

1 A bill to be entitled

2 An act relating to domestic security; amending s.  
3 943.03101, F.S.; providing that counter-terrorism  
4 coordination must be conducted in accordance with the  
5 state comprehensive emergency management plan; amending  
6 ss. 943.03 and 943.0311, F.S.; changing the title of the  
7 position "Chief of Domestic Security Initiatives" to  
8 "Chief of Domestic Security"; revising references to  
9 conform; clarifying duties of the Chief of Domestic  
10 Security; revising provisions relating to required  
11 security assessments of buildings, facilities, and  
12 structures owned or leased by state agencies, state  
13 universities, and community colleges; requiring certain  
14 assessments to be provided to the Chief of Domestic  
15 Security within a specified timeframe; revising  
16 requirements with respect to a report by the Chief of  
17 Domestic Security regarding suggestions for security  
18 enhancements; revising provisions with respect to the  
19 recommendation, development, and implementation of best  
20 practices for the safety and security of specified  
21 buildings, facilities, and structures; amending s.  
22 943.0312, F.S.; revising provisions with respect to  
23 regional domestic security task forces; conforming  
24 language; providing an additional duty of the task forces;  
25 revising the organization and membership of the task  
26 forces; providing editorial changes; requiring the task  
27 forces to make specified recommendations to the Domestic  
28 Security Oversight Council; creating s. 943.0313, F.S.;

29 creating the Domestic Security Oversight Council;  
30 providing purpose of the council; providing for membership  
31 of the council; providing for organization, meetings,  
32 staffing, and duties of the council; providing for the  
33 establishment of an executive committee and membership  
34 thereof; providing duties of the executive committee;  
35 requiring annual reports to the Governor and Legislature;  
36 providing that the council is a criminal justice agency  
37 for the purposes of ch. 119, F.S.; amending s. 381.00315,  
38 F.S., to conform; providing an effective date.

39  
40 Be It Enacted by the Legislature of the State of Florida:

41  
42 Section 1. Section 943.03101, Florida Statutes, is amended  
43 to read:

44 943.03101 Counter-terrorism coordination.--The Legislature  
45 finds that with respect to counter-terrorism efforts and initial  
46 responses to acts of terrorism within or affecting this state,  
47 specialized efforts of emergency management that are unique to  
48 such situations are required and that these efforts  
49 intrinsically involve very close coordination of federal, state,  
50 and local law enforcement agencies with the efforts of all  
51 others involved in emergency-response efforts. In order to best  
52 provide this specialized effort with respect to counter-  
53 terrorism efforts and responses, the Legislature has determined  
54 that such efforts should be coordinated by and through the  
55 Department of Law Enforcement, working closely with the Division  
56 of Emergency Management and others involved in preparation

57 against acts of terrorism in or affecting this state, and in the  
58 initial response to such acts, in accordance with the state  
59 comprehensive emergency management plan prepared pursuant to s.  
60 252.35(2)(a).

61 Section 2. Subsection (14) of section 943.03, Florida  
62 Statutes, is amended to read:

63 943.03 Department of Law Enforcement.--

64 (14) The department, with respect to counter-terrorism  
65 efforts, responses to acts of terrorism within or affecting this  
66 state, and other matters related to the domestic security of  
67 Florida as it relates to terrorism, shall coordinate and direct  
68 the law enforcement, initial emergency, and other initial  
69 responses. The department shall work closely with the Division  
70 of Emergency Management, other federal, state, and local law  
71 enforcement agencies, fire and rescue agencies, first-responder  
72 agencies, and others involved in preparation against acts of  
73 terrorism in or affecting this state and in the response to such  
74 acts. The executive director of the department, or another  
75 member of the department designated by the director, shall serve  
76 as Chief of Domestic Security ~~Initiatives~~ for the purpose of  
77 directing and coordinating such efforts. The department and  
78 Chief of Domestic Security ~~Initiatives~~ shall use the regional  
79 domestic security task forces as established in this chapter to  
80 assist in such efforts.

