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LEGISLATIVE ACTION

Senate

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House

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Senator Galvano moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

Section 2. The Legislature finds there is a need to
comprehensively address the crisis of gun violence, including
but not limited to, gun violence on school campuses. The
Legislature intends to address this crisis by providing law
enforcement and the courts with the tools to enhance public



234288

12 safety by temporarily restricting firearm possession by a person
13 who is undergoing a mental health crisis and when there is
14 evidence of a threat of violence, and by promoting school safety
15 and enhanced coordination between education and law enforcement
16 entities at the state and local level.

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

19 16.555 Crime Stoppers Trust Fund; rulemaking.—

20 (5)

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

23 Section 4. Paragraph (j) is added to subsection (3) of
24 section 20.15, Florida Statutes, to read:

25 20.15 Department of Education.—There is created a
26 Department of Education.

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

29 (j) The Office of Safe Schools.

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

32 30.15 Powers, duties, and obligations.—

33 (1) Sheriffs, in their respective counties, in person or by
34 deputy, shall:

35 (k) Establish, if the sheriff so chooses, a school marshal
36 program to aid in the prevention or abatement of active
37 assailant incidents on school premises. A school marshal has no
38 authority to act in any law enforcement capacity except to the
39 extent necessary to prevent or abate an active assailant
40 incident on a school premises. The sheriff who chooses to



234288

41 establish the program shall appoint as school marshals, without
42 the power of arrest, school employees who volunteer and who:

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

44 2. Complete 132 total hours of comprehensive firearm safety
45 and proficiency training conducted by Criminal Justice Training
46 and Standards Commission-certified instructors, which must
47 include:

48 a. Eighty hours of firearms instruction based on the
49 Criminal Justice Standards and Training Commission's Law
50 Enforcement Academy training model, which must include at least
51 10 percent but no more than 20 percent more rounds fired than
52 associated with academy training. Program participants must
53 achieve an 85 percent pass rate on the firearms training.

54 b. Sixteen hours of instruction in precision pistol.

55 c. Eight hours of discretionary shooting instruction using
56 state-of-the-art simulator exercises.

57 d. Eight hours of instruction in active shooter or
58 assailant scenarios.

59 e. Eight hours of instruction in defensive tactics.

60 f. Twelve hours of instruction in legal issues.

61 3. Pass a psychological evaluation administered by a
62 psychologist licensed under chapter 490 and designated by the
63 Department of Law Enforcement and submit the results of the
64 evaluation to the sheriff's office. The Department of Law
65 Enforcement is authorized to provide the sheriff's office with
66 mental health and substance abuse data for compliance with this
67 paragraph.

68 4. Submit to and pass an initial drug test and subsequent
69 random drug tests in accordance with the requirements of s.



234288

70 112.0455 and the sheriff's office.

71 5. Successfully complete ongoing training, weapon
72 inspection, and firearm qualification on at least an annual
73 basis.

74
75 The sheriff shall issue a school marshal certificate to
76 individuals who meet the requirements of subparagraph 2. The
77 sheriff shall maintain documentation of weapon and equipment
78 inspections, as well as the training, certification, inspection,
79 and qualification records of each school marshal appointed by
80 the sheriff.

81 Section 6. Paragraph (c) of subsection (9) of section
82 121.091, Florida Statutes, is amended, and paragraph (f) is
83 added to that subsection to read:

84 121.091 Benefits payable under the system.—Benefits may not
85 be paid under this section unless the member has terminated
86 employment as provided in s. 121.021(39) (a) or begun
87 participation in the Deferred Retirement Option Program as
88 provided in subsection (13), and a proper application has been
89 filed in the manner prescribed by the department. The department
90 may cancel an application for retirement benefits when the
91 member or beneficiary fails to timely provide the information
92 and documents required by this chapter and the department's
93 rules. The department shall adopt rules establishing procedures
94 for application for retirement benefits and for the cancellation
95 of such application when the required information or documents
96 are not received.

97 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

98 (c) Any person whose retirement is effective on or after



234288

99 July 1, 2010, or whose participation in the Deferred Retirement
100 Option Program terminates on or after July 1, 2010, who is
101 retired under this chapter, except under the disability
102 retirement provisions of subsection (4) or as provided in s.
103 121.053, may be reemployed by an employer that participates in a
104 state-administered retirement system and receive retirement
105 benefits and compensation from that employer. However, a person
106 may not be reemployed by an employer participating in the
107 Florida Retirement System before meeting the definition of
108 termination in s. 121.021 and may not receive both a salary from
109 the employer and retirement benefits for 6 calendar months after
110 meeting the definition of termination, except as provided in
111 paragraph (f). However, a DROP participant shall continue
112 employment and receive a salary during the period of
113 participation in the Deferred Retirement Option Program, as
114 provided in subsection (13).

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

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

122 3. A retiree initially reemployed in violation of this
123 paragraph and an employer that employs or appoints such person
124 are jointly and severally liable for reimbursement of any
125 retirement benefits paid to the retirement trust fund from which
126 the benefits were paid, including the Florida Retirement System
127 Trust Fund and the Public Employee Optional Retirement Program



234288

128 Trust Fund, as appropriate. The employer must have a written
129 statement from the employee that he or she is not retired from a
130 state-administered retirement system. Retirement benefits shall
131 remain suspended until repayment is made. Benefits suspended
132 beyond the end of the retiree's 6-month reemployment limitation
133 period shall apply toward the repayment of benefits received in
134 violation of this paragraph.

135 (f) A retired law enforcement officer may be reemployed as
136 a school resource officer by an employer that participates in
137 the Florida Retirement System and receive compensation from that
138 employer and retirement benefits after meeting the definition of
139 termination in s. 121.021, but may not receive both a salary
140 from the employer and retirement benefits for 6 calendar months
141 immediately subsequent to the date of retirement. The reemployed
142 retired law enforcement officer may not renew membership in the
143 Florida Retirement System, except as provided in s. 121.122.

144 Section 7. Paragraphs (c) and (d) of subsection (2) of
145 section 394.463, Florida Statutes, are amended to read:

146 394.463 Involuntary examination.—

147 (2) INVOLUNTARY EXAMINATION.—

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

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

152 2. Use such reasonable physical force as is necessary to
153 gain entry to the premises, and any dwellings, buildings, or
154 other structures located on the premises, and take custody of
155 the person who is the subject of the ex parte order. When
156 practicable, a law enforcement officer who has received crisis



234288

157 intervention team (CIT) training shall be assigned to serve and
158 execute the ex parte order.

159 (d)1. A law enforcement officer taking custody of a person
160 under this subsection may seize and hold a firearm or any
161 ammunition the person possesses at the time of taking him or her
162 into custody if the person poses a potential danger to himself
163 or herself or others and has made a credible threat of violence
164 against another person.

