

By Senator Smith

14-737-03

See HB 17

1 A bill to be entitled
2 An act relating to public K-12 education;
3 creating s. 1003.09, F.S.; providing a
4 definition of the term "school property";
5 requiring reports to law enforcement agencies
6 or agents of forcible felonies, or threats of
7 forcible felonies, on school property;
8 providing penalties for noncompliance;
9 providing that a person reporting in good faith
10 shall be immune from liability; prohibiting
11 immunity to suspected persons; providing for
12 civil cause of action under certain
13 circumstances; providing an effective date.

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

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17 Section 1. Section 1003.09, Florida Statutes, is
18 created to read:

19 1003.09 Mandatory reports of forcible felonies, or
20 threats of forcible felonies, on school property.--

21 (1) For purposes of this section, "school property
22 means the grounds or facilities of any elementary school,
23 middle or junior high school, secondary or high school, or
24 area technical center.

25 (2) Any person, including, but not limited to, a
26 member of a school's instructional personnel, administrative
27 personnel, educational support personnel, or other personnel,
28 who knows, or has reasonable cause to suspect, that any person
29 has made a threat to commit or has committed a forcible
30 felony, as defined by s. 776.08, on school property shall
31 immediately give notice to the local municipal police

1 department, the county sheriff, school district law
2 enforcement, or the Department of Law Enforcement.

3 (3) Any person who is required to report known threats
4 or commission of a forcible felony on school property, and who
5 knowingly and willfully fails to do so, or who knowingly and
6 willfully prevents another person from doing so, commits a
7 misdemeanor of the second degree, punishable as provided in s.
8 775.082 or s. 775.083.

9 (4)(a) Any person reporting in good faith any instance
10 of a threat or commission of a forcible felony to a law
11 enforcement agency or agent pursuant to this section shall be
12 immune from any civil or criminal liability that might
13 otherwise result by reason of such action.

14 (b) Nothing contained in this section shall be deemed
15 to grant civil or criminal immunity to any person suspected of
16 having threatened to commit or having committed a forcible
17 felony on school property.

18 (5) Any person who is detrimentally affected as a
19 result of making a report pursuant to this section may bring a
20 civil cause of action to seek compensatory damage or other
21 appropriate relief.

22 Section 2. This act shall take effect July 1, 2003.
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