

By Representative Byrd

1                                   A bill to be entitled  
2           An act relating to reports by school personnel  
3           of students' suspected unlawful acts; amending  
4           s. 232.277, F.S., relating to reports of  
5           suspected substance or alcohol abuse; creating  
6           the "1997 Student Drug and Alcohol Zero  
7           Tolerance Act"; providing legislative intent;  
8           requiring notification to law enforcement  
9           agencies of suspected unlawful acts involving  
10          use, possession, or sale of a controlled  
11          substance, counterfeit controlled substance,  
12          alcoholic beverage, or model glue; requiring  
13          notification to the reported student's parent,  
14          guardian, or legal custodian; providing an  
15          effective date.

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

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19           Section 1. This act shall be known and may be cited as  
20 the "1997 Student Drug and Alcohol Zero Tolerance Act."

21           Section 2. Section 232.277, Florida Statutes, is  
22 amended to read:

23           232.277 Reports of suspected substance or alcohol  
24 abuse; exemption from liability.--

25           (1) School personnel are required to report to the  
26 principal or principal's designee any suspected unlawful use,  
27 possession, or sale by a student of any controlled substance,  
28 as defined in s. 893.02; any counterfeit controlled substance,  
29 as defined in s. 831.31; any alcoholic beverage, as defined in  
30 s. 561.01(4); or model glue. School personnel are exempt from  
31 civil liability when reporting in good faith to the proper

1 school authority such suspected unlawful use, possession, or  
2 sale by a student. Only a principal or principal's designee  
3 is authorized to contact a parent or legal guardian of a  
4 student regarding this situation.

5 (2)(a) It is the intent of the Legislature that all  
6 school students understand that the magnitude of the harm  
7 caused by unlawful use, possession, or sale of the substances  
8 set forth in subsection (1) mandates the reporting of  
9 occurrences of such unlawful acts to law enforcement for them  
10 to be prosecuted as appropriate.

11 (b) School personnel shall timely forward reports made  
12 under subsection (1) to an appropriate law enforcement agency,  
13 in order to ensure that the suspected offenses by students are  
14 brought to the attention of law enforcement and to facilitate  
15 prosecution of appropriate cases.

16 (c) School personnel shall timely notify the student's  
17 parent, guardian, or legal custodian that a report made under  
18 subsection (1) with respect to the student has been made and  
19 forwarded as provided for in this section.

20 Section 3. This act shall take effect October 1, 1997.

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23 HOUSE SUMMARY

24 Creates the "1997 Student Drug and Alcohol Zero Tolerance  
25 Act." Provides legislative intent. Requires notification  
26 to law enforcement agencies of suspected unlawful acts  
27 involving student use, possession, or sale of a  
28 controlled substance, counterfeit controlled substance,  
29 alcoholic beverage, or model glue. Requires notification  
30 to the reported student's parent, guardian, or legal  
31 custodian.