety
1637 specialist who satisfactorily completes the training required by
1638 rules of the office.

1639 (5) Review and provide recommendations on the security risk
1640 assessments. The department may contract with security
1641 personnel, consulting engineers, architects, or other safety and
1642 security experts the department deems necessary for safety and
1643 security consultant services.

1644 (6) Coordinate with the Department of Law Enforcement to
1645 provide a centralized integrated data repository and data
1646 analytics resources to improve access to timely, complete and
1647 accurate information integrating data from, at a minimum, but
1648 not limited to, the following data sources by December 1, 2018:

1649 (a) Social Media;

1650 (b) Department of Children and Families;

1651 (c) Department of Law Enforcement;

1652 (d) Department of Juvenile Justice; and

1653 (e) Local law enforcement.

1654 (7) Data that is exempt or confidential and exempt from
1655 public records requirements retains its exempt or confidential
1656 and exempt status when incorporated into the centralized
1657 integrated data repository.

1658 (8) To maintain the confidentiality requirements attached
1659 to the information provided to the centralized integrated data
1660 repository by the various state and local agencies, data
1661 governance and security shall ensure compliance with all
1662 applicable state and federal data privacy requirements through
1663 the use of user authorization and role based security, data
1664 anonymization and aggregation and auditing capabilities.

20187026e2

1665 (9) To maintain the confidentiality requirements attached
 1666 to the information provided to the centralized integrated data
 1667 repository by the various state and local agencies, each source
 1668 agency providing data for the repository shall be the sole
 1669 custodian of the data for the purpose of any request for
 1670 inspection or copies thereof under ch. 119. The department shall
 1671 only allow access to data from the source agencies in accordance
 1672 with rules adopted by the respective source agencies.

1673 (10) Award grants to schools to improve the safety and
 1674 security of school buildings based upon recommendations of the
 1675 security risk assessment developed pursuant to subsection (1).

1676 (11) Disseminate, in consultation with the Department of
 1677 Law Enforcement, to participating schools awareness and
 1678 education materials on the School Safety Awareness Program
 1679 developed pursuant to s. 943.082.

1680 Section 22. Paragraph (a) of subsection (10) of section
 1681 1002.32, Florida Statutes, is amended to read:

1682 1002.32 Developmental research (laboratory) schools.—

1683 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
 1684 and facilitate the mission of the lab schools, in addition to
 1685 the exceptions to law specified in s. 1001.23(2), the following
 1686 exceptions shall be permitted for lab schools:

1687 (a) The methods and requirements of the following statutes
 1688 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
 1689 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
 1690 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
 1691 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
 1692 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
 1693 1001.49; 1001.50; 1001.51; 1006.12(2) ~~1006.12(1)~~; 1006.21(3),

20187026e2

1694 (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;
1695 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;
1696 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3),
1697 (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;
1698 1011.72; 1011.73; and 1011.74.

1699 Section 23. Subsection (1) of section 1006.04, Florida
1700 Statutes, is amended to read:

1701 1006.04 Educational multiagency services for students with
1702 severe emotional disturbance.—

1703 (1) (a) The multiagency network for students with emotional
1704 and behavioral disabilities works with education, mental health,
1705 child welfare, and juvenile justice professionals, along with
1706 other agencies and families, to provide children with mental
1707 illness or emotional and behavioral problems and their families
1708 with access to the services and supports they need to succeed ~~An~~
1709 ~~intensive, integrated educational program; a continuum of mental~~
1710 ~~health treatment services; and, when needed, residential~~
1711 ~~services are necessary to enable students with severe emotional~~
1712 ~~disturbance to develop appropriate behaviors and demonstrate~~
1713 ~~academic and career education skills. The small incidence of~~
1714 ~~severe emotional disturbance in the total school population~~
1715 ~~requires multiagency programs to provide access to appropriate~~
1716 ~~services for all students with severe emotional disturbance.~~
1717 District school boards should provide educational programs, and
1718 state departments and agencies administering children's mental
1719 health funds should provide mental health treatment and
1720 residential services when needed, as part of the forming a
1721 multiagency network to provide support for students with severe
1722 emotional disturbance.

20187026e2

1723 (b) The purpose of the multiagency network is to: ~~The~~
1724 ~~program goals for each component of the multiagency network are~~
1725 ~~to~~

1726 1. Enable students with severe emotional disturbance to
1727 learn appropriate behaviors, reduce dependency, and fully
1728 participate in all aspects of school and community living. ~~;~~ ~~to~~

1729 2. Develop individual programs for students with severe
1730 emotional disturbance, including necessary educational,
1731 residential, and mental health treatment services. ~~;~~ ~~to~~

1732 3. Provide programs and services as close as possible to
1733 the student's home in the least restrictive manner consistent
1734 with the student's needs. ~~;~~ ~~and to~~

1735 4. Integrate a wide range of services necessary to support
1736 students with severe emotional disturbance and their families.

1737 (c) The multiagency network shall:

1738 1. Support and represent the needs of students in each
1739 school district in joint planning with fiscal agents of
1740 children's mental health funds, including the expansion of
1741 school-based mental health services, transition services, and
1742 integrated education and treatment programs.

1743 2. Improve coordination of services for children with or at
1744 risk of emotional or behavioral disabilities and their families
1745 by assisting multi-agency collaborative initiatives to identify
1746 critical issues and barriers of mutual concern and develop local
1747 response systems that increase home and school connections and
1748 family engagement.

1749 3. Increase parent and youth involvement and development
1750 with local systems of care.

1751 4. Facilitate student and family access to effective

20187026e2

1752 services and programs for students with and at risk of emotional
1753 or behavioral disabilities that include necessary educational,
1754 residential, and mental health treatment services, enabling
1755 these students to learn appropriate behaviors, reduce
1756 dependency, and fully participate in all aspects of school and
1757 community living.

1758 Section 24. Paragraph (b) of subsection (1), paragraphs (k)
1759 through (m) of subsection (2), and subsections (3), (4), and (6)
1760 of section 1006.07, Florida Statutes, are amended, and
1761 subsections (7) and (8) are added to that section to read:

1762 1006.07 District school board duties relating to student
1763 discipline and school safety.—The district school board shall
1764 provide for the proper accounting for all students, for the
1765 attendance and control of students at school, and for proper
1766 attention to health, safety, and other matters relating to the
1767 welfare of students, including:

1768 (1) CONTROL OF STUDENTS.—

1769 (b) Require each student at the time of initial
1770 registration for school in the school district to note previous
1771 school expulsions, arrests resulting in a charge, ~~and~~ juvenile
1772 justice actions, and referrals to mental health services the
1773 student has had, and have the authority as the district school
1774 board of a receiving school district to honor the final order of
1775 expulsion or dismissal of a student by any in-state or out-of-
1776 state public district school board or private school, or lab
1777 school, for an act which would have been grounds for expulsion
1778 according to the receiving district school board's code of
1779 student conduct, in accordance with the following procedures:

1780 1. A final order of expulsion shall be recorded in the

20187026e2

1781 records of the receiving school district.

1782 2. The expelled student applying for admission to the
1783 receiving school district shall be advised of the final order of
1784 expulsion.

1785 3. The district school superintendent of the receiving
1786 school district may recommend to the district school board that
1787 the final order of expulsion be waived and the student be
1788 admitted to the school district, or that the final order of
1789 expulsion be honored and the student not be admitted to the
1790 school district. If the student is admitted by the district
1791 school board, with or without the recommendation of the district
1792 school superintendent, the student may be placed in an
1793 appropriate educational program and referred to mental health
1794 services identified by the school district pursuant to s.
1795 1012.584(4), when appropriate, at the direction of the district
1796 school board.