81 Section 3. Section 943.0311, Florida Statutes, is amended  
82 to read:

83 943.0311 Chief of Domestic Security ~~Initiatives~~; duties of  
84 the department with respect to domestic security.--

85 (1) The executive director of the department, or a member  
86 of the department designated by the executive director, shall  
87 serve as the Chief of Domestic Security ~~Initiatives~~. The Chief  
88 of Domestic Security ~~Initiatives~~ shall:

89 (a) Coordinate the efforts of the department in the  
90 ongoing assessment of this state's vulnerability to, and ability  
91 to detect, prevent, prepare for, ~~and~~ respond to, and recover  
92 from acts of terrorism within or affecting this state.

93 (b) Prepare recommendations for the Governor, the  
94 President of the Senate, and the Speaker of the House of  
95 Representatives, which are based upon ongoing assessments to  
96 limit the vulnerability of the state to terrorism.

97 (c) Coordinate the collection of proposals to limit the  
98 vulnerability of the state to terrorism.

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

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

103 (2) The chief shall conduct or cause to be conducted by  
104 the personnel and with the resources of the state agency, state  
105 university, or community college that owns or leases a building,  
106 facility, or structure, security assessments of buildings,  
107 facilities, and structures owned or leased by state agencies,  
108 state universities, and community colleges using methods and  
109 instruments made available by the department. Each entity making  
110 such an assessment shall prioritize its security needs based on  
111 the findings of its assessment. Each state agency, state  
112 university, and community college shall cooperate with the

113 department and provide the assistance of employees within  
 114 existing resources to provide to the chief information in the  
 115 format requested by the chief. The chief must report to the  
 116 Governor, the President of the Senate, and the Speaker of the  
 117 House of Representatives if any state agency, state university,  
 118 or community college substantially fails to cooperate with the  
 119 chief in making a security assessment of the buildings,  
 120 facilities, and structures of the state agency, state  
 121 university, or community college.

122 (a) The initial assessment of each building, facility, or  
 123 structure owned or leased by a state agency, state university,  
 124 or community college shall be completed by the state agency,  
 125 state university, or community college and shall be provided to  
 126 the chief no later than November 1, 2004.

127 (b) Assessments of any building, facility, or structure  
 128 owned or leased by a state agency, state university, or  
 129 community college not previously provided to the chief under  
 130 paragraph (a) must be completed by the state agency, state  
 131 university, or community college and provided to the chief  
 132 before occupying or substantially modifying such building,  
 133 facility, or structure. The chief may request additional  
 134 ~~follow-up~~ assessments to ensure that the security assessments of  
 135 buildings, facilities, and structures, owned or leased by state  
 136 agencies, state universities, and community colleges, remain  
 137 reasonably current and valid.

138 (3) The chief shall report to the Governor, the President  
 139 of the Senate, and the Speaker of the House of Representatives  
 140 by November 1 of each year ~~prioritized~~ suggestions for specific

141 and significant security enhancements ~~enhancement~~ of any  
 142 building, facility, or structure owned or leased by a state  
 143 agency, state university, or community college or any entity  
 144 that has conducted an assessment under subsection (5). The chief  
 145 may utilize the assessments provided under subsection (5) in  
 146 making his or her suggestions. The report shall suggest  
 147 strategies to maximize federal funds in support of building or  
 148 facility security if such funds are available ~~must identify and~~  
 149 ~~prioritize the recommended security enhancements and provide~~  
 150 ~~recommendations to maximize federal funding in support of~~  
 151 ~~building and facility security.~~

152 (4) To promote the continued safety of government  
 153 buildings, facilities, and structures within the state, the  
 154 chief shall work in conjunction with state agencies, state  
 155 universities, community colleges, and local governments to  
 156 recommend ~~report to the Governor, the President of the Senate,~~  
 157 ~~and the Speaker of the House of Representatives~~ recommended and  
 158 implement best practices for safety and security of buildings,  
 159 facilities, and structures owned or leased by state agencies,  
 160 state universities, community colleges, and local governments.  
 161 The chief may enlist the assistance of the State Fire Marshal  
 162 and other domestic security partners in developing the  
 163 recommended best practices. ~~To promote the continued safety of~~  
 164 ~~government buildings, facilities, and structures within the~~  
 165 ~~state,~~ the Best practices may be revised or enhanced by the  
 166 chief as necessary. The recommended best practices are not a  
 167 rule as defined in chapter 120.

