

1 A bill to be entitled
2 An act relating to domestic security; amending
3 s. 943.03, F.S.; requiring the Department of
4 Law Enforcement to coordinate and direct the
5 response to acts of terrorism; requiring the
6 executive director of the department to serve
7 as or designate a Chief of Domestic Security
8 Initiatives; creating s. 943.0310, F.S.;
9 providing legislative intent with respect to
10 counter-terrorism efforts and initial responses
11 to acts of terrorism within or affecting this
12 state; creating s. 943.0311, F.S.; specifying
13 duties of the Chief of Domestic Security
14 Initiatives; requiring the chief to conduct
15 security assessments of buildings and
16 facilities owned or leased by state agencies or
17 local governments; requiring that the chief
18 recommend minimum security standards or needs
19 for security enhancement to the Governor and
20 the Legislature; requiring the chief to develop
21 recommended best practices for safety and
22 security; authorizing security assessments of
23 buildings or facilities owned by private
24 entities; requiring the executive director of
25 the department to submit recommendations
26 concerning security to the Governor and the
27 Legislature; creating s. 943.0312, F.S.;
28 requiring the Department of Law Enforcement to
29 establish a regional domestic security task
30 force in each of the department's operational
31 regions; providing for membership of the task

1 forces; providing duties of the task forces
2 with respect to coordinating training and the
3 collection of investigative and intelligence
4 information; requiring the Chief of Domestic
5 Security Initiatives to recommend funding and
6 training requirements to the Governor and the
7 Legislature; requiring the regional task forces
8 to provide for investigating and responding to
9 certain hate crimes; providing for per diem and
10 travel expenses; requiring the department to
11 provide staff and administrative support for
12 the task forces; creating s. 775.30, F.S.;
13 defining the term "terrorism" for purposes of
14 the Florida Criminal Code; 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. Subsection (14) is added to section 943.03,
20 Florida Statutes, to read:

21 943.03 Department of Law Enforcement.--

22 (14) The department, with respect to counter-terrorism
23 efforts, responses to acts of terrorism within or affecting
24 this state, and other matters related to the domestic security
25 of Florida as it relates to terrorism, shall coordinate and
26 direct the law enforcement, initial emergency, and other
27 initial responses. The department shall work closely with the
28 Division of Emergency Management, other federal, state, and
29 local law enforcement agencies, fire and rescue agencies,
30 first-responder agencies, and others involved in preparation
31 against acts of terrorism in or affecting this state and in

1 the response to such acts. The executive director of the
2 department, or another member of the department designated by
3 the director, shall serve as Chief of Domestic Security
4 Initiatives for the purpose of directing and coordinating such
5 efforts. The department and Chief of Domestic Security
6 Initiatives shall use the regional domestic security task
7 forces as established in this chapter to assist in such
8 efforts.

9 Section 2. Section 943.0310, Florida Statutes, is
10 created to read:

11 943.0310 The Legislature finds that with respect to
12 counter-terrorism efforts and initial responses to acts of
13 terrorism within or affecting this state, specialized efforts
14 of emergency management that are unique to such situations are
15 required and that these efforts intrinsically involve very
16 close coordination of federal, state, and local law
17 enforcement agencies with the efforts of all others involved
18 in emergency-response efforts. In order to best provide this
19 specialized effort with respect to counter-terrorism efforts
20 and responses, the Legislature has determined that such
21 efforts should be coordinated by and through the Department of
22 Law Enforcement, working closely with the Division of
23 Emergency Management and others involved in preparation
24 against acts of terrorism in or affecting this state, and in
25 the initial response to such acts.

26 Section 3. Section 943.0311, Florida Statutes, is
27 created to read:

28 943.0311 Chief of Domestic Security Initiatives and
29 the department's duties with respect to domestic
30 security.--The executive director of the department, or a
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1 member of the department designated by the executive director,
2 shall serve as the Chief of Domestic Security Initiatives.