1797 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
1798 conduct for elementary schools and a code of student conduct for
1799 middle and high schools and distribute the appropriate code to
1800 all teachers, school personnel, students, and parents, at the
1801 beginning of every school year. Each code shall be organized and
1802 written in language that is understandable to students and
1803 parents and shall be discussed at the beginning of every school
1804 year in student classes, school advisory council meetings, and
1805 parent and teacher association or organization meetings. Each
1806 code shall be based on the rules governing student conduct and
1807 discipline adopted by the district school board and shall be
1808 made available in the student handbook or similar publication.
1809 Each code shall include, but is not limited to:

20187026e2

1810 (k) Policies to be followed for the assignment of violent
1811 or disruptive students to an alternative educational program or
1812 referral of such students to mental health services identified
1813 by the school district pursuant to s. 1012.584(4).

1814 (l) Notice that any student who is determined to have
1815 brought a firearm or weapon, as defined in chapter 790, to
1816 school, to any school function, or onto any school-sponsored
1817 transportation, or to have possessed a firearm at school, will
1818 be expelled, with or without continuing educational services,
1819 from the student's regular school for a period of not less than
1820 1 full year and referred to mental health services identified by
1821 the school district pursuant to s. 1012.584(4) and the criminal
1822 justice or juvenile justice system. District school boards may
1823 assign the student to a disciplinary program or second chance
1824 school for the purpose of continuing educational services during
1825 the period of expulsion. District school superintendents may
1826 consider the 1-year expulsion requirement on a case-by-case
1827 basis and request the district school board to modify the
1828 requirement by assigning the student to a disciplinary program
1829 or second chance school if the request for modification is in
1830 writing and it is determined to be in the best interest of the
1831 student and the school system.

1832 (m) Notice that any student who is determined to have made
1833 a threat or false report, as defined by ss. 790.162 and 790.163,
1834 respectively, involving school or school personnel's property,
1835 school transportation, or a school-sponsored activity will be
1836 expelled, with or without continuing educational services, from
1837 the student's regular school for a period of not less than 1
1838 full year and referred for criminal prosecution and mental

20187026e2

1839 health services identified by the school district pursuant to s.
1840 1012.584(4) for evaluation or treatment, when appropriate.
1841 District school boards may assign the student to a disciplinary
1842 program or second chance school for the purpose of continuing
1843 educational services during the period of expulsion. District
1844 school superintendents may consider the 1-year expulsion
1845 requirement on a case-by-case basis and request the district
1846 school board to modify the requirement by assigning the student
1847 to a disciplinary program or second chance school if it is
1848 determined to be in the best interest of the student and the
1849 school system.

1850 (3) STUDENT CRIME WATCH PROGRAM.—By resolution of the
1851 district school board, implement a student crime watch program
1852 to promote responsibility among students and improve school
1853 safety. The student crime watch program shall allow students and
1854 the community to anonymously relay information concerning unsafe
1855 and potentially harmful, dangerous, violent, or criminal
1856 activities, or the threat of these activities, to appropriate
1857 public safety agencies and school officials ~~to assist in the~~
1858 ~~control of criminal behavior within the schools.~~

1859 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

1860 (a) Formulate and prescribe policies and procedures, in
1861 consultation with the appropriate public safety agencies, for
1862 emergency drills and for actual emergencies, including, but not
1863 limited to, fires, natural disasters, active shooter and hostage
1864 situations, and bomb threats, for all students and faculty at
1865 all the public schools of the district comprised of which
1866 ~~comprise~~ grades K-12. Drills for active shooter and hostage
1867 situations shall be conducted at least as often as other

20187026e2

1868 emergency drills. District school board policies shall include
1869 commonly used alarm system responses for specific types of
1870 emergencies and verification by each school that drills have
1871 been provided as required by law and fire protection codes. The
1872 emergency response policy shall identify the individuals
1873 responsible for contacting the primary emergency response agency
1874 and the emergency response agency that is responsible for
1875 notifying the school district for each type of emergency ~~must be~~
1876 ~~listed in the district's emergency response policy.~~

1877 (b) Establish model emergency management and emergency
1878 preparedness procedures, including emergency notification
1879 procedures pursuant to paragraph (a), for the following life-
1880 threatening emergencies:

1881 1. Weapon-use, and hostage, and active shooter situations.
1882 The active shooter situation training for each school must
1883 engage the participation of the district school safety
1884 specialist, threat assessment team members, faculty, staff, and
1885 students and must be conducted by the law enforcement agency or
1886 agencies that are designated as first responders to the school's
1887 campus.

1888 2. Hazardous materials or toxic chemical spills.

1889 3. Weather emergencies, including hurricanes, tornadoes,
1890 and severe storms.

1891 4. Exposure as a result of a manmade emergency.

1892 (c) Establish a schedule to test the functionality and
1893 coverage capacity of all emergency communication systems and
1894 determine if adequate signal strength is available in all areas
1895 of the school's campus.

1896 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district

20187026e2

1897 school superintendent shall establish policies and procedures
1898 for the prevention of violence on school grounds, including the
1899 assessment of and intervention with individuals whose behavior
1900 poses a threat to the safety of the school community.

1901 (a) Each district school superintendent shall designate a
1902 school administrator as a school safety specialist for the
1903 district. The school safety specialist must earn a certificate
1904 of completion of the school safety specialist training provided
1905 by the Office of Safe Schools within 1 year after appointment
1906 and is responsible for the supervision and oversight for all
1907 school safety and security personnel, policies, and procedures
1908 in the school district. The school safety specialist shall:

1909 1. Review policies and procedures for compliance with state
1910 law and rules.

1911 2. Provide the necessary training and resources to students
1912 and school district staff in matters relating to youth mental
1913 health awareness and assistance; emergency procedures, including
1914 active shooter training; and school safety and security.

1915 3. Serve as the school district liaison with local public
1916 safety agencies and national, state, and community agencies and
1917 organizations in matters of school safety and security.

1918 4. Conduct a school security risk assessment in accordance
1919 with s. 1006.1493 at each public school using the school
1920 security risk assessment tool developed by the Office of Safe
1921 Schools Use the Safety and Security Best Practices developed by
1922 the Office of Program Policy Analysis and Government
1923 Accountability to conduct a self-assessment of the school
1924 districts' current safety and security practices. Based on the
1925 assessment these self-assessment findings, the district's school

20187026e2

1926 safety specialist ~~district school superintendent~~ shall provide
1927 recommendations to the district school board which identify
1928 strategies and activities that the district school board should
1929 implement in order to improve school safety and security.
1930 Annually, each district school board must receive such findings
1931 and the school safety specialist's recommendations ~~the self-~~
1932 ~~assessment results~~ at a publicly noticed district school board
1933 meeting to provide the public an opportunity to hear the
1934 district school board members discuss and take action on the
1935 ~~report~~ findings and recommendations. Each school safety
1936 specialist ~~district school superintendent~~ shall report such
1937 findings ~~the self-assessment results~~ and school board action to
1938 the Office of Safe Schools ~~commissioner~~ within 30 days after the
1939 district school board meeting.

1940 (b) Each school safety specialist shall coordinate with the
1941 appropriate public safety agencies, as defined in s. 365.171,
1942 that are designated as first responders to a school's campus to
1943 conduct a tour of such campus once every 3 years and provide
1944 recommendations related to school safety. The recommendations by
1945 the public safety agencies must be considered as part of the
1946 recommendations by the school safety specialist pursuant to
1947 paragraph (a).