168 (5) The chief shall communicate to local governments and

169 water management districts the importance of conducting security  
170 assessments of buildings, facilities, and structures owned or  
171 leased by such local governments or water management districts,  
172 and the options local governments and water management districts  
173 should consider in obtaining security assessments. The cost of  
174 any security assessment of a building, facility, or structure  
175 owned or leased by a local government or water management  
176 district shall be borne by the local government or water  
177 management district, as applicable.

178 (6) The chief may communicate to private entities the  
179 options private entities should consider in obtaining security  
180 assessments and may solicit private entities for the purpose of  
181 communicating such options. The cost of any security assessment  
182 of a private entity shall be borne by the private entity.  
183 Private entities are urged to cooperate with and assist the  
184 department in meeting its responsibilities for domestic  
185 security.

186 (7) As used in this section, the term "state agency"  
187 includes the Agency for Health Care Administration, the Agency  
188 for Workforce Innovation, the Department of Agriculture and  
189 Consumer Services, the Department of Business and Professional  
190 Regulation, the Department of Children and Family Services, the  
191 Department of Citrus, the Department of Community Affairs, the  
192 Department of Corrections, the Department of Education, the  
193 Department of Elderly Affairs, the Department of Environmental  
194 Protection, the Department of Financial Services, the Department  
195 of Health, the Department of Highway Safety and Motor Vehicles,  
196 the Department of Juvenile Justice, the Department of Law

197 Enforcement, the Department of Legal Affairs, the Department of  
198 Management Services, the Department of Military Affairs, the  
199 Department of Revenue, the Department of State, the Department  
200 of the Lottery, the Department of Transportation, the Department  
201 of Veterans' Affairs, the Fish and Wildlife Conservation  
202 Commission, the Parole Commission, the State Board of  
203 Administration, and the Executive Office of the Governor.

204 Section 4. Section 943.0312, Florida Statutes, is amended  
205 to read:

206 943.0312 Regional domestic security task forces.--The  
207 Legislature finds that there is a need to develop and implement  
208 a statewide strategy to address prevention, preparation,  
209 protection, and response, and recovery efforts by federal,  
210 state, and local law enforcement agencies, emergency management  
211 agencies, fire and rescue departments, first-responder personnel  
212 and others in dealing with potential or actual terrorist acts  
213 within or affecting this state.

214 (1) To assist the department and the Chief of Domestic  
215 Security ~~Initiatives~~ in performing their roles and duties in  
216 this regard, the department shall establish a regional domestic  
217 security task force in each of the department's operational  
218 regions. The task forces shall serve in an advisory capacity to  
219 the department and the Chief of Domestic Security and shall  
220 provide support to the department in its performance of  
221 functions pertaining to domestic security ~~Initiatives~~.

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



225 (b) Each task force shall be co-chaired by the  
 226 department's special agent in charge ~~regional director~~ of the  
 227 operational region in which the task force is located and by a  
 228 local sheriff or chief of police from within the operational  
 229 region.

230 (c) Each task force membership may also include  
 231 representatives of state and local law enforcement agencies,  
 232 fire and rescue departments, or first-responder personnel;  
 233 representatives of emergency management agencies and health,  
 234 medical, and hospital agencies; representatives ~~an available~~  
 235 ~~representative from the Division of Emergency Management; an~~  
 236 ~~available representative from the Department of Health; an~~  
 237 ~~available representative of a local emergency planning~~  
 238 ~~committees~~ committee; representatives of state and local law  
 239 ~~enforcement agencies, fire and rescue departments, or first-~~  
 240 ~~responder personnel; and other persons as deemed appropriate and~~  
 241 necessary by the task force co-chairs.

242 (d) The co-chairs of each task force may appoint  
 243 subcommittees and subcommittee chairs as necessary in order to  
 244 address issues related to the various disciplines represented on  
 245 the task force, except that subcommittee chairs for emergency  
 246 management shall be appointed with the approval of the director  
 247 of the Division of Emergency Management. A subcommittee chair  
 248 shall serve at the pleasure of the co-chairs.