165 2. If the law enforcement officer takes custody of the
166 person at the person's residence and the criteria in
167 subparagraph 1. have been met, the law enforcement officer may
168 seek the voluntary surrender of firearms or ammunition kept in
169 the residence which have not already been seized under
170 subparagraph 1. If such firearms or ammunition are not
171 voluntarily surrendered, or if the person has other firearms or
172 ammunition that were not seized or voluntarily surrendered when
173 he or she was taken into custody, a law enforcement officer may
174 petition the appropriate court under s. 790.401 for a risk
175 protection order against the person.

176 3. Firearms or ammunition seized or voluntarily surrendered
177 under this paragraph must be made available for return no later
178 than 24 hours after the person taken into custody can document
179 that he or she is no longer subject to involuntary examination
180 and has been released or discharged from any inpatient or
181 involuntary outpatient treatment provided or ordered under
182 paragraph (g), unless a risk protection order entered under s.
183 790.401 directs the law enforcement agency to hold the firearms
184 or ammunition for a longer period or the person is subject to a
185 firearm purchase disability under s. 790.065(2), or a firearm



234288

186 possession and firearm ownership disability under s. 790.064.
187 The process for the actual return of firearms or ammunition
188 seized or voluntarily surrendered under this paragraph may not
189 take longer than 7 days.

190 4. Law enforcement agencies must develop policies and
191 procedures relating to the seizure, storage, and return of
192 firearms or ammunition held under this paragraph. A law
193 ~~enforcement officer acting in accordance with an ex parte order~~
194 ~~issued pursuant to this subsection may use such reasonable~~
195 ~~physical force as is necessary to gain entry to the premises,~~
196 ~~and any dwellings, buildings, or other structures located on the~~
197 ~~premises, and to take custody of the person who is the subject~~
198 ~~of the ex parte order.~~

199 Section 8. Section 394.495, Florida Statutes, is amended to
200 read:

201 394.495 Child and adolescent mental health system of care;
202 programs and services.-

203 (1) The department shall establish, within available
204 resources, an array of services to meet the individualized
205 service and treatment needs of children and adolescents who are
206 members of the target populations specified in s. 394.493, and
207 of their families. It is the intent of the Legislature that a
208 child or adolescent may not be admitted to a state mental health
209 facility and such a facility may not be included within the
210 array of services.

211 (2) The array of services must include assessment services
212 that provide a professional interpretation of the nature of the
213 problems of the child or adolescent and his or her family;
214 family issues that may impact the problems; additional factors



234288

215 that contribute to the problems; and the assets, strengths, and
216 resources of the child or adolescent and his or her family. The
217 assessment services to be provided shall be determined by the
218 clinical needs of each child or adolescent. Assessment services
219 include, but are not limited to, evaluation and screening in the
220 following areas:

221 (a) Physical and mental health for purposes of identifying
222 medical and psychiatric problems.

223 (b) Psychological functioning, as determined through a
224 battery of psychological tests.

225 (c) Intelligence and academic achievement.

226 (d) Social and behavioral functioning.

227 (e) Family functioning.

228

229 The assessment for academic achievement is the financial
230 responsibility of the school district. The department shall
231 cooperate with other state agencies and the school district to
232 avoid duplicating assessment services.

233 (3) Assessments must be performed by:

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

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

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

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

242 (a) Prevention services.

243 (b) Home-based services.



234288

- 244 (c) School-based services.
- 245 (d) Family therapy.
- 246 (e) Family support.
- 247 (f) Respite services.
- 248 (g) Outpatient treatment.
- 249 (h) Day treatment.
- 250 (i) Crisis stabilization.
- 251 (j) Therapeutic foster care.
- 252 (k) Residential treatment.
- 253 (l) Inpatient hospitalization.
- 254 (m) Case management.
- 255 (n) Services for victims of sex offenses.
- 256 (o) Transitional services.
- 257 (p) Trauma-informed services for children who have suffered
- 258 sexual exploitation as defined in s. 39.01(71)(g).

259 (5) In order to enhance collaboration between agencies and
260 to facilitate the provision of services by the child and
261 adolescent mental health treatment and support system and the
262 school district, the local child and adolescent mental health
263 system of care shall include the local educational multiagency
264 network for severely emotionally disturbed students specified in
265 s. 1006.04.

266 (6) The department shall contract for community action
267 treatment teams throughout the state with the managing entities.

268 A community action treatment team shall:

269 (a) Provide community-based behavioral health and support
270 services to children from 11 to 13 years of age, adolescents,
271 and young adults from 18 to 21 years of age with serious
272 behavioral health conditions who are at risk of out-of-home



234288

273 placement as demonstrated by:

- 274 1. Repeated failures at less intensive levels of care;
275 2. Two or more behavioral health hospitalizations;
276 3. Involvement with the Department of Juvenile Justice;
277 4. A history of multiple episodes involving law
278 enforcement; or
279 5. A record of poor academic performance or suspensions.

280

281 Children younger than 11 years of age who otherwise meet the
282 criteria in this paragraph may be candidates for such services
283 if they demonstrate two or more of the characteristics listed in
284 subparagraph 1.-5.

285 (b) Use an integrated service delivery approach to
286 comprehensively address the needs of the child, adolescent, or
287 young adult and strengthen his or her family and support systems
288 to assist the child, adolescent, or young adult to live
289 successfully in the community. A community action treatment team
290 shall address the therapeutic needs of the child, adolescent, or
291 young adult receiving services and assist parents and caregivers
292 in obtaining services and support. The community action
293 treatment team shall make referrals to specialized treatment
294 providers if necessary, with follow up by the community action
295 treatment team to ensure services are received.

296 (c) Focus on engaging the child, adolescent, or young adult
297 and his or her family as active participants in every phase of
298 the treatment process. Community action treatment teams shall be
299 available to the child, adolescent, or young adult and his or
300 her family at all times.

301 (d) Coordinate with other key entities providing services



234288

302 and supports to the child, adolescent, or young adult and his or
303 her family, including, but not limited to, the child's,
304 adolescent's, or young adult's school, the local educational
305 multiagency network for severely emotionally disturbed students
306 under s. 1006.04, the child welfare system, and the juvenile
307 justice system. Community action treatment teams shall also
308 coordinate with the managing entity in their service location.

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

311 a. Alachua.

312 b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and
313 Suwannee.

314 c. Bay.

315 d. Brevard.

316 e. Collier.

317 f. DeSoto and Sarasota.

318 g. Duval.

319 h. Escambia.

320 i. Hardee, Highlands, and Polk.

321 j. Hillsborough.

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

323 l. Lake and Sumter.

324 m. Lee.

325 n. Manatee.

326 o. Marion.

327 p. Miami-Dade.

328 q. Okaloosa.

329 r. Orange.

330 s. Palm Beach.



234288

331 t. Pasco.

332 u. Pinellas.

333 v. Walton.

334 2. Subject to appropriations, the department shall contract
335 for additional teams through the managing entities to ensure the
336 availability of community action treatment team services in the
337 remaining areas of the state.

338 Section 9. Section 790.064, Florida Statutes, is created to
339 read:

340 790.064 Firearm possession and firearm ownership
341 disability.-

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

347 (2) The firearm possession and firearm ownership disability
348 runs concurrently with the firearm purchase disability provided
349 in s. 790.065(2).