1948 (7) THREAT ASSESSMENT TEAMS.—Each district school board
1949 shall adopt policies for the establishment of threat assessment
1950 teams at each school whose duties include the coordination of
1951 resources and assessment and intervention with individuals whose
1952 behavior may pose a threat to the safety of school staff or
1953 students consistent with the model policies developed by the
1954 Office of Safe Schools. Such policies shall include procedures

20187026e2

1955 for referrals to mental health services identified by the school
1956 district pursuant to s. 1012.584(4), when appropriate.

1957 (a) A threat assessment team shall include persons with
1958 expertise in counseling, instruction, school administration, and
1959 law enforcement. The threat assessment teams shall identify
1960 members of the school community to whom threatening behavior
1961 should be reported and provide guidance to students, faculty,
1962 and staff regarding recognition of threatening or aberrant
1963 behavior that may represent a threat to the community, school,
1964 or self.

1965 (b) Upon a preliminary determination that a student poses a
1966 threat of violence or physical harm to himself or herself or
1967 others, a threat assessment team shall immediately report its
1968 determination to the superintendent or his or her designee. The
1969 superintendent or his or her designee shall immediately attempt
1970 to notify the student's parent or legal guardian. Nothing in
1971 this subsection shall preclude school district personnel from
1972 acting immediately to address an imminent threat.

1973 (c) Upon a preliminary determination by the threat
1974 assessment team that a student poses a threat of violence to
1975 himself or herself or others or exhibits significantly
1976 disruptive behavior or need for assistance, the threat
1977 assessment team may obtain criminal history record information,
1978 as provided in s. 985.047. A member of a threat assessment team
1979 may not disclose any criminal history record information
1980 obtained pursuant to this section or otherwise use any record of
1981 an individual beyond the purpose for which such disclosure was
1982 made to the threat assessment team.

1983 (d) Notwithstanding any other provision of law, all state

20187026e2

1984 and local agencies and programs that provide services to
1985 students experiencing or at risk of an emotional disturbance or
1986 a mental illness, including the school districts, school
1987 personnel, state and local law enforcement agencies, the
1988 Department of Juvenile Justice, the Department of Children and
1989 Families, the Department of Health, the Agency for Health Care
1990 Administration, the Agency for Persons with Disabilities, the
1991 Department of Education, the Statewide Guardian Ad Litem Office,
1992 and any service or support provider contracting with such
1993 agencies, may share with each other records or information that
1994 are confidential or exempt from disclosure under chapter 119 if
1995 the records or information are reasonably necessary to ensure
1996 access to appropriate services for the student or to ensure the
1997 safety of the student or others. All such state and local
1998 agencies and programs shall communicate, collaborate, and
1999 coordinate efforts to serve such students.

2000 (e) If an immediate mental health or substance abuse crisis
2001 is suspected, school personnel shall follow policies established
2002 by the threat assessment team to engage behavioral health crisis
2003 resources. Behavioral health crisis resources, including, but
2004 not limited to, mobile crisis teams and school resource officers
2005 trained in crisis intervention, shall provide emergency
2006 intervention and assessment, make recommendations, and refer the
2007 student for appropriate services. Onsite school personnel shall
2008 report all such situations and actions taken to the threat
2009 assessment team, which shall contact the other agencies involved
2010 with the student and any known service providers to share
2011 information and coordinate any necessary followup actions.

2012 (f) Each threat assessment team established pursuant to

20187026e2

2013 this subsection shall report quantitative data on its activities
2014 to the Office of Safe Schools in accordance with guidance from
2015 the office.

2016 (8) SAFETY IN CONSTRUCTION PLANNING.—A district school
2017 board must allow the law enforcement agency or agencies that are
2018 designated as first responders to the district's campus and
2019 school's campuses to tour such campuses once every 3 years. Any
2020 changes related to school safety and emergency issues
2021 recommended by a law enforcement agency based on a campus tour
2022 must be documented by the district school board.

2023 Section 25. Subsection (2) of section 1006.08, Florida
2024 Statutes, is amended to read:

2025 1006.08 District school superintendent duties relating to
2026 student discipline and school safety.—

2027 (2) Notwithstanding the provisions of s. 985.04(7) or any
2028 other provision of law to the contrary, the court shall, within
2029 48 hours of the finding, notify the appropriate district school
2030 superintendent of the name and address of any student found to
2031 have committed a delinquent act, or who has had adjudication of
2032 a delinquent act withheld which, if committed by an adult, would
2033 be a felony, ~~or~~ the name and address of any student found guilty
2034 of a felony, or the name and address of any student the court
2035 refers to mental health services. Notification shall include the
2036 specific delinquent act found to have been committed or for
2037 which adjudication was withheld, or the specific felony for
2038 which the student was found guilty.

2039 Section 26. Section 1006.12, Florida Statutes, is amended
2040 to read:

2041 1006.12 Safe-school ~~school resource~~ officers at each public

20187026e2

2042 school and school safety officers. For the protection and safety
2043 of school personnel, property, students, and visitors, each
2044 district school board and school district superintendent shall
2045 partner with law enforcement agencies to establish or assign one
2046 or more safe-school officers at each school facility within the
2047 district by implementing any combination of the following
2048 options which best meets the needs of the school district:

2049 (1) ~~District school boards may~~ Establish school resource
2050 officer programs, through a cooperative agreement with law
2051 enforcement agencies ~~or in accordance with subsection (2).~~

2052 (a) School resource officers shall undergo criminal
2053 background checks, drug testing, and a psychological evaluation
2054 and be certified law enforcement officers, as defined in s.
2055 943.10(1), who are employed by a law enforcement agency as
2056 defined in s. 943.10(4). The powers and duties of a law
2057 enforcement officer shall continue throughout the employee's
2058 tenure as a school resource officer.

2059 (b) School resource officers shall abide by district school
2060 board policies and shall consult with and coordinate activities
2061 through the school principal, but shall be responsible to the
2062 law enforcement agency in all matters relating to employment,
2063 subject to agreements between a district school board and a law
2064 enforcement agency. Activities conducted by the school resource
2065 officer which are part of the regular instructional program of
2066 the school shall be under the direction of the school principal.

2067 (c) Complete mental health crisis intervention training
2068 using a curriculum developed by a national organization with
2069 expertise in mental health crisis intervention. The training
2070 shall improve officers' knowledge and skills as first responders

20187026e2

2071 to incidents involving students with emotional disturbance or
2072 mental illness, including de-escalation skills to ensure student
2073 and officer safety.

2074 (2) Commission one or more school safety officers for the
2075 protection and safety of school personnel, property, and
2076 students within the school district. The district school
2077 superintendent may recommend, and the district school board may
2078 appoint, one or more school safety officers.

2079 ~~(2)~~(a) School safety officers shall undergo criminal
2080 background checks, drug testing, and a psychological evaluation
2081 and be law enforcement officers, as defined in s. 943.10(1),
2082 certified under the provisions of chapter 943 and employed by
2083 either a law enforcement agency or by the district school board.
2084 If the officer is employed by the district school board, the
2085 district school board is the employing agency for purposes of
2086 chapter 943, and must comply with the provisions of that
2087 chapter.

2088 ~~(b) A district school board may commission one or more~~
2089 ~~school safety officers for the protection and safety of school~~
2090 ~~personnel, property, and students within the school district.~~
2091 ~~The district school superintendent may recommend and the~~
2092 ~~district school board may appoint one or more school safety~~
2093 ~~officers.~~

2094 (b)(e) A school safety officer has and shall exercise the
2095 power to make arrests for violations of law on district school
2096 board property and to arrest persons, whether on or off such
2097 property, who violate any law on such property under the same
2098 conditions that deputy sheriffs are authorized to make arrests.
2099 A school safety officer has the authority to carry weapons when

20187026e2

2100 performing his or her official duties.