249 (2) In accordance with the state's domestic security  
 250 strategic goals and objectives, ~~The goals of each task force~~  
 251 shall coordinate ~~include coordinating~~ efforts to counter  
 252 terrorism, as defined by s. 775.30, among local, state, and

253 federal resources to ensure that such efforts are not fragmented  
 254 or unnecessarily duplicated; coordinate ~~coordinating~~ training  
 255 for local and state personnel to counter terrorism as defined by  
 256 s. 775.30; coordinate ~~coordinating~~ the collection and  
 257 dissemination of investigative and intelligence information; and  
 258 facilitate ~~facilitating~~ responses to terrorist incidents within  
 259 or affecting each region. With the approval of the Chief of  
 260 Domestic Security ~~Initiatives~~, the task forces may incorporate  
 261 other objectives reasonably related to the goals of enhancing  
 262 the state's domestic security and ability to detect, prevent,  
 263 and respond to acts of terrorism within or affecting this state.  
 264 Each task force shall take into account the variety of  
 265 conditions and resources present within its region.

266 (3) The Chief of Domestic Security ~~Initiatives~~, in  
 267 conjunction with the Division of Emergency Management, the  
 268 regional domestic security task forces, and the various state  
 269 entities responsible for establishing training standards  
 270 applicable to state law enforcement officers and fire,  
 271 emergency, and first-responder personnel shall identify  
 272 appropriate equipment and training needs, curricula, and  
 273 materials related to the effective response to suspected or  
 274 actual acts of terrorism or incidents involving real or hoax  
 275 weapons of mass destruction as defined in s. 790.166.  
 276 Recommendations for funding for purchases of equipment, delivery  
 277 of training, implementation of, or revision to basic or  
 278 continued training required for state licensure or  
 279 certification, or other related responses shall be made by the  
 280 Chief of Domestic Security ~~Initiatives~~ to the Domestic Security

281 Oversight Council, the Executive Office of the Governor, the  
 282 President of the Senate, and the Speaker of the House of  
 283 Representatives as necessary to ensure ~~assure~~ that the needs of  
 284 this state with regard to the preparing, equipping, ~~outfitting,~~  
 285 ~~and training,~~ and exercising of response personnel are  
 286 identified and addressed. In making such recommendations, the  
 287 Chief of Domestic Security ~~Initiatives~~ and the Division of  
 288 Emergency Management shall identify all funding sources that may  
 289 be available to fund such efforts ~~equipping, outfitting, and~~  
 290 ~~training~~.

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

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

301 (6) Subject to annual appropriation, the department ~~of Law~~  
 302 ~~Enforcement~~ shall provide staff and administrative support for  
 303 the regional domestic security task forces.

304 Section 5. Section 943.0313, Florida Statutes, is created  
 305 to read:

306 943.0313 Domestic Security Oversight Council.--The  
 307 Legislature finds that there exists a need to provide executive  
 308 direction and leadership with respect to terrorism prevention,

309 preparation, protection, response, and recovery efforts by state  
 310 and local agencies in this state. In recognition of this need,  
 311 the Domestic Security Oversight Council is hereby created. The  
 312 council shall serve as an advisory council pursuant to s.  
 313 20.03(7) to provide guidance to the state's regional domestic  
 314 security task forces and other domestic security working groups  
 315 and to make recommendations to the Governor and the Legislature  
 316 regarding the expenditure of funds and allocation of resources  
 317 related to counter-terrorism and domestic security efforts.

318 (1) MEMBERSHIP.--

319 (a) The Domestic Security Oversight Council shall consist  
 320 of the following voting members:

321 1. The executive director of the Department of Law  
 322 Enforcement.

323 2. The director of the Division of Emergency Management  
 324 within the Department of Community Affairs.

325 3. The Attorney General.

326 4. The Commissioner of Agriculture.

327 5. The Secretary of Health.

328 6. The Commissioner of Education.

329 7. The State Fire Marshal.

330 8. The adjutant general of the Florida National Guard.

331 9. The chief information officer of the State Technology  
 332 Office within the Department of Management Services.

333 10. Each sheriff or chief of police who serves as a co-  
 334 chair of a regional domestic security task force pursuant to s.  
 335 943.0312(1)(b).

336 11. Each of the department's special agents in charge who  
337 serve as a co-chair of a regional domestic security task force.

338 12. Two representatives of the Florida Fire Chiefs  
339 Association.