350 (3) A person may petition the court that made the
351 adjudication or commitment, or that ordered that the record be
352 submitted to the Department of Law Enforcement pursuant to s.
353 790.065(2), for relief from the firearm possession and firearm
354 ownership disability.

355 (4) The person seeking relief must follow the procedures
356 set forth in s. 790.065(2) for obtaining relief from the firearm
357 purchase disability in seeking relief from the firearm
358 possession and firearm ownership disability.

359 (5) The person may seek relief from the firearm possession



234288

360 and firearm ownership disability simultaneously with the relief
361 being sought from the firearm purchase disability, if such
362 relief is sought, pursuant to the procedure set forth in s.
363 790.065(2).

364 Section 10. Present subsection (13) of section 790.065,
365 Florida Statutes, is redesignated as subsection (14), and a new
366 subsection (13) is added to that section, to read:

367 790.065 Sale and delivery of firearms.—

368 (13) A person younger than 21 years of age may not purchase
369 a firearm. The sale or transfer of a firearm to a person younger
370 than 21 years of age may not be made or facilitated by a
371 licensed importer, licensed manufacturer, or licensed dealer. A
372 person who violates this subsection commits a felony of the
373 third degree, punishable as provided in s. 775.082, s. 775.083,
374 or s. 775.084. The prohibitions of this subsection do not apply
375 to the purchase of a rifle or shotgun by a law enforcement
376 officer or correctional officer, as those terms are defined in
377 s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a
378 servicemember as defined in s. 250.01.

379 Section 11. Section 790.0655, Florida Statutes, is amended
380 to read:

381 790.0655 Purchase and delivery of firearms ~~handguns~~;
382 mandatory waiting period; exceptions; penalties.—

383 (1) (a) ~~There shall be~~ A mandatory ~~3-day~~ 3-day waiting period is
384 imposed between the purchase and delivery of a firearm. The
385 mandatory waiting period is, which shall be 3 days, excluding
386 weekends and legal holidays, or expires upon the completion of
387 the records checks required under s. 790.065, whichever occurs
388 later between the purchase and the delivery at retail of any



234288

389 ~~handgun~~. "Purchase" means the transfer of money or other
390 valuable consideration to the retailer. ~~"Handgun" means a~~
391 ~~firearm capable of being carried and used by one hand, such as a~~
392 ~~pistol or revolver.~~ "Retailer" means and includes a licensed
393 importer, licensed manufacturer, or licensed dealer ~~every person~~
394 engaged in the business of making firearm sales at retail or for
395 distribution, or use, or consumption, or storage to be used or
396 consumed in this state, as defined in s. 212.02(13).

397 (b) Records of firearm ~~handgun~~ sales must be available for
398 inspection by any law enforcement agency, as defined in s.
399 934.02, during normal business hours.

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

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

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

405 (c) To the purchase of a rifle or shotgun, upon a person's
406 successfully completing a minimum of a 16-hour hunter safety
407 course and possessing a hunter safety certification card issued
408 under s. 379.3581. A person who is exempt from the hunter safety
409 course requirements under s. 379.3581 and holds a valid Florida
410 hunting license, is exempt from the mandatory waiting period
411 under this section for the purchase of a rifle or shotgun.

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

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



234288

418 (a) For any retailer, or any employee or agent of a
419 retailer, to deliver a firearm handgun before the expiration of
420 the ~~3-day~~ waiting period, subject to the exceptions provided in
421 subsection (2).

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

424 Section 12. Effective October 1, 2018, section 790.222,
425 Florida Statutes, is created to read:

426 790.222 Bump-fire stocks prohibited.—A person may not
427 import into this state or transfer, distribute, sell, keep for
428 sale, offer for sale, possess, or give to another person a bump-
429 fire stock. A person who violates this section commits a felony
430 of the third degree, punishable as provided in s. 775.082, s.
431 775.083, or s. 775.084. As used in this section, the term "bump-
432 fire stock" means a conversion kit, a tool, an accessory, or a
433 device used to alter the rate of fire of a firearm to mimic
434 automatic weapon fire or which is used to increase the rate of
435 fire to a faster rate than is possible for a person to fire such
436 semiautomatic firearm unassisted by a kit, a tool, an accessory,
437 or a device.

438 Section 13. (1) Section 790.401, Florida Statutes, is
439 intended to temporarily prevent individuals who are at high risk
440 of harming themselves or others from accessing firearms or
441 ammunition by allowing law enforcement officers to obtain a
442 court order when there is demonstrated evidence that a person
443 poses a significant danger to himself or herself or others,
444 including significant danger as a result of a mental health
445 crisis or violent behavior.

446 (2) The purpose and intent of s. 790.401, Florida Statutes,



234288

447 is to reduce deaths and injuries as a result of certain
448 individuals' use of firearms while respecting constitutional
449 rights by providing a judicial procedure for law enforcement
450 officers to obtain a court order temporarily restricting a
451 person's access to firearms and ammunition. The process
452 established by s. 790.401, Florida Statutes, is intended to
453 apply only to situations in which the person poses a significant
454 danger of harming himself or herself or others by possessing a
455 firearm or ammunition and to include standards and safeguards to
456 protect the rights of respondents and due process of law.

457 Section 14. Section 790.401, Florida Statutes, may be cited
458 as "The Risk Protection Order Act."

459 Section 15. Section 790.401, Florida Statutes, is created
460 to read:

461 790.401 Risk protection orders.—

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

463 (a) "Petitioner" means a law enforcement officer or a law
464 enforcement agency that petitions a court for a risk protection
465 order under this section.

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

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

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

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

474 (b) An action under this section must be filed in the
475 county where the petitioner's law enforcement office is located



234288

476 or the county where the respondent resides.

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

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

481 (e) A petition must:

482 1. Allege that the respondent poses a significant danger of
483 causing personal injury to himself or herself or others by
484 having a firearm or any ammunition in his or her custody or
485 control or by purchasing, possessing, or receiving a firearm or
486 any ammunition, and must be accompanied by an affidavit made
487 under oath stating the specific statements, actions, or facts
488 that give rise to a reasonable fear of significant dangerous
489 acts by the respondent;

490 2. Identify the quantities, types, and locations of all
491 firearms and ammunition the petitioner believes to be in the
492 respondent's current ownership, possession, custody, or control;
493 and

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

497 (f) The petitioner must make a good faith effort to provide
498 notice to a family or household member of the respondent and to
499 any known third party who may be at risk of violence. The notice
500 must state that the petitioner intends to petition the court for
501 a risk protection order or has already done so and must include
502 referrals to appropriate resources, including mental health,
503 domestic violence, and counseling resources. The petitioner must
504 attest in the petition to having provided such notice or must



234288

505 attest to the steps that will be taken to provide such notice.

506 (g) The petitioner must list the address of record on the
507 petition as being where the appropriate law enforcement agency
508 is located.