2101 (c)~~(d)~~ A district school board may enter into mutual aid
2102 agreements with one or more law enforcement agencies as provided
2103 in chapter 23. A school safety officer's salary may be paid
2104 jointly by the district school board and the law enforcement
2105 agency, as mutually agreed to.

2106 (3) At the school district's discretion, participate in the
2107 school marshal program if such program is established pursuant
2108 to s. 30.15, to meet the requirement of establishing a safe-
2109 school officer.

2110 Section 27. Subsection (1), paragraph (c) of subsection
2111 (4), and subsection (8) of section 1006.13, Florida Statutes,
2112 are amended, and paragraph (f) is added to subsection (2) of
2113 that section, to read:

2114 1006.13 Policy of zero tolerance for crime and
2115 victimization.—

2116 (1) District school boards shall ~~It is the intent of the~~
2117 ~~Legislature to~~ promote a safe and supportive learning
2118 environment in schools by protecting, ~~to protect~~ students and
2119 staff from conduct that poses a serious threat to school safety.
2120 A threat assessment team may, ~~and to encourage schools to use~~
2121 alternatives to expulsion or referral to law enforcement
2122 agencies to address ~~by addressing~~ disruptive behavior through
2123 restitution, civil citation, teen court, neighborhood
2124 restorative justice, or similar programs. Zero-tolerance ~~The~~
2125 ~~Legislature finds that zero-tolerance~~ policies may are not
2126 ~~intended to~~ be rigorously applied to petty acts of misconduct
2127 and misdemeanors, including, but not limited to, minor fights or
2128 disturbances. Zero-tolerance policies ~~The Legislature finds that~~

20187026e2

2129 ~~zero-tolerance policies~~ must apply equally to all students
2130 regardless of their economic status, race, or disability.

2131 (2) Each district school board shall adopt a policy of zero
2132 tolerance that:

2133 (f) Requires the threat assessment team to consult with law
2134 enforcement when a student exhibits a pattern of behavior, based
2135 upon previous acts or the severity of an act, that would pose a
2136 threat to school safety.

2137 (4)

2138 (c) Zero-tolerance policies do not require the reporting of
2139 petty acts of misconduct and misdemeanors to a law enforcement
2140 agency, including, but not limited to, disorderly conduct,
2141 ~~disrupting a school function,~~ simple assault or battery, affray,
2142 theft of less than \$300, trespassing, and vandalism of less than
2143 \$1,000. However, if a student commits more than one misdemeanor,
2144 the threat assessment team must consult with law enforcement to
2145 determine if the act should be reported to law enforcement.

2146 (8) A threat assessment team may ~~School districts are~~
2147 ~~encouraged to~~ use alternatives to expulsion or referral to law
2148 enforcement agencies unless the use of such alternatives will
2149 pose a threat to school safety.

2150 Section 28. Section 1006.1493, Florida Statutes, is created
2151 to read:

2152 1006.1493 Florida Safe Schools Assessment Tool.-

2153 (1) The department through the Office of Safe Schools
2154 pursuant s. 1001.212 shall contract with a security consulting
2155 firm that specializes in the development of risk assessment
2156 software solutions and has experience in conducting security
2157 assessments of public facilities to develop, update, and

20187026e2

2158 implement a risk assessment tool, which shall be known as the
2159 Florida Safe Schools Assessment Tool (FSSAT). The FSSAT must be
2160 used by school officials at each school district and public
2161 school site in the state in conducting security assessments for
2162 use by school officials at each school district and public
2163 school site in the state.

2164 (2) The FSSAT must help school officials identify threats,
2165 vulnerabilities, and appropriate safety controls for the schools
2166 that they supervise, pursuant to the security risk assessment
2167 requirements of s. 1006.07(6).

2168 (a) At a minimum, the FSSAT must address all of the
2169 following components:

2170 1. School emergency and crisis preparedness planning;

2171 2. Security, crime, and violence prevention policies and
2172 procedures;

2173 3. Physical security measures;

2174 4. Professional development training needs;

2175 5. An examination of support service roles in school
2176 safety, security, and emergency planning;

2177 6. School security and school police staffing, operational
2178 practices, and related services;

2179 7. School and community collaboration on school safety; and

2180 8. A return on investment analysis of the recommended
2181 physical security controls.

2182 (b) The department shall require by contract that the
2183 security consulting firm:

2184 1. Generate written automated reports on assessment
2185 findings for review by the department and school and district
2186 officials;

20187026e2

2187 2. Provide training to the department and school officials
2188 in the use of the FSSAT and other areas of importance identified
2189 by the department; and

2190 3. Advise in the development and implementation of
2191 templates, formats, guidance, and other resources necessary to
2192 facilitate the implementation of this section at state,
2193 district, school, and local levels.

2194 (3) By December 1, 2018, and annually by that date
2195 thereafter, the department must report to the Governor, the
2196 President of the Senate, and the Speaker of the House of
2197 Representatives on the status of implementation across school
2198 districts and schools. The report must include a summary of the
2199 positive school safety measures in place at the time of the
2200 assessment and any recommendations for policy changes or funding
2201 needed to facilitate continued school safety planning,
2202 improvement, and response at the state, district, or school
2203 levels.

2204 (4) In accordance with ss. 119.071(3)(a) and 281.301, data
2205 and information related to security risk assessments
2206 administered pursuant to this section and s. 1006.07(6) and the
2207 security information contained in the annual report required
2208 pursuant to subsection (3) are confidential and exempt from
2209 public records requirements.

2210 Section 29. Subsections (16) and (17) of section 1011.62,
2211 Florida Statutes, are redesignated as subsections (17) and (18),
2212 respectively, paragraph (a) of subsection (4), paragraph (b) of
2213 subsection (6), subsection (14), and subsection (15) of that
2214 section are amended, and a new subsection (16) is added to that
2215 section, to read:

20187026e2

2216 1011.62 Funds for operation of schools.—If the annual
2217 allocation from the Florida Education Finance Program to each
2218 district for operation of schools is not determined in the
2219 annual appropriations act or the substantive bill implementing
2220 the annual appropriations act, it shall be determined as
2221 follows:

2222 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
2223 Legislature shall prescribe the aggregate required local effort
2224 for all school districts collectively as an item in the General
2225 Appropriations Act for each fiscal year. The amount that each
2226 district shall provide annually toward the cost of the Florida
2227 Education Finance Program for kindergarten through grade 12
2228 programs shall be calculated as follows:

2229 (a) *Estimated taxable value calculations.*—

2230 1.a. Not later than 2 working days before July 19, the
2231 Department of Revenue shall certify to the Commissioner of
2232 Education its most recent estimate of the taxable value for
2233 school purposes in each school district and the total for all
2234 school districts in the state for the current calendar year
2235 based on the latest available data obtained from the local
2236 property appraisers. The value certified shall be the taxable
2237 value for school purposes for that year, and no further
2238 adjustments shall be made, except those made pursuant to
2239 paragraphs (c) and (d), or an assessment roll change required by
2240 final judicial decisions as specified in paragraph (17) (b)
2241 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
2242 shall compute a millage rate, rounded to the next highest one
2243 one-thousandth of a mill, which, when applied to 96 percent of
2244 the estimated state total taxable value for school purposes,

20187026e2

2245 would generate the prescribed aggregate required local effort
2246 for that year for all districts. The Commissioner of Education
2247 shall certify to each district school board the millage rate,
2248 computed as prescribed in this subparagraph, as the minimum
2249 millage rate necessary to provide the district required local
2250 effort for that year.