340 13. One representative of the Florida Police Chiefs  
341 Association.

342 14. One representative of the Florida Prosecuting  
343 Attorneys Association.

344 15. The chair of the Statewide Domestic Security  
345 Intelligence Committee.

346 16. One representative of the Florida Hospital  
347 Association.

348 17. One representative of the Emergency Medical Services  
349 Advisory Council.

350 18. One representative of the Florida Emergency  
351 Preparedness Association.

352 19. One representative of the Florida Seaport  
353 Transportation and Economic Development Council.

354 (b) In addition to the members designated in paragraph  
355 (a), the council may invite other ex officio, nonvoting members  
356 to attend and participate in council meetings. Those nonvoting  
357 members may include, but need not be limited to:

358 1. The executive director of the Department of Highway  
359 Safety and Motor Vehicles.

360 2. The Secretary of Health Care Administration.

361 3. The Secretary of Environmental Protection.

362 4. The director of the Division of Law Enforcement within  
363 the Fish and Wildlife Conservation Commission.

364 5. A representative of the Commission on Human Relations.

365 6. A representative of the United States Coast Guard.

366 7. A United States Attorney from a federal judicial  
 367 circuit within this state.

368 8. A special agent in charge from an office of the Federal  
 369 Bureau of Investigation within this state.

370 (2) ORGANIZATION.--

371 (a) The Legislature finds that the council serves a  
 372 legitimate state, county, and municipal purpose and that service  
 373 on the council is consistent with a member's principal service  
 374 in public office or employment. Membership on the council does  
 375 not disqualify a member from holding any other public office or  
 376 being employed by a public entity, except that a member of the  
 377 Legislature may not serve on the council.

378 (b) The executive director of the Department of Law  
 379 Enforcement shall serve as chair of the council, and the  
 380 director of the Division of Emergency Management within the  
 381 Department of Community Affairs shall serve as vice chair of the  
 382 council. In the absence of the chair, the vice chair shall serve  
 383 as chair. In the absence of the vice chair, the chair may name  
 384 any member of the council to perform the duties of the chair if  
 385 such substitution does not extend beyond a defined meeting,  
 386 duty, or period of time.

387 (c) Any absent voting member of the council may be  
 388 represented by a designee empowered to act on any issue before  
 389 the council to the same extent that the designating member is  
 390 empowered. If a co-chair of a regional domestic security task

391 force is absent from a council meeting, the co-chair shall  
 392 appoint a subcommittee chair of that task force as the designee.

393 (d) The council shall establish bylaws for its general  
 394 governance.

395 (e) Any member of the council serving by reason of the  
 396 office or employment held by the member shall cease to serve on  
 397 the council at such time as he or she ceases to hold the office  
 398 or employment which was the basis for appointment to the  
 399 council.

400 (f) Representatives from agencies or organizations other  
 401 than those designated by title shall be chosen by the entity.  
 402 Except for those individuals designated by title, council  
 403 members shall be certified annually to the chair by the  
 404 organization they represent.

405 (g) Members of the council or their designees shall serve  
 406 without compensation but are entitled to reimbursement for per  
 407 diem and travel expenses pursuant to s. 112.061.

408 (h) The department shall provide the council with the  
 409 staff support necessary to assist in the performance of its  
 410 duties.

411 (3) MEETINGS.--The council must meet at least  
 412 semiannually. Additional meetings may be held as necessary. A  
 413 majority of the members of the council constitutes a quorum.

414 (4) EXECUTIVE COMMITTEE.--

415 (a) The council shall establish an executive committee  
 416 consisting of the following members:

417 1. The executive director of the Department of Law  
 418 Enforcement.

419           2. The director of the Division of Emergency Management  
 420 within the Department of Community Affairs.

421           3. The Attorney General.

422           4. The Commissioner Agriculture.

423           5. The Secretary of Health.

424           6. The Commissioner of Education.

425           7. The State Fire Marshal.

426           (b) The executive director of the Department of Law  
 427 Enforcement shall serve as the chair of the executive committee,  
 428 and the director of the Division of Emergency Management within  
 429 the Department of Community Affairs shall serve as the vice  
 430 chair of the executive committee.

431           (c) The executive committee shall approve all matters  
 432 brought before the council prior to consideration. When  
 433 expedited action of the council is deemed necessary by the chair  
 434 or vice chair, the executive committee may act on behalf of the  
 435 council.

436           (5) DUTIES OF THE COUNCIL.--

437           (a) The Domestic Security Oversight Council shall serve as  
 438 an advisory council to the Governor, the Legislature, and the  
 439 Chief of Domestic Security. The council shall:

440           1. Review the development, maintenance, and operation of a  
 441 comprehensive multidisciplinary domestic security strategy that  
 442 will guide the state's prevention, preparedness, protection,  
 443 response, and recovery efforts against terrorist attacks and  
 444 make appropriate recommendations to ensure the implementation of  
 445 that strategy.



446       2. Review the development of integrated funding plans to  
447 support specific projects, goals, and objectives necessary to  
448 the state's domestic security strategy and make appropriate  
449 recommendations to implement those plans.

450       3. Review and recommend approval of prioritized  
451 recommendations from regional domestic security task forces and  
452 state working groups on the use of available funding to ensure  
453 the use of such funds in a manner that best promotes the goals  
454 of statewide, regional, and local domestic security through  
455 coordinated planning and implementation strategies.

456       4. Review and recommend approval of statewide policies and  
457 operational protocols that support the domestic security efforts  
458 of the regional domestic security task forces and state  
459 agencies.

460       5. Review the overall statewide effectiveness of domestic  
461 security and counter-terrorism efforts in order to provide  
462 suggestions to improve or enhance those efforts.

463       6. Review the efforts of any agency or entity involved in  
464 state or local domestic security and counter-terrorism efforts  
465 that requests assistance or that appears to need such review in  
466 order to provide suggestions to improve or enhance those  
467 efforts.

468       7. Review efforts within the state to better secure state  
469 and local infrastructure against terrorist attack and make  
470 recommendations to enhance the effectiveness of such efforts.

471       8. Review and recommend legislative initiatives related to  
472 the state's domestic security and provide endorsement or  
473 recommendations to enhance the effectiveness of such efforts.

474 9. Review statewide or multiagency mobilizations and  
475 responses to major domestic security incidents and recommend  
476 suggestions for training, improvement of response efforts, or  
477 improvement of coordination or for other strategies that may be  
478 derived as necessary from such reviews.

479 10. Conduct any additional review or inquiry or make  
480 recommendations to the Governor and Legislature in support of  
481 other initiatives, as may be necessary, to fulfill the function  
482 of general oversight of the state's domestic security and  
483 counter-terrorism efforts and to promote increased security.

484 11. Promote and preserve intergovernmental cooperation and  
485 consensus among state and local agencies, the Federal  
486 Government, private entities, other states, and other nations,  
487 as appropriate, under the guidance of the Governor.

488 (b) The Domestic Security Oversight Council shall make an  
489 annual funding recommendation to the Governor and Legislature  
490 which shall prioritize funding requests based on allocations  
491 from all available sources for implementing the state's domestic  
492 security strategy. This recommendation must include the  
493 prioritized recommendations of each of the regional domestic  
494 security task forces and the various working groups that  
495 participate in the prioritization process for funding  
496 allocations. The recommendation must reflect the consideration  
497 of strategic priorities and allocations that best serve the  
498 state's overall domestic security needs. The recommendation  
499 shall be transmitted to the Governor and the Legislature by  
500 December 31 of each year. If additional funds become available,  
501 or reallocation of funding is required beyond current spending

502 authorizations, the council may make recommendations to the  
503 Governor for consideration by the Legislative Budget Commission.

504 (6) REPORTS.--The council shall report annually on its  
505 activities, on or before December 31 of each calendar year, to  
506 the Governor, the President of the Senate, the Speaker of the  
507 House of Representatives, and the chairs of the committees  
508 having principal jurisdiction over domestic security in the  
509 Senate and the House of Representatives.

510 (7) AGENCY DESIGNATION.--For purposes of this section, the  
511 Domestic Security Oversight Council shall be considered a  
512 criminal justice agency within the definition of s. 119.011(4).