509 (h) A court or a public agency may not charge fees for
510 filing or for service of process to a petitioner seeking relief
511 under this section and must provide the necessary number of
512 certified copies, forms, and instructional brochures free of
513 charge.

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

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

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

519 (a) Upon receipt of a petition, the court must order a
520 hearing to be held no later than 14 days after the date of the
521 order and must issue a notice of hearing to the respondent for
522 the same.

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

527 2. The court may, as provided in subsection (4), issue a
528 temporary ex parte risk protection order pending the hearing
529 ordered under this subsection. Such temporary ex parte order
530 must be served concurrently with the notice of hearing and
531 petition as provided in subsection (5).

532 3. The court may conduct a hearing by telephone pursuant to
533 a local court rule to reasonably accommodate a disability or



234288

534 exceptional circumstances. The court must receive assurances of
535 the petitioner's identity before conducting a telephonic
536 hearing.

537 (b) Upon notice and a hearing on the matter, if the court
538 finds by clear and convincing evidence that the respondent poses
539 a significant danger of causing personal injury to himself or
540 herself or others by having in his or her custody or control, or
541 by purchasing, possessing, or receiving, a firearm or any
542 ammunition, the court must issue a risk protection order for a
543 period that it deems appropriate, up to and including but not
544 exceeding 12 months.

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

548 1. A recent act or threat of violence by the respondent
549 against himself or herself or others, whether or not such
550 violence or threat of violence involves a firearm.

551 2. An act or threat of violence by the respondent within
552 the past 12 months, including, but not limited to, acts or
553 threats of violence by the respondent against himself or herself
554 or others.

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

557 4. A violation by the respondent of a risk protection order
558 or a no contact order issued under s. 741.30, s. 784.046, or s.
559 784.0485.

560 5. A previous or existing risk protection order issued
561 against the respondent.

562 6. A violation of a previous or existing risk protection



234288

563 order issued against the respondent.

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

568 8. The respondent's ownership of, access to, or intent to
569 possess firearms or ammunition.

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

572 10. The recurring use of, or threat to use, physical force
573 by the respondent against another person or the respondent
574 stalking another person.

575 11. Whether the respondent, in this state or any other
576 state, has been arrested for, convicted of, had adjudication
577 withheld on, or pled nolo contendere to a crime involving
578 violence or a threat of violence.

579 12. Corroborated evidence of the abuse of controlled
580 substances or alcohol by the respondent.

581 13. Evidence of recent acquisition of firearms or
582 ammunition by the respondent.

583 14. Any relevant information from family and household
584 members concerning the respondent.

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

587 (d) A person, including an officer of the court, who offers
588 evidence or recommendations relating to the cause of action
589 either must present the evidence or recommendations in writing
590 to the court with copies to each party and his or her attorney,
591 if one is retained, or must present the evidence under oath at a



234288

592 hearing at which all parties are present.

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

596 (f) During the hearing, the court must consider whether a
597 mental health evaluation or chemical dependency evaluation is
598 appropriate and, if such determination is made, may order such
599 evaluations, if appropriate.

600 (g) A risk protection order must include all of the
601 following:

602 1. A statement of the grounds supporting the issuance of
603 the order;

604 2. The date the order was issued;

605 3. The date the order ends;

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

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

610 6. A description of the requirements for the surrender of
611 all firearms and ammunition that the respondent owns, under
612 subsection (7); and

613 7. The following statement:

614
615 "To the subject of this protection order: This order will last
616 until the date noted above. If you have not done so already, you
617 must surrender immediately to the (insert name of local law
618 enforcement agency) all firearms and ammunition that you own in
619 your custody, control, or possession and any license to carry a
620 concealed weapon or firearm issued to you under s. 790.06,



234288

621 Florida Statutes. You may not have in your custody or control,
622 or purchase, possess, receive, or attempt to purchase or
623 receive, a firearm or ammunition while this order is in effect.
624 You have the right to request one hearing to vacate this order,
625 starting after the date of the issuance of this order, and to
626 request another hearing after every extension of the order, if
627 any. You may seek the advice of an attorney as to any matter
628 connected with this order."

629
630 (h) If the court issues a risk protection order, the court
631 must inform the respondent that he or she is entitled to request
632 a hearing to vacate the order in the manner provided by
633 subsection (6). The court shall provide the respondent with a
634 form to request a hearing to vacate.

635 (i) If the court denies the petitioner's request for a risk
636 protection order, the court must state the particular reasons
637 for the denial.

638 (4) TEMPORARY EX PARTE RISK PROTECTION ORDERS.-

639 (a) A petitioner may request that a temporary ex parte risk
640 protection order be issued before a hearing for a risk
641 protection order, without notice to the respondent, by including
642 in the petition detailed allegations based on personal knowledge
643 that the respondent poses a significant danger of causing
644 personal injury to himself or herself or others in the near
645 future by having in his or her custody or control, or by
646 purchasing, possessing, or receiving, a firearm or ammunition.

647 (b) In considering whether to issue a temporary ex parte
648 risk protection order under this section, the court shall
649 consider all relevant evidence, including the evidence described



234288

650 in paragraph (3)(c).

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

657 (d) The court must hold a temporary ex parte risk
658 protection order hearing in person or by telephone on the day
659 the petition is filed or on the business day immediately
660 following the day the petition is filed.

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

663 1. A statement of the grounds asserted for the order;

664 2. The date the order was issued;

665 3. The address of the court in which any responsive
666 pleading may be filed;

667 4. The date and time of the scheduled hearing;

668 5. A description of the requirements for the surrender of
669 all firearms and ammunition that the respondent owns, under
670 subsection (7); and

671 6. The following statement:

672
673 "To the subject of this protection order: This order is valid
674 until the date noted above. You are required to surrender all
675 firearms and ammunition that you own in your custody, control,
676 or possession. You may not have in your custody or control, or
677 purchase, possess, receive, or attempt to purchase or receive, a
678 firearm or ammunition while this order is in effect. You must



234288

679 surrender immediately to the (insert name of local law
680 enforcement agency) all firearms and ammunition in your custody,
681 control, or possession and any license to carry a concealed
682 weapon or firearm issued to you under s. 790.06, Florida
683 Statutes. A hearing will be held on the date and at the time
684 noted above to determine if a risk protection order should be
685 issued. Failure to appear at that hearing may result in a court
686 issuing an order against you which is valid for 1 year. You may
687 seek the advice of an attorney as to any matter connected with
688 this order."

689
690 (f) A temporary ex parte risk protection order ends upon
691 the hearing on the risk protection order.

692 (g) A temporary ex parte risk protection order must be
693 served by a law enforcement officer in the same manner as
694 provided for in subsection (5) for service of the notice of
695 hearing and petition and must be served concurrently with the
696 notice of hearing and petition.

697 (h) If the court denies the petitioner's request for a
698 temporary ex parte risk protection order, the court must state
699 the particular reasons for the denial.