2251 b. The General Appropriations Act shall direct the
2252 computation of the statewide adjusted aggregate amount for
2253 required local effort for all school districts collectively from
2254 ad valorem taxes to ensure that no school district's revenue
2255 from required local effort millage will produce more than 90
2256 percent of the district's total Florida Education Finance
2257 Program calculation as calculated and adopted by the
2258 Legislature, and the adjustment of the required local effort
2259 millage rate of each district that produces more than 90 percent
2260 of its total Florida Education Finance Program entitlement to a
2261 level that will produce only 90 percent of its total Florida
2262 Education Finance Program entitlement in the July calculation.

2263 2. On the same date as the certification in sub-
2264 subparagraph 1.a., the Department of Revenue shall certify to
2265 the Commissioner of Education for each district:

2266 a. Each year for which the property appraiser has certified
2267 the taxable value pursuant to s. 193.122(2) or (3), if
2268 applicable, since the prior certification under sub-subparagraph
2269 1.a.

2270 b. For each year identified in sub-subparagraph a., the
2271 taxable value certified by the appraiser pursuant to s.
2272 193.122(2) or (3), if applicable, since the prior certification
2273 under sub-subparagraph 1.a. This is the certification that

20187026e2

2274 reflects all final administrative actions of the value
2275 adjustment board.

2276 (6) CATEGORICAL FUNDS.—

2277 (b) If a district school board finds and declares in a
2278 resolution adopted at a regular meeting of the school board that
2279 the funds received for any of the following categorical
2280 appropriations are urgently needed to maintain school board
2281 specified academic classroom instruction or improve school
2282 safety, the school board may consider and approve an amendment
2283 to the school district operating budget transferring the
2284 identified amount of the categorical funds to the appropriate
2285 account for expenditure:

2286 1. Funds for student transportation.

2287 ~~2. Funds for safe schools.~~

2288 ~~2.3.~~ Funds for supplemental academic instruction if the
2289 required additional hour of instruction beyond the normal school
2290 day for each day of the entire school year has been provided for
2291 the students in each low-performing elementary school in the
2292 district pursuant to paragraph (1) (f).

2293 ~~3.4.~~ Funds for research-based reading instruction if the
2294 required additional hour of instruction beyond the normal school
2295 day for each day of the entire school year has been provided for
2296 the students in each low-performing elementary school in the
2297 district pursuant to paragraph (9) (a).

2298 ~~4.5.~~ Funds for instructional materials if all instructional
2299 material purchases necessary to provide updated materials that
2300 are aligned with applicable state standards and course
2301 descriptions and that meet statutory requirements of content and
2302 learning have been completed for that fiscal year, but no sooner

20187026e2

2303 than March 1. Funds available after March 1 may be used to
2304 purchase hardware for student instruction.

2305 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
2306 annually in the General Appropriations Act determine a
2307 percentage increase in funds per K-12 unweighted FTE as a
2308 minimum guarantee to each school district. The guarantee shall
2309 be calculated from prior year base funding per unweighted FTE
2310 student which shall include the adjusted FTE dollars as provided
2311 in subsection (17) ~~(16)~~, quality guarantee funds, and actual
2312 nonvoted discretionary local effort from taxes. From the base
2313 funding per unweighted FTE, the increase shall be calculated for
2314 the current year. The current year funds from which the
2315 guarantee shall be determined shall include the adjusted FTE
2316 dollars as provided in subsection (17) ~~(16)~~ and potential
2317 nonvoted discretionary local effort from taxes. A comparison of
2318 current year funds per unweighted FTE to prior year funds per
2319 unweighted FTE shall be computed. For those school districts
2320 which have less than the legislatively assigned percentage
2321 increase, funds shall be provided to guarantee the assigned
2322 percentage increase in funds per unweighted FTE student. Should
2323 appropriated funds be less than the sum of this calculated
2324 amount for all districts, the commissioner shall prorate each
2325 district's allocation. This provision shall be implemented to
2326 the extent specifically funded.

2327 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
2328 created to provide funding to assist school districts in their
2329 compliance with s. 1006.07 ~~ss. 1006.07-1006.148~~, with priority
2330 given to implementing the district's ~~establishing a school~~
2331 resource officer program pursuant to s. 1006.12. Each school

20187026e2

2332 district shall receive a minimum safe schools allocation in an
2333 amount provided in the General Appropriations Act. Of the
2334 remaining balance of the safe schools allocation, two-thirds
2335 shall be allocated to school districts based on the most recent
2336 official Florida Crime Index provided by the Department of Law
2337 Enforcement and one-third shall be allocated based on each
2338 school district's proportionate share of the state's total
2339 unweighted full-time equivalent student enrollment. Any
2340 additional funds appropriated to this allocation in the 2018-
2341 2019 fiscal year to the school resource officer program
2342 established pursuant to s. 1006.12 shall be used exclusively for
2343 employing or contracting for school resource officers, which
2344 shall be in addition to the number of officers employed or
2345 contracted for in the 2017-2018 fiscal year.

2346 (16) MENTAL HEALTH ASSISTANCE ALLOCATION.-The mental health
2347 assistance allocation is created to provide funding to assist
2348 school districts in establishing or expanding school-based
2349 mental health care. These funds shall be allocated annually in
2350 the General Appropriations Act or other law to each eligible
2351 school district. Each school district shall receive a minimum of
2352 \$100,000 with the remaining balance allocated based on each
2353 school district's proportionate share of the state's total
2354 unweighted full-time equivalent student enrollment. Eligible
2355 charter schools are entitled to a proportionate share of
2356 district funding. At least 90 percent of a district's allocation
2357 must be expended on the elements specified in subparagraphs
2358 (b)1. and 2. The allocated funds may not supplant funds that are
2359 provided for this purpose from other operating funds and may not
2360 be used to increase salaries or provide bonuses. School

20187026e2

2361 districts are encouraged to maximize third party health
2362 insurance benefits and Medicaid claiming for services, where
2363 appropriate.

2364 (a) Before the distribution of the allocation:

2365 1. The school district must develop and submit a detailed
2366 plan outlining the local program and planned expenditures to the
2367 district school board for approval.

2368 2. A charter school must develop and submit a detailed plan
2369 outlining the local program and planned expenditures to its
2370 governing body for approval. After the plan is approved by the
2371 governing body, it must be provided to the charter school's
2372 sponsor.

2373 (b) The plans required under paragraph (a) must be focused
2374 on delivering evidence-based mental health care treatment to
2375 children and include the following elements:

2376 1. Provision of mental health assessment, diagnosis,
2377 intervention, treatment, and recovery services to students with
2378 one or more mental health or co-occurring substance abuse
2379 diagnoses and students at high risk of such diagnoses.

2380 2. Coordination of such services with a student's primary
2381 care provider and with other mental health providers involved in
2382 the student's care.

2383 3. Direct employment of such service providers, or a
2384 contract-based collaborative effort or partnership with one or
2385 more local community mental health programs, agencies, or
2386 providers.

2387 (c) School districts shall submit approved plans, including
2388 approved plans of each charter school in the district, to the
2389 commissioner by August 1 of each fiscal year.

20187026e2

2390 (d) Beginning September 30, 2019, and annually by September
2391 30 thereafter, each school district shall submit to the
2392 Department of Education a report on its program outcomes and
2393 expenditures for the previous fiscal year that, at a minimum,
2394 must include the number of each of the following:

2395 1. Students who receive screenings or assessments.
2396 2. Students who are referred for services or assistance.
2397 3. Students who receive services or assistance.
2398 4. Direct employment service providers employed by each
2399 school district.

2400 5. Contract-based collaborative efforts or partnerships
2401 with community mental health programs, agencies, or providers.