3 (1) The Chief of Domestic Security Initiatives shall:

4 (a) Coordinate the efforts of the department in the
5 ongoing assessment of this state's vulnerability to, and
6 ability to detect and respond to, acts of terrorism, as
7 defined in s. 775.30, within or affecting this state.

8 (b) Prepare recommendations for the Executive Office
9 of the Governor, the President of the Senate, and the Speaker
10 of the House of Representatives which are based upon ongoing
11 assessments to limit the vulnerability of the state to
12 terrorism.

13 (c) Coordinate the collection of proposals to limit
14 the vulnerability of the state to terrorism.

15 (d) Use regional task forces to support the duties of
16 the department set forth in this section.

17 (e) Use public or private resources to perform the
18 duties assigned to the department under this section.

19 (f) Perform other duties assigned by law.

20 (2)(a) The chief shall conduct specific security
21 assessments of buildings and facilities owned or leased by
22 state agencies or local governments. All state agencies and
23 local governments shall cooperate with the department and
24 provide requested information and resources to assist the
25 department in meeting its responsibilities under this section.

26 (b) Based upon the security assessments, the chief
27 shall prepare recommendations to enhance the security of
28 buildings and facilities owned or leased by state agencies or
29 local governments.

30 (c) The chief shall report to the Executive Office of
31 the Governor, the President of the Senate, and the Speaker of

1 the House of Representatives recommended minimum security
2 standards or security-enhancement needs for any building or
3 facility owned or leased by a state agency or local
4 government. The report must identify and prioritize the
5 recommended security enhancements and provide recommendations
6 to maximize federal funding in support of building and
7 facility security.

8 (3) The chief shall develop and submit to the
9 Executive Office of the Governor, the President of the Senate,
10 and the Speaker of the House of Representatives recommended
11 best practices for safety and security. The recommended best
12 practices are not a rule as defined in chapter 120. The chief
13 shall review the recommended best practices as necessary, but
14 at least once each year, and shall submit any recommended
15 changes to the Executive Office of the Governor, the President
16 of the Senate, and the Speaker of the House of
17 Representatives.

18 (4) The chief may conduct specific security
19 assessments of a building or facility owned by a private
20 entity upon the request of that private entity. The chief may
21 prioritize requests, and such prioritization is not agency
22 action that is subject to review under chapter 120. The chief
23 may solicit private entities for the purpose of receiving
24 requests to perform security assessments of buildings or
25 facilities. Private entities are urged to cooperate with and
26 assist the department in meeting its responsibilities for
27 domestic security.

28 (5) By November 1 of each year, the executive director
29 shall compile, coordinate, and prioritize recommendations and
30 proposals concerning security and shall present the
31 recommendations and proposals to the Executive Office of the

1 Governor, the President of the Senate, and the Speaker of the
2 House of Representatives. All recommendations seeking funding
3 shall be prioritized, with critical domestic security needs
4 requiring immediate or top-priority funding being clearly
5 identified. Such recommendations shall include recommendations
6 to maximize federal funding in support of the state's
7 domestic-security efforts.

8 Section 4. Section 943.0312, Florida Statutes, is
9 created to read:

10 943.0312 Regional domestic security task forces.--The
11 Legislature finds that there is a need to develop and
12 implement a statewide strategy to address preparation and
13 response efforts by federal, state, and local law enforcement
14 agencies, emergency management agencies, fire and rescue
15 departments, first-responder personnel and others in dealing
16 with potential or actual terrorist acts within or affecting
17 this state.

18 (1) To assist the department and the Chief of Domestic
19 Security Initiatives in performing their roles and duties in
20 this regard, the department shall establish a regional
21 domestic security task force in each of the department's
22 operational regions. The task forces shall serve in an
23 advisory capacity to the department and the Chief of Domestic
24 Security Initiatives.

25 (a) Subject to annual appropriation, the department
26 shall provide dedicated employees to support the function of
27 each regional domestic security task force.

28 (b) Each task force shall be co-chaired by the
29 department's regional director of the operational region in
30 which the task force is located and by a local sheriff or
31 chief of police from within the operational region.

1 (c) Each task force membership may also include an
2 available representative from the Division of Emergency
3 Management; an available representative from the Department of
4 Health; an available representative of a local emergency
5 planning committee; representatives of state and local law
6 enforcement agencies, fire and rescue departments, or
7 first-responder personnel; and other persons as deemed
8 appropriate and necessary by the task force co-chairs.

9 (2) The goals of each task force shall include
10 coordinating efforts to counter terrorism, as defined by s.
11 775.30, among local, state, and federal resources to ensure
12 that such efforts are not fragmented or unnecessarily
13 duplicated; coordinating training for local and state
14 personnel to counter terrorism as defined by s. 775.30;
15 coordinating the collection and dissemination of investigative
16 and intelligence information; and facilitating responses to
17 terrorist incidents within or affecting each region. With the
18 approval of the Chief of Domestic Security Initiatives, the
19 task forces may incorporate other objectives reasonably
20 related to the goals of enhancing the state's domestic
21 security and ability to detect, prevent, and respond to acts
22 of terrorism within or affecting this state. Each task force
23 shall take into account the variety of conditions and
24 resources present within its region.

25 (3) The Chief of Domestic Security Initiatives, in
26 conjunction with the Division of Emergency Management, the
27 regional domestic security task forces, and the various state
28 entities responsible for establishing training standards
29 applicable to state law enforcement officers and fire,
30 emergency, and first-responder personnel shall identify
31 appropriate equipment and training needs, curricula, and

1 materials related to the effective response to suspected or
2 actual acts of terrorism or incidents involving real or hoax
3 weapons of mass destruction as defined in s. 790.166.
4 Recommendations for funding for purchases of equipment,
5 delivery of training, implementation of, or revision to basic
6 or continued training required for state licensure or
7 certification, or other related responses shall be made by the
8 Chief of Domestic Security Initiatives to the Executive Office
9 of the Governor, the President of the Senate, and the Speaker
10 of the House of Representatives as necessary to assure that
11 the needs of this state with regard to the equipping,
12 outfitting, and training of response personnel are identified
13 and addressed. In making such recommendations, the Chief of
14 Domestic Security Initiatives and the Division of Emergency
15 Management shall identify all funding sources that may be
16 available to fund such equipping, outfitting, and training.

17 (4) Each regional domestic security task force,
18 working in conjunction with the department, the Office of the
19 Attorney General, and other public or private entities, shall
20 work to ensure that hate-driven acts against ethnic groups
21 that may have been targeted as a result of acts of terrorism
22 in or affecting this state are appropriately investigated and
23 responded to.

24 (5) Members of each regional domestic security task
25 force may not receive any pay other than their salaries
26 normally received from their employers, but are entitled to
27 reimbursement for per diem and travel expenses in accordance
28 with s. 112.061.

29 (6) Subject to annual appropriation, the Department of
30 Law Enforcement shall provide staff and administrative support
31 for the regional domestic security task forces.

1 Section 5. Section 775.30, Florida Statutes, is
2 created to read:

3 775.30 Terrorism; defined.--As used in the Florida
4 Criminal Code, the term "terrorism" means an activity that:

5 (1)(a) Involves a violent act or an act dangerous to
6 human life which is a violation of the criminal laws of this
7 state or of the United States; or

8 (b) Involves a violation of s. 815.06; and

9 (2) Is intended to:

10 (a) Intimidate, injure, or coerce a civilian
11 population;

12 (b) Influence the policy of a government by
13 intimidation or coercion; or

14 (c) Affect the conduct of government through
15 destruction of property, assassination, murder, kidnapping, or
16 aircraft piracy.

17 Section 6. This act shall take effect upon becoming a
18 law.