700 (5) SERVICE.-

701 (a) The clerk of the court shall furnish a copy of the
702 notice of hearing, petition, and temporary ex parte risk
703 protection order or risk protection order, as applicable, to the
704 sheriff of the county where the respondent resides or can be
705 found, who shall serve it upon the respondent as soon thereafter
706 as possible on any day of the week and at any time of the day or
707 night. When requested by the sheriff, the clerk of the court may



234288

708 transmit a facsimile copy of a temporary ex parte risk
709 protection order or a risk protection order that has been
710 certified by the clerk of the court, and this facsimile copy may
711 be served in the same manner as a certified copy. Upon receiving
712 a facsimile copy, the sheriff must verify receipt with the
713 sender before attempting to serve it upon the respondent. The
714 clerk of the court shall be responsible for furnishing to the
715 sheriff information on the respondent's physical description and
716 location. Notwithstanding any other provision of law to the
717 contrary, the chief judge of each circuit, in consultation with
718 the appropriate sheriff, may authorize a law enforcement agency
719 within the jurisdiction to effect service. A law enforcement
720 agency effecting service pursuant to this section shall use
721 service and verification procedures consistent with those of the
722 sheriff. Service under this section takes precedence over the
723 service of other documents, unless the other documents are of a
724 similar emergency nature.

725 (b) All orders issued, changed, continued, extended, or
726 vacated after the original service of documents specified in
727 paragraph (a) must be certified by the clerk of the court and
728 delivered to the parties at the time of the entry of the order.
729 The parties may acknowledge receipt of such order in writing on
730 the face of the original order. If a party fails or refuses to
731 acknowledge the receipt of a certified copy of an order, the
732 clerk shall note on the original order that service was
733 effected. If delivery at the hearing is not possible, the clerk
734 shall mail certified copies of the order to the parties at the
735 last known address of each party. Service by mail is complete
736 upon mailing. When an order is served pursuant to this



234288

737 subsection, the clerk shall prepare a written certification to
738 be placed in the court file specifying the time, date, and
739 method of service and shall notify the sheriff.

740 (6) TERMINATION AND EXTENSION OF ORDERS.—

741 (a) The respondent may submit one written request for a
742 hearing to vacate a risk protection order issued under this
743 section, starting after the date of the issuance of the order,
744 and may request another hearing after every extension of the
745 order, if any.

746 1. Upon receipt of the request for a hearing to vacate a
747 risk protection order, the court shall set a date for a hearing.
748 Notice of the request must be served on the petitioner in
749 accordance with subsection (5). The hearing must occur no sooner
750 than 14 days and no later than 30 days after the date of service
751 of the request upon the petitioner.

752 2. The respondent shall have the burden of proving by clear
753 and convincing evidence that the respondent does not pose a
754 significant danger of causing personal injury to himself or
755 herself or others by having in his or her custody or control,
756 purchasing, possessing, or receiving a firearm or ammunition.
757 The court may consider any relevant evidence, including evidence
758 of the considerations listed in paragraph (3) (c).

759 3. If the court finds after the hearing that the respondent
760 has met his or her burden of proof, the court must vacate the
761 order.

762 4. The law enforcement agency holding any firearm or
763 ammunition or license to carry a concealed weapon or firearm
764 that has been surrendered pursuant to this section shall be
765 notified of the court order to vacate the risk protection order.



234288

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

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

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

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

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

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

783 3. If the court finds by clear and convincing evidence that
784 the requirements for issuance of a risk protection order as
785 provided in subsection (3) continue to be met, the court must
786 extend the order. However, if, after notice, the motion for
787 extension is uncontested and no modification of the order is
788 sought, the order may be extended on the basis of a motion or
789 affidavit stating that there has been no material change in
790 relevant circumstances since entry of the order and stating the
791 reason for the requested extension.

792 4. The court may extend a risk protection order for a
793 period that it deems appropriate, up to and including but not
794 exceeding 12 months, subject to an order to vacate as provided



234288

795 in paragraph (a) or to another extension order by the court.

796 (7) SURRENDER OF FIREARMS AND AMMUNITION.—

797 (a) Upon issuance of a risk protection order under this
798 section, including a temporary ex parte risk protection order,
799 the court shall order the respondent to surrender to the local
800 law enforcement agency all firearms and ammunition owned by the
801 respondent in the respondent's custody, control, or possession
802 except as provided in subsection (9), and any license to carry a
803 concealed weapon or firearm issued under s. 790.06, held by the
804 respondent.

805 (b) The law enforcement officer serving a risk protection
806 order under this section, including a temporary ex parte risk
807 protection order, shall request that the respondent immediately
808 surrender all firearms and ammunition owned by the respondent in
809 his or her custody, control, or possession and any license to
810 carry a concealed weapon or firearm issued under s. 790.06, held
811 by the respondent. The law enforcement officer shall take
812 possession of all firearms and ammunition owned by the
813 respondent and any license to carry a concealed weapon or
814 firearm issued under s. 790.06, held by the respondent, which
815 are surrendered. Alternatively, if personal service by a law
816 enforcement officer is not possible or is not required because
817 the respondent was present at the risk protection order hearing,
818 the respondent must surrender any firearms and ammunition owned
819 by the respondent and any license to carry a concealed weapon or
820 firearm issued under s. 790.06, held by the respondent, in a
821 safe manner to the control of the local law enforcement agency
822 immediately after being served with the order by service or
823 immediately after the hearing at which the respondent was



234288

824 present. Notwithstanding ss. 933.02 and 933.18, a law
825 enforcement officer may seek a search warrant from a court of
826 competent jurisdiction to conduct a search for firearms or
827 ammunition owned by the respondent if the officer has probable
828 cause to believe that there are firearms or ammunition owned by
829 the respondent in the respondent's custody, control, or
830 possession which have not been surrendered.

831 (c) At the time of surrender, a law enforcement officer
832 taking possession of any firearm or ammunition owned by the
833 respondent, or a license to carry a concealed weapon or firearm
834 issued under s. 790.06, held by the respondent shall issue a
835 receipt identifying all firearms and the quantity and type of
836 ammunition that have been surrendered, and any license
837 surrendered and shall provide a copy of the receipt to the
838 respondent. Within 72 hours after service of the order, the law
839 enforcement officer serving the order shall file the original
840 receipt with the court and shall ensure that his or her law
841 enforcement agency retains a copy of the receipt.

842 (d) Notwithstanding ss. 933.02 and 933.18, upon the sworn
843 statement or testimony of any person alleging that the
844 respondent has failed to comply with the surrender of firearms
845 or ammunition owned by the respondent, as required by an order
846 issued under this section, the court shall determine whether
847 probable cause exists to believe that the respondent has failed
848 to surrender all firearms or ammunition owned by the respondent
849 in the respondent's custody, control, or possession. If the
850 court finds that probable cause exists, the court must issue a
851 warrant describing the firearms or ammunition owned by the
852 respondent and authorizing a search of the locations where the



234288

853 firearms or ammunition owned by the respondent are reasonably
854 believed to be found and the seizure of any firearms or
855 ammunition owned by the respondent discovered pursuant to such
856 search.