2402 Section 30. Section 1012.584, Florida Statutes, is created
2403 to read:

2404 1012.584 Continuing education and inservice training for
2405 youth mental health awareness and assistance.—

2406 (1) Beginning with the 2018-2019 school year, the
2407 Department of Education shall establish an evidence-based youth
2408 mental health awareness and assistance training program to help
2409 school personnel identify and understand the signs of emotional
2410 disturbance, mental illness, and substance use disorders and
2411 provide such personnel with the skills to help a person who is
2412 developing or experiencing an emotional disturbance, mental
2413 health, or substance use problem.

2414 (2) The Department of Education shall select a national
2415 authority on youth mental health awareness and assistance to
2416 facilitate providing youth mental health awareness and
2417 assistance training, using a trainer certification model, to all
2418 school personnel in elementary, middle, and high schools. Each

20187026e2

2419 school safety specialist shall earn, or designate one or more
2420 individuals to earn, certification as a youth mental health
2421 awareness and assistance trainer. The school safety specialist
2422 shall ensure that all school personnel within his or her school
2423 district receive youth mental health awareness and assistance
2424 training.

2425 (3) The training program shall include, but is not limited
2426 to:

2427 (a) An overview of mental illnesses and substance use
2428 disorders and the need to reduce the stigma of mental illness.

2429 (b) Information on the potential risk factors and warning
2430 signs of emotional disturbance, mental illness, or substance use
2431 disorders, including, but not limited to, depression, anxiety,
2432 psychosis, eating disorders, and self-injury, as well as common
2433 treatments for those conditions and how to assess those risks.

2434 (c) Information on how to engage at-risk students with the
2435 skills, resources, and knowledge required to assess the
2436 situation, and how to identify and encourage the student to use
2437 appropriate professional help and other support strategies,
2438 including, but not limited to, peer, social, or self-help care.

2439 (4) Each school district shall notify all school personnel
2440 who have received training pursuant to this section of mental
2441 health services that are available in the school district, and
2442 the individual to contact if a student needs services. The term
2443 "mental health services" includes, but is not limited to,
2444 community mental health services, health care providers, and
2445 services provided under ss. 1006.04 and 1011.62(17).

2446 Section 31. Subsection (6) of section 1013.64, Florida
2447 Statutes, is amended to read:

20187026e2

2448 1013.64 Funds for comprehensive educational plant needs;
2449 construction cost maximums for school district capital
2450 projects.—Allocations from the Public Education Capital Outlay
2451 and Debt Service Trust Fund to the various boards for capital
2452 outlay projects shall be determined as follows:

2453 (6) (a) Each district school board must meet all educational
2454 plant space needs of its elementary, middle, and high schools
2455 before spending funds from the Public Education Capital Outlay
2456 and Debt Service Trust Fund or the School District and Community
2457 College District Capital Outlay and Debt Service Trust Fund for
2458 any ancillary plant or any other new construction, renovation,
2459 or remodeling of ancillary space. Expenditures to meet such
2460 space needs may include expenditures for site acquisition; new
2461 construction of educational plants; renovation, remodeling, and
2462 maintenance and repair of existing educational plants, including
2463 auxiliary facilities; and the directly related costs of such
2464 services of school district personnel. It is not the intent of
2465 the Legislature to preclude the use of capital outlay funding
2466 for the labor costs necessary to accomplish the authorized uses
2467 for the capital outlay funding. Day-labor contracts or any other
2468 educational facilities contracting and construction techniques
2469 pursuant to s. 1013.45 are authorized. Additionally, if a school
2470 district has salaried maintenance staff whose duties consist
2471 solely of performing the labor necessary to accomplish the
2472 authorized uses for the capital outlay funding, such funding may
2473 be used for those salaries; however, if a school district has
2474 salaried staff whose duties consist partially of performing the
2475 labor necessary to accomplish the authorized uses for the
2476 capital outlay funding, the district shall prorate the portion

20187026e2

2477 of salary of each such employee that is based on labor for
2478 authorized capital outlay funding, and such funding may be used
2479 to pay that portion.

2480 (b)1. A district school board may not use funds from the
2481 following sources: Public Education Capital Outlay and Debt
2482 Service Trust Fund; School District and Community College
2483 District Capital Outlay and Debt Service Trust Fund; Classrooms
2484 First Program funds provided in s. 1013.68; nonvoted 1.5-mill
2485 levy of ad valorem property taxes provided in s. 1011.71(2);
2486 Classrooms for Kids Program funds provided in s. 1013.735;
2487 District Effort Recognition Program funds provided in s.
2488 1013.736; or High Growth District Capital Outlay Assistance
2489 Grant Program funds provided in s. 1013.738 for any new
2490 construction of educational plant space with a total cost per
2491 student station, including change orders, that equals more than:

- 2492 a. \$17,952 for an elementary school,
2493 b. \$19,386 for a middle school, or
2494 c. \$25,181 for a high school,

2495
2496 (January 2006) as adjusted annually to reflect increases or
2497 decreases in the Consumer Price Index.

2498 2. School districts shall maintain accurate documentation
2499 related to the costs of all new construction of educational
2500 plant space reported to the Department of Education pursuant to
2501 paragraph (d). The Auditor General shall review the
2502 documentation maintained by the school districts and verify
2503 compliance with the limits under this paragraph during its
2504 scheduled operational audits of the school district. The
2505 department shall make the final determination on district

20187026e2

2506 compliance based on the recommendation of the Auditor General.

2507 3. The Office of Economic and Demographic Research, in
2508 consultation with the department, shall conduct a study of the
2509 cost per student station amounts using the most recent available
2510 information on construction costs. In this study, the costs per
2511 student station should represent the costs of classroom
2512 construction and administrative offices as well as the
2513 supplemental costs of core facilities, including required media
2514 centers, gymnasiums, music rooms, cafeterias and their
2515 associated kitchens and food service areas, vocational areas,
2516 and other defined specialty areas, including exceptional student
2517 education areas. The study must take into account appropriate
2518 cost-effectiveness factors in school construction and should
2519 include input from industry experts. The Office of Economic and
2520 Demographic Research must provide the results of the study and
2521 recommendations on the cost per student station to the Governor,
2522 the President of the Senate, and the Speaker of the House of
2523 Representatives no later than January 31, 2017.

2524 4. The Office of Program Policy Analysis and Government
2525 Accountability (OPPAGA) shall conduct a study of the State
2526 Requirements for Education Facilities (SREF) to identify current
2527 requirements that can be eliminated or modified in order to
2528 decrease the cost of construction of educational facilities
2529 while ensuring student safety. OPPAGA must provide the results
2530 of the study, and an overall recommendation as to whether SREF
2531 should be retained, to the Governor, the President of the
2532 Senate, and the Speaker of the House of Representatives no later
2533 than January 31, 2017.

2534 5. Effective July 1, 2017, in addition to the funding

20187026e2

2535 sources listed in subparagraph 1., a district school board may
2536 not use funds from any sources for new construction of
2537 educational plant space with a total cost per student station,
2538 including change orders, which equals more than the current
2539 adjusted amounts provided in sub-subparagraphs 1.a.-c. which
2540 shall subsequently be adjusted annually to reflect increases or
2541 decreases in the Consumer Price Index. However, if a contract
2542 has been executed for architectural and design services or for
2543 construction management services before July 1, 2017, a district
2544 school board may use funds from any source for the new
2545 construction of educational plant space and such funds are
2546 exempt from the total cost per student station requirements.

2547 6. A district school board must not use funds from the
2548 Public Education Capital Outlay and Debt Service Trust Fund or
2549 the School District and Community College District Capital
2550 Outlay and Debt Service Trust Fund for any new construction of
2551 an ancillary plant that exceeds 70 percent of the average cost
2552 per square foot of new construction for all schools.