513 Section 6. Paragraph (b) of subsection (1) of section  
514 381.00315, Florida Statutes, is amended to read:

515 381.00315 Public health advisories; public health  
516 emergencies.--The State Health Officer is responsible for  
517 declaring public health emergencies and issuing public health  
518 advisories.

519 (1) As used in this section, the term:

520 (b) "Public health emergency" means any occurrence, or  
521 threat thereof, whether natural or man made, which results or  
522 may result in substantial injury or harm to the public health  
523 from infectious disease, chemical agents, nuclear agents,  
524 biological toxins, or situations involving mass casualties or  
525 natural disasters. Prior to declaring a public health emergency,  
526 the State Health Officer shall, to the extent possible, consult  
527 with the Governor and shall notify the Chief of Domestic  
528 Security ~~Initiatives as created in s. 943.03~~. The declaration of  
529 a public health emergency shall continue until the State Health

530 Officer finds that the threat or danger has been dealt with to  
531 the extent that the emergency conditions no longer exist and he  
532 or she terminates the declaration. However, a declaration of a  
533 public health emergency may not continue for longer than 60 days  
534 unless the Governor concurs in the renewal of the declaration.  
535 The State Health Officer, upon declaration of a public health  
536 emergency, may take actions that are necessary to protect the  
537 public health. Such actions include, but are not limited to:

538 1. Directing manufacturers of prescription drugs or over-  
539 the-counter drugs who are permitted under chapter 499 and  
540 wholesalers of prescription drugs located in this state who are  
541 permitted under chapter 499 to give priority to the shipping of  
542 specified drugs to pharmacies and health care providers within  
543 geographic areas that have been identified by the State Health  
544 Officer. The State Health Officer must identify the drugs to be  
545 shipped. Manufacturers and wholesalers located in the state must  
546 respond to the State Health Officer's priority shipping  
547 directive before shipping the specified drugs.

548 2. Notwithstanding chapters 465 and 499 and rules adopted  
549 thereunder, directing pharmacists employed by the department to  
550 compound bulk prescription drugs and provide these bulk  
551 prescription drugs to physicians and nurses of county health  
552 departments or any qualified person authorized by the State  
553 Health Officer for administration to persons as part of a  
554 prophylactic or treatment regimen.

555 3. Notwithstanding s. 456.036, temporarily reactivating  
556 the inactive license of the following health care practitioners,  
557 when such practitioners are needed to respond to the public

558 health emergency: physicians licensed under chapter 458 or  
559 chapter 459; physician assistants licensed under chapter 458 or  
560 chapter 459; licensed practical nurses, registered nurses, and  
561 advanced registered nurse practitioners licensed under part I of  
562 chapter 464; respiratory therapists licensed under part V of  
563 chapter 468; and emergency medical technicians and paramedics  
564 certified under part III of chapter 401. Only those health care  
565 practitioners specified in this paragraph who possess an  
566 unencumbered inactive license and who request that such license  
567 be reactivated are eligible for reactivation. An inactive  
568 license that is reactivated under this paragraph shall return to  
569 inactive status when the public health emergency ends or prior  
570 to the end of the public health emergency if the State Health  
571 Officer determines that the health care practitioner is no  
572 longer needed to provide services during the public health  
573 emergency. Such licenses may only be reactivated for a period  
574 not to exceed 90 days without meeting the requirements of s.  
575 456.036 or chapter 401, as applicable.

576 4. Ordering an individual to be examined, tested,  
577 vaccinated, treated, or quarantined for communicable diseases  
578 that have significant morbidity or mortality and present a  
579 severe danger to public health. Individuals who are unable or  
580 unwilling to be examined, tested, vaccinated, or treated for  
581 reasons of health, religion, or conscience may be subjected to  
582 quarantine.

583 a. Examination, testing, vaccination, or treatment may be  
584 performed by any qualified person authorized by the State Health  
585 Officer.

586           b. If the individual poses a danger to the public health,  
587 the State Health Officer may subject the individual to  
588 quarantine. If there is no practical method to quarantine the  
589 individual, the State Health Officer may use any means necessary  
590 to vaccinate or treat the individual.

591

592 Any order of the State Health Officer given to effectuate this  
593 paragraph shall be immediately enforceable by a law enforcement  
594 officer under s. 381.0012.

595           Section 7. This act shall take effect upon becoming a law.