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

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

865 2. The firearm or ammunition is not otherwise unlawfully
866 possessed by the owner.

867 (f) Upon the issuance of a risk protection order, the court
868 shall order a new hearing date and require the respondent to
869 appear no later than 3 business days after the issuance of the
870 order. The court shall require proof that the respondent has
871 surrendered any firearms or ammunition owned by the respondent
872 in the respondent's custody, control, or possession. The court
873 may cancel the hearing upon a satisfactory showing that the
874 respondent is in compliance with the order.

875 (g) All law enforcement agencies must develop policies and
876 procedures regarding the acceptance, storage, and return of
877 firearms, ammunition, or licenses required to be surrendered
878 under this section.

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

880 (a) If a risk protection order is vacated or ends without
881 extension, a law enforcement agency holding a firearm or any



234288

882 ammunition owned by the respondent or a license to carry a
883 concealed weapon or firearm issued under s. 790.06, held by the
884 respondent, that has been surrendered or seized pursuant to this
885 section must return such surrendered firearm, ammunition, or
886 license to carry a concealed weapon or firearm issued under s.
887 790.06, as requested by a respondent only after confirming
888 through a background check that the respondent is currently
889 eligible to own or possess firearms and ammunition under federal
890 and state law and after confirming with the court that the risk
891 protection order has been vacated or has ended without
892 extension.

893 (b) If a risk protection order is vacated or ends without
894 extension, the Department of Agriculture and Consumer Services,
895 if it has suspended a license to carry a concealed weapon or
896 firearm pursuant to this section, must reinstate such license
897 only after confirming that the respondent is currently eligible
898 to have a license to carry a concealed weapon or firearm
899 pursuant to s. 790.06.

900 (c) A law enforcement agency must provide notice to any
901 family or household members of the respondent before the return
902 of any surrendered firearm and ammunition owned by the
903 respondent.

904 (d) Any firearm and ammunition surrendered by a respondent
905 pursuant to subsection (7) which remains unclaimed for 1 year by
906 the lawful owner after an order to vacate the risk protection
907 order shall be disposed of in accordance with the law
908 enforcement agency's policies and procedures for the disposal of
909 firearms in police custody.

910 (9) TRANSFER OF FIREARMS AND AMMUNITION.—A respondent may



234288

911 elect to transfer all firearms and ammunition owned by the
912 respondent that have been surrendered to or seized by a local
913 law enforcement agency pursuant to subsection (7) to another
914 person who is willing to receive the respondent's firearms and
915 ammunition. The law enforcement agency must allow such a
916 transfer only if it is determined that the chosen recipient:

917 (a) Currently is eligible to own or possess a firearm and
918 ammunition under federal and state law after confirmation
919 through a background check;

920 (b) Attests to storing the firearms and ammunition in a
921 manner such that the respondent does not have access to or
922 control of the firearms and ammunition until the risk protection
923 order against the respondent is vacated or ends without
924 extension; and

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

928 (10) REPORTING OF ORDERS.—

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

933 (b) Within 24 hours after issuance, the clerk of the court
934 shall forward a copy of an order issued under this section to
935 the appropriate law enforcement agency specified in the order.
936 Upon receipt of the copy of the order, the law enforcement
937 agency shall enter the order into the Florida Crime Information
938 Center and National Crime Information Center. The order must
939 remain in each system for the period stated in the order, and



234288

940 the law enforcement agency may only remove an order from the
941 systems which has ended or been vacated. Entry of the order into
942 the Florida Crime Information Center and National Crime
943 Information Center constitutes notice to all law enforcement
944 agencies of the existence of the order. The order is fully
945 enforceable in any county in this state.

946 (c) The issuing court shall, within 3 business days after
947 issuance of a risk protection order or temporary ex parte risk
948 protection order, forward all available identifying information
949 concerning the respondent, along with the date of order
950 issuance, to the Department of Agriculture and Consumer
951 Services. Upon receipt of the information, the department shall
952 determine if the respondent has a license to carry a concealed
953 weapon or firearm. If the respondent does have a license to
954 carry a concealed weapon or firearm, the department must
955 immediately suspend the license.

956 (d) If a risk protection order is vacated before its end
957 date, the clerk of the court shall, on the day of the order to
958 vacate, forward a copy of the order to the Department of
959 Agriculture and Consumer Services and the appropriate law
960 enforcement agency specified in the order to vacate. Upon
961 receipt of the order, the law enforcement agency shall promptly
962 remove the order from any computer-based system in which it was
963 entered pursuant to paragraph (b).

964 (11) PENALTIES.—

965 (a) A person who makes a false statement, which he or she
966 does not believe to be true, under oath in a hearing under this
967 this section in regard to any material matter commits a felony
968 of the third degree, punishable as provided in s. 775.082, s.



234288

969 775.083, or s. 775.084.

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

976 (12) LAW ENFORCEMENT RETAINS OTHER AUTHORITY.—This section
977 does not affect the ability of a law enforcement officer to
978 remove a firearm or ammunition or license to carry a concealed
979 weapon or concealed firearm from any person or to conduct any
980 search and seizure for firearms or ammunition pursuant to other
981 lawful authority.

982 (13) LIABILITY.—Except as provided in subsection (8) or
983 subsection (11), this section does not impose criminal or civil
984 liability on any person or entity for acts or omissions related
985 to obtaining a risk protection order or temporary ex parte risk
986 protection order, including, but not limited to, providing
987 notice to the petitioner, a family or household member of the
988 respondent, and any known third party who may be at risk of
989 violence or failure to provide such notice, or reporting,
990 declining to report, investigating, declining to investigate,
991 filing, or declining to file, a petition under this section.

992 (14) INSTRUCTIONAL AND INFORMATIONAL MATERIAL.—

993 (a) The Office of the State Courts Administrator shall
994 develop and prepare instructions and informational brochures,
995 standard petitions and risk protection order forms, and a court
996 staff handbook on the risk protection order process. The
997 standard petition and order forms must be used after January 1,



234288

998 2019, for all petitions filed and orders issued pursuant to this
999 section. The office shall determine the significant non-English-
1000 speaking or limited English-speaking populations in the state
1001 and prepare the instructions and informational brochures and
1002 standard petitions and risk protection order forms in such
1003 languages. The instructions, brochures, forms, and handbook must
1004 be prepared in consultation with interested persons, including
1005 representatives of gun violence prevention groups, judges, and
1006 law enforcement personnel. Materials must be based on best
1007 practices and must be available online to the public.

1008 1. The instructions must be designed to assist petitioners
1009 in completing the petition and must include a sample of a
1010 standard petition and order for protection forms.

1011 2. The instructions and standard petition must include a
1012 means for the petitioner to identify, with only layman's
1013 knowledge, the firearms or ammunition the respondent may own,
1014 possess, receive, or have in his or her custody or control. The
1015 instructions must provide pictures of types of firearms and
1016 ammunition that the petitioner may choose from to identify the
1017 relevant firearms or ammunition, or must provide an equivalent
1018 means to allow petitioners to identify firearms or ammunition
1019 without requiring specific or technical knowledge regarding the
1020 firearms or ammunition.