2553 (c) Except as otherwise provided, new construction for
2554 which a contract has been executed for architectural and design
2555 services or for construction management services by a district
2556 school board on or after July 1, 2017, may not exceed the cost
2557 per student station as provided in paragraph (b). A school
2558 district that exceeds the cost per student station provided in
2559 paragraph (b), as determined by the Auditor General, shall be
2560 subject to sanctions. If the Auditor General determines that the
2561 cost per student station overage is de minimus or due to
2562 extraordinary circumstances outside the control of the district,
2563 the sanctions shall not apply. The sanctions are as follows:

20187026e2

2564 1. The school district shall be ineligible for allocations
2565 from the Public Education Capital Outlay and Debt Service Trust
2566 Fund for the next 3 years in which the school district would
2567 have received allocations had the violation not occurred.

2568 2. The school district shall be subject to the supervision
2569 of a district capital outlay oversight committee. The oversight
2570 committee is authorized to approve all capital outlay
2571 expenditures of the school district, including new construction,
2572 renovations, and remodeling, for 3 fiscal years following the
2573 violation.

2574 a. Each oversight committee shall be composed of the
2575 following:

2576 (I) One appointee of the Commissioner of Education who has
2577 significant financial management, school facilities
2578 construction, or related experience.

2579 (II) One appointee of the office of the state attorney with
2580 jurisdiction over the district.

2581 (III) One appointee of the Chief Financial Officer who is a
2582 licensed certified public accountant.

2583 b. An appointee to the oversight committee may not be
2584 employed by the school district; be a relative, as defined in s.
2585 1002.33(24)(a)2., of any school district employee; or be an
2586 elected official. Each appointee must sign an affidavit
2587 attesting to these conditions and affirming that no conflict of
2588 interest exists in his or her oversight role.

2589 (d) The department shall:

2590 1. Compute for each calendar year the statewide average
2591 construction costs for facilities serving each instructional
2592 level, for relocatable educational facilities, for

20187026e2

2593 administrative facilities, and for other ancillary and auxiliary
2594 facilities. The department shall compute the statewide average
2595 costs per student station for each instructional level.

2596 2. Annually review the actual completed construction costs
2597 of educational facilities in each school district. For any
2598 school district in which the total actual cost per student
2599 station, including change orders, exceeds the statewide limits
2600 established in paragraph (b), the school district shall report
2601 to the department the actual cost per student station and the
2602 reason for the school district's inability to adhere to the
2603 limits established in paragraph (b). The department shall
2604 collect all such reports and shall provide these reports to the
2605 Auditor General for verification purposes.

2606
2607 Cost per student station includes contract costs, legal and
2608 administrative costs, fees of architects and engineers,
2609 furniture and equipment, and site improvement costs. Cost per
2610 student station does not include the cost of purchasing or
2611 leasing the site for the construction or the cost of related
2612 offsite improvements. Cost per student station also does not
2613 include the cost for securing entries, checkpoint construction,
2614 lighting specifically designed for entry point security,
2615 security cameras, automatic locks and locking devices,
2616 electronic security systems, fencing designed to prevent
2617 intruder entry into a building, bullet-proof glass, or other
2618 capital construction items approved by the school safety
2619 specialist to ensure building security for new educational,
2620 auxiliary, or ancillary facilities; costs for these items must
2621 be below 2 percent per student station.

20187026e2

2622 Section 32. For the purpose of incorporating the amendment
2623 made by this act to section 790.065, Florida Statutes, in a
2624 reference thereto, subsection (2) of section 397.6760, Florida
2625 Statutes, is reenacted to read:

2626 397.6760 Court records; confidentiality.—

2627 (2) This section does not preclude the clerk of the court
2628 from submitting the information required by s. 790.065 to the
2629 Department of Law Enforcement.

2630 Section 33. For the purpose of incorporating the amendment
2631 made by this act to section 790.065, Florida Statutes, in a
2632 reference thereto, paragraph (e) of subsection (3) of section
2633 790.335, Florida Statutes, is reenacted to read:

2634 790.335 Prohibition of registration of firearms; electronic
2635 records.—

2636 (3) EXCEPTIONS.—The provisions of this section shall not
2637 apply to:

2638 (e)1. Records kept pursuant to the recordkeeping provisions
2639 of s. 790.065; however, nothing in this section shall be
2640 construed to authorize the public release or inspection of
2641 records that are made confidential and exempt from the
2642 provisions of s. 119.07(1) by s. 790.065(4) (a).

2643 2. Nothing in this paragraph shall be construed to allow
2644 the maintaining of records containing the names of purchasers or
2645 transferees who receive unique approval numbers or the
2646 maintaining of records of firearm transactions.

2647 Section 34. For the purpose of incorporating the amendment
2648 made by this act to section 836.10, Florida Statutes, in a
2649 reference thereto, subsection (1) of section 794.056, Florida
2650 Statutes, is reenacted to read:

20187026e2

2651 794.056 Rape Crisis Program Trust Fund.—

2652 (1) The Rape Crisis Program Trust Fund is created within
2653 the Department of Health for the purpose of providing funds for
2654 rape crisis centers in this state. Trust fund moneys shall be
2655 used exclusively for the purpose of providing services for
2656 victims of sexual assault. Funds credited to the trust fund
2657 consist of those funds collected as an additional court
2658 assessment in each case in which a defendant pleads guilty or
2659 nolo contendere to, or is found guilty of, regardless of
2660 adjudication, an offense provided in s. 775.21(6) and (10)(a),
2661 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
2662 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
2663 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
2664 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
2665 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
2666 796.06; s. 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s.
2667 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
2668 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
2669 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),
2670 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust
2671 fund also shall include revenues provided by law, moneys
2672 appropriated by the Legislature, and grants from public or
2673 private entities.

2674 Section 35. For the purpose of incorporating the amendment
2675 made by this act to section 836.10, Florida Statutes, in a
2676 reference thereto, section 938.085, Florida Statutes, is
2677 reenacted to read:

2678 938.085 Additional cost to fund rape crisis centers.—In
2679 addition to any sanction imposed when a person pleads guilty or

20187026e2

2680 nolo contendere to, or is found guilty of, regardless of
2681 adjudication, a violation of s. 775.21(6) and (10) (a), (b), and
2682 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
2683 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
2684 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
2685 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
2686 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
2687 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
2688 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
2689 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
2690 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a), (13), and
2691 (14) (c); or s. 985.701(1), the court shall impose a surcharge of
2692 \$151. Payment of the surcharge shall be a condition of
2693 probation, community control, or any other court-ordered
2694 supervision. The sum of \$150 of the surcharge shall be deposited
2695 into the Rape Crisis Program Trust Fund established within the
2696 Department of Health by chapter 2003-140, Laws of Florida. The
2697 clerk of the court shall retain \$1 of each surcharge that the
2698 clerk of the court collects as a service charge of the clerk's
2699 office.

2700 Section 36. For the 2018-2019 fiscal year, the sum of \$69,
2701 237,286 in recurring funds is appropriated from the General
2702 Revenue Fund to the Department of Education in the Aid to Local
2703 Governments Grants and Aids - Florida Education Finance Program
2704 to fund the mental health assistance allocation created pursuant
2705 to s. 1011.62(16), Florida Statutes.

2706 Section 37. For the 2018-2019 fiscal year, the sums of
2707 \$500,000 in recurring funds and \$6,200,000 in nonrecurring funds
2708 are appropriated from the General Revenue Fund to the Department

20187026e2

2709 of Education to implement the youth mental health awareness and
2710 assistance training as directed pursuant to s. 1012.584, Florida
2711 Statutes.

2712 Section 38. For the 2018-2019 fiscal year, the sum of \$1
2713 million in nonrecurring funds is appropriated from the General
2714 Revenue Fund to the Department of Education for the design and
2715 construction of a memorial honoring those who lost their lives
2716 on February 14, 2018, at Marjory Stoneman Douglas High School in
2717 Broward County. The department shall collaborate with the
2718 students and faculty of Marjory Stoneman Douglas High School,
2719 the families of the victims, the Broward County School District,
2720 and other relevant entities of the Parkland community on the
2721 design and placement of the memorial.

2722 Section 39. For the 2018-2019 fiscal year, the sum of
2723 \$25,262,714 in nonrecurring funds is appropriated from the
2724 General Revenue Fund to the Department of Education for the
2725 purpose of replacing Building 12, as listed in the Florida
2726 Inventory of School Houses, at Marjory Stoneman Douglas High
2727 School in Broward County.

2728 Section 40. For the 2018-2019 fiscal year, the sums of
2729 \$500,000 in recurring funds and \$67 million in nonrecurring
2730 funds are appropriated from the General Revenue Fund to the
2731 Department of Education to allocate to sheriffs' offices who
2732 establish a school marshal program pursuant to s. 30.15, Florida
2733 Statutes. The funds shall be used for screening-related and
2734 training-related costs and providing a one-time stipend of \$500
2735 to school marshals who participate in the school marshal
2736 program.

2737 Section 41. For the 2018-2019 fiscal year, three full-time

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2738 equivalent positions, with associated salary rate of 150,000,
2739 are authorized, and the sum of \$344,393 in recurring funds is
2740 appropriated from the General Revenue Fund to the Department of
2741 Education to fund the Office of Safe Schools created pursuant to
2742 s. 1001.212, Florida Statutes.

2743 Section 42. For the 2018-2019 fiscal year, the sum of
2744 \$97,500,000 in recurring funds is appropriated from the General
2745 Revenue Fund to the Department of Education in the Aid to Local
2746 Governments Grants and Aids - Florida Education Finance Program
2747 category for the safe schools allocation. These funds are in
2748 addition to the safe schools allocation funds appropriated in
2749 the Florida Education Finance Program in the Fiscal Year 2018-
2750 2019 General Appropriations Act. From these funds, \$187,340
2751 shall be distributed to each school district and developmental
2752 research school to increase each school districts' minimum
2753 amount to \$250,000 when combined with the minimum amount
2754 appropriated in the 2018-2019 General Appropriations Act.
2755 Notwithstanding s. 1011.62(15), Florida Statutes, the balance of
2756 the funds appropriated in this section shall be distributed to
2757 school districts based on each district's proportionate share of
2758 the state's total unweighted full-time equivalent student
2759 enrollment. Each school district must use these funds
2760 exclusively for hiring or contracting for school resource
2761 officers pursuant to s. 1006.12, Florida Statutes.

2762 Section 43. For the 2018-2019 fiscal year, the sum of
2763 \$100,000 in recurring funds is appropriated from the General
2764 Revenue Fund to the Department of Education to competitively
2765 procure the active shooter training component of the school
2766 safety specialist training program pursuant to s. 1001.212,

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2767 Florida Statutes.

2768 Section 44. For the 2018-2019 fiscal year, the sum of
2769 \$98,962,286 in nonrecurring funds is appropriated from the
2770 General Revenue Fund to the Department of Education to implement
2771 a grant program that will provide awards to schools to fund, in
2772 whole or in part, the fixed capital outlay costs associated with
2773 improving the physical security of school buildings as
2774 identified by a security risk assessment completed before August
2775 1, 2018, by a school district or charter school. By August 31,
2776 2018, the department shall submit the grant guidelines, which
2777 must include an application submission deadline of no later than
2778 December 1, 2018, and the specific evaluation criteria, to all
2779 school districts and charter schools. The department shall award
2780 grants no later than January 15, 2019, based upon the evaluation
2781 criteria set forth in the application guidelines.

2782 Section 45. For the 2018-2019 fiscal year, the sums of
2783 \$300,000 in nonrecurring funds and \$100,000 in recurring funds
2784 are appropriated from the General Revenue Fund to the Department
2785 of Law Enforcement to competitively procure proposals for the
2786 development or acquisition of the mobile suspicious activity
2787 reporting tool pursuant to s. 943.082, Florida Statutes. The
2788 tool shall be implemented no later than January 31, 2019.

2789 Section 46. For the 2018-2019 fiscal year, five full-time
2790 equivalent positions, with associated salary rate of 345,000,
2791 are authorized and the recurring sum of \$600,000 and the
2792 nonrecurring sum of \$50,000 are appropriated from the General
2793 Revenue Fund to the Department of Law Enforcement to fund the
2794 operations of the Marjory Stoneman Douglas High School Public
2795 Safety Commission.

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2796 Section 47. For the 2018-2019 fiscal year, the sum of
2797 \$9,800,000 in recurring funds is appropriated from the General
2798 Revenue Fund to the Department of Children and Families to
2799 competitively procure for additional community action treatment
2800 teams to ensure reasonable access among all counties. The
2801 department shall consider the geographic location of existing
2802 community action treatment teams and select providers to serve
2803 the areas of greatest need.

2804 Section 48. For the 2018-2019 fiscal year, the sums of
2805 \$18,300,000 in recurring funds are appropriated from the General
2806 Revenue Fund to the Department of Children and Families to
2807 competitively procure proposals for additional mobile crisis
2808 teams to ensure reasonable access among all counties. The
2809 department shall consider the geographic location of existing
2810 mobile crisis teams and select providers to serve the areas of
2811 greatest need.

2812 Section 49. For the 2018-2019 fiscal year, the sums of
2813 \$18,321 in recurring funds and \$225,000 in nonrecurring funds
2814 are appropriated from the General Revenue Fund to the Department
2815 of Education in the Special Categories - Teacher and School
2816 Administrator Death Benefits category to provide for the
2817 benefits awarded pursuant to s. 112.1915, Florida Statutes, to
2818 the eligible recipients of the three Marjory Stoneman Douglas
2819 High School staff members who lost their lives on February 14,
2820 2018.

2821 Section 50. For the 2018-2019 fiscal year, the sum of \$3
2822 million in recurring funds is appropriated from the General
2823 Revenue Fund to the Department of Education to competitively
2824 procure for the development or acquisition of the centralized

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2825 data repository and analytics resources pursuant to s. 1001.212,
2826 Florida Statutes. The department shall collaborate with the
2827 Department of Law Enforcement and school districts to identify
2828 the requirements and functionality of the data repository and
2829 analytics resources and shall make such resources available to
2830 the school districts no later than December 1, 2018.

2831 Section 51. For the 2018-2019 fiscal year, the sum of \$1
2832 million in nonrecurring funds is appropriated from the General
2833 Revenue Fund to the Department of Education to competitively
2834 procure a contract with a third-party security consultant with
2835 experience in conducting security risk assessments of public
2836 schools. Contract funds shall be used to review and analyze the
2837 department's current security risk assessment tool known as the
2838 Florida Safe Schools Assessment Tool (FSSAT) and a sample of
2839 self-assessments conducted by school districts using the FSSAT
2840 to determine the effectiveness of the recommendations produced
2841 based upon the FSSAT. The review shall include any recommended
2842 updates and enhancements with associated costs for their
2843 implementation to aid districts in developing recommendations to
2844 address safety and security issues discovered by the FSSAT. The
2845 department shall submit the completed review to the State Board
2846 of Education, the Executive Office of the Governor's Office of
2847 Policy and Budget, the chair of the Senate Committee on
2848 Appropriations, and the House of Representatives Appropriations
2849 Committee no later than January 1, 2019.

2850 Section 52. Except as otherwise expressly provided in this
2851 act, this act shall take effect upon becoming a law.