1021 3. The informational brochure must describe the use of and
1022 the process for obtaining, extending, and vacating a risk
1023 protection order under this section and must provide relevant
1024 forms.

1025 4. The risk protection order form must include, in a
1026 conspicuous location, notice of criminal penalties resulting



234288

1027 from violation of the order and the following statement: "You
1028 have the sole responsibility to avoid or refrain from violating
1029 this order's provisions. Only the court can change the order and
1030 only upon written request."

1031 5. The court staff handbook must allow for the addition of
1032 a community resource list by the clerk of the court.

1033 (b) Any clerk of court may create a community resource list
1034 of crisis intervention, mental health, substance abuse,
1035 interpreter, counseling, and other relevant resources serving
1036 the county in which the court is located. The court may make the
1037 community resource list available as part of or in addition to
1038 the informational brochures described in paragraph (a).

1039 (c) The Office of the State Courts Administrator shall
1040 distribute a master copy of the petition and order forms,
1041 instructions, and informational brochures to the clerks of
1042 court. Distribution of all documents shall, at a minimum, be in
1043 an electronic format or formats accessible to all courts and
1044 clerks of court in the state.

1045 (d) Within 90 days after receipt of the master copy from
1046 the Office of the State Courts Administrator, the clerk of the
1047 court shall make available the standardized forms, instructions,
1048 and informational brochures required by this subsection.

1049 (e) The Office of the State Courts Administrator shall
1050 update the instructions, brochures, standard petition and risk
1051 protection order forms, and court staff handbook as necessary,
1052 including when changes in the law make an update necessary.

1053 Section 16. Section 836.10, Florida Statutes, is amended to
1054 read:

1055 836.10 Written threats to kill, ~~or~~ do bodily injury, or



234288

1056 conduct a mass shooting or an act of terrorism; punishment.—Any
1057 person who writes or composes and also sends or procures the
1058 sending of any letter, inscribed communication, or electronic
1059 communication, whether such letter or communication be signed or
1060 anonymous, to any person, containing a threat to kill or to do
1061 bodily injury to the person to whom such letter or communication
1062 is sent, or a threat to kill or do bodily injury to any member
1063 of the family of the person to whom such letter or communication
1064 is sent, or any person who makes, posts, or transmits a threat
1065 in a writing or other record, including an electronic record, to
1066 conduct a mass shooting or an act of terrorism, in any manner
1067 that would allow another person to view the threat, commits a
1068 felony of the second degree, punishable as provided in s.
1069 775.082, s. 775.083, or s. 775.084.

1070 Section 17. Paragraph (f) of subsection (3) of section
1071 921.0022, Florida Statutes, is amended to read:

1072 921.0022 Criminal Punishment Code; offense severity ranking
1073 chart.—

1074 (3) OFFENSE SEVERITY RANKING CHART

1075 (f) LEVEL 6

1076

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193(2)(b)	3rd	Felony DUI, 4th or

1077

1078



234288

1079			subsequent conviction.
	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
1080			
	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
1081			
	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
1082			
	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
1083			
	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
1084			
	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
1085			



234288

1086	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
1087	784.041	3rd	Felony battery; domestic battery by strangulation.
1088	784.048 (3)	3rd	Aggravated stalking; credible threat.
1089	784.048 (5)	3rd	Aggravated stalking of person under 16.
1090	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
1091	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
1092	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
1093	784.081 (2)	2nd	Aggravated assault on specified official or employee.



234288

1094	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
1095	784.083 (2)	2nd	Aggravated assault on code inspector.
1096	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
1097	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
1098	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.



234288

1099	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
1100	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
1101	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
1102	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.
1103	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
1104	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.



234288

1105	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
1106	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
1107	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
1108	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
1109	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
1110	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
1111	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm



234288

1112			robbery).
	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
1113			
	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
1114			
	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
1115			
	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
1116			
	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
1117			
	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
1118			
	827.03 (2) (c)	3rd	Abuse of a child.



234288

1119	827.03(2)(d)	3rd	Neglect of a child.
1120	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1121	836.05	2nd	Threats; extortion.
1122	836.10	2nd	Written threats to kill, or <u>do bodily injury, or conduct a mass shooting or an act of terrorism.</u>
1123	843.12	3rd	Aids or assists person to escape.
1124	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
1125	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.



234288

1126	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
1127	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
1128	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.
1129	944.40	2nd	Escapes.
1130	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
1131	944.47 (1) (a) 5.	2nd	Introduction of contraband (firearm,



234288

1132

weapon, or explosive)
into correctional
facility.

951.22 (1)

3rd

Intoxicating drug,
firearm, or weapon
introduced into county
facility.

1133

1134

1135

1136 Section 18. Section 943.082, Florida Statutes, is created
1137 to read:

1138 943.082 School Safety Awareness Program.—

1139 (1) In collaboration with the Department of Legal Affairs,
1140 the department shall competitively procure a mobile suspicious
1141 activity reporting tool that allows students and the community
1142 to relay information anonymously concerning unsafe, potentially
1143 harmful, dangerous, violent, or criminal activities, or the
1144 threat of these activities, to appropriate public safety
1145 agencies and school officials. As recommended by students of
1146 Marjory Stoneman Douglas High School, the program shall be named
1147 "FortifyFL." At a minimum, the department must receive reports
1148 electronically through the mobile suspicious activity reporting
1149 tool that is available on both Android and Apple devices.

1150 (2) The reporting tool must notify the reporting party of
1151 the following information:

1152 (a) That the reporting party may provide his or her report
1153 anonymously.



234288

1154 (b) That if the reporting party chooses to disclose his or
1155 her identity, that information shall be shared with the
1156 appropriate law enforcement agency and school officials;
1157 however, the law enforcement agency and school officials shall
1158 be required to maintain the information as confidential.

1159 (3) Information reported using the tool must be promptly
1160 forwarded to the appropriate law enforcement agency or school
1161 official.

1162 (4) Law enforcement dispatch centers, school districts,
1163 schools, and other entities identified by the department shall
1164 be made aware of the mobile suspicious activity reporting tool.

1165 (5) The department, in collaboration with the Division of
1166 Victims Services within the Office of the Attorney General and
1167 the Office of Safe Schools within the Department of Education,
1168 shall develop and provide a comprehensive training and awareness
1169 program on the use of the mobile suspicious activity reporting
1170 tool.

1171 Section 19. Section 943.687, Florida Statutes, is created
1172 to read:

1173 943.687 Marjory Stoneman Douglas High School Public Safety
1174 Commission.—

1175 (1) There is created within the Department of Law
1176 Enforcement the Marjory Stoneman Douglas High School Public
1177 Safety Commission, a commission as defined in s. 20.03.

1178 (2) (a) The commission shall convene no later than June 1,
1179 2018, and shall be composed of 16 members. Five members shall be
1180 appointed by the President of the Senate, five members shall be
1181 appointed by the Speaker of the House of Representatives, and
1182 five members shall be appointed by the Governor. From the



234288

1183 members of the commission, the Governor shall appoint the chair.
1184 Appointments must be made by April 30, 2018. The Commissioner of
1185 the Department of Law Enforcement shall serve as a member of the
1186 commission. The Secretary of Children and Families, the
1187 Secretary of Juvenile Justice, the Secretary of Health Care
1188 Administration, and the Commissioner of Education shall serve as
1189 ex officio, nonvoting members of the commission. Members shall
1190 serve at the pleasure of the officer who appointed the member. A
1191 vacancy on the commission shall be filled in the same manner as
1192 the original appointment.

1193 (b) The General Counsel of the Department of Law
1194 Enforcement shall serve as the general counsel for the
1195 commission.

1196 (c) The Department of Law Enforcement staff, as assigned by
1197 the chair, shall assist the commission in performing its duties.

1198 (d) The commission shall meet as necessary to conduct its
1199 work at the call of the chair and at the time designated by him
1200 or her at locations throughout the state. The commission may
1201 conduct its meetings through teleconferences or other similar
1202 means.

1203 (e) Members of the commission are entitled to receive
1204 reimbursement for per diem and travel expenses pursuant to s.
1205 112.061.

1206 (3) The commission shall investigate system failures in the
1207 Marjory Stoneman Douglas High School shooting and prior mass
1208 violence incidents in this state and develop recommendations for
1209 system improvements. At a minimum, the commission shall analyze
1210 information and evidence from the Marjory Stoneman Douglas High
1211 School shooting and other mass violence incidents in this state.



234288

1212 At a minimum the commission shall:

1213 (a) Develop a timeline of the incident, incident response,
1214 and all relevant events preceding the incident, with particular
1215 attention to all perpetrator contacts with local, state and
1216 national government agencies and entities and any contract
1217 providers of such agencies and entities.

1218 (b) Investigate any failures in incident responses by local
1219 law enforcement agencies and school resource officers.

1220 1. Identify existing policies and procedures for active
1221 assailant incidents on school premises and evaluate the
1222 compliance with such policies and procedures in the execution of
1223 incident responses.

1224 2. Evaluate existing policies and procedures for active
1225 assailant incidents on school premises in comparison with
1226 national best practices.

1227 3. Evaluate the extent to which any failures in policy,
1228 procedure, or execution contributed to an inability to prevent
1229 deaths and injuries.

1230 4. Make specific recommendations for improving law
1231 enforcement and school resource officer incident response in the
1232 future.

1233 5. Make specific recommendations for determining the
1234 appropriate ratio of school resource officers per school by
1235 school type. At a minimum, the methodology for determining the
1236 ratio should include the school location, student population,
1237 and school design.

1238 (c) Investigate any failures in interactions with
1239 perpetrators preceding mass violence incidents.

1240 1. Identify the history of interactions between



234288

1241 perpetrators and governmental entities such as schools, law
1242 enforcement agencies, courts and social service agencies, and
1243 identify any failures to adequately communicate or coordinate
1244 regarding indicators of risk or possible threats.

1245 2. Evaluate the extent to which any such failures
1246 contributed to an inability to prevent deaths and injuries.

1247 3. Make specific recommendations for improving
1248 communication and coordination among entities with knowledge of
1249 indicators of risk or possible threats of mass violence in the
1250 future.

1251 4. Identify available state and local tools and resources
1252 for enhancing communication and coordination regarding
1253 indicators of risk or possible threats, including, but not
1254 limited to, the Department of Law Enforcement Fusion Center or
1255 Judicial Inquiry System, and make specific recommendations for
1256 using such tools and resources more effectively in the future.

1257 (4) The commission has the power to investigate. The
1258 commission may delegate to its investigators the authority to
1259 administer oaths and affirmations.

1260 (5) The Commissioner of the Department of Law Enforcement
1261 shall use his or her subpoena power to compel the attendance of
1262 witnesses to testify before the commission. The Commissioner of
1263 the Department of Law Enforcement shall use his or her subpoena
1264 power to compel the production of any books, papers, records,
1265 documentary evidence, and other items, including confidential
1266 information, relevant to the performance of the duties of the
1267 commission or to the exercise of its powers. The chair or any
1268 other member of the commission may administer all oaths and
1269 affirmations in the manner prescribed by law to witnesses who



234288

1270 appear before the commission for the purpose of testifying in
1271 any matter of which the commission desires evidence. In the case
1272 of a refusal to obey a subpoena, the commission may make
1273 application to any circuit court of this state having
1274 jurisdiction to order the witness to appear before the
1275 commission and to produce evidence, if so ordered, or to give
1276 testimony relevant to the matter in question. Failure to obey
1277 the order may be punished by the court as contempt.

1278 (6) The commission may call upon appropriate agencies of
1279 state government for such professional assistance as may be
1280 needed in the discharge of its duties, and such agencies shall
1281 provide such assistance in a timely manner.

1282 (7) Notwithstanding any other law, the commission may
1283 request and shall be provided with access to any information or
1284 records, including exempt or confidential and exempt information
1285 or records, which pertain to the Marjory Stoneman Douglas High
1286 School shooting and prior mass violence incidents in Florida
1287 being reviewed by the commission and which are necessary for the
1288 commission to carry out its duties. Information or records
1289 obtained by the commission which are otherwise exempt or
1290 confidential and exempt shall retain such exempt or confidential
1291 and exempt status and the commission may not disclose any such
1292 information or records.

1293 (8) The commission shall submit an initial report on its
1294 findings and recommendations to the Governor, President of the
1295 Senate, and Speaker of the House of Representatives by January
1296 1, 2019, and may issue reports annually thereafter. The
1297 commission shall sunset July 1, 2023, and this section is
1298 repealed on that date.



234288

1299 Section 20. Section 1001.212, Florida Statutes, is created
1300 to read:

1301 1001.212 Office of Safe Schools.—There is created in the
1302 Department of Education the Office of Safe Schools. The office
1303 is fully accountable to the Commissioner of Education. The
1304 office shall serve as a central repository for best practices,
1305 training standards, and compliance oversight in all matters
1306 regarding school safety and security, including prevention
1307 efforts, intervention efforts, and emergency preparedness
1308 planning. The office shall:

1309 (1) Establish and update as necessary a school security
1310 risk assessment tool for use by school districts pursuant to s.
1311 1006.07(6). The office shall make the security risk assessment
1312 tool available for use by charter schools.

1313 (2) Provide ongoing professional development opportunities
1314 to school district personnel.

1315 (3) Provide a coordinated and interdisciplinary approach to
1316 providing technical assistance and guidance to school districts
1317 on safety and security and recommendations to address findings
1318 identified pursuant to s. 1006.07(6).

1319 (4) Develop and implement a School Safety Specialist
1320 Training Program for school safety specialists appointed
1321 pursuant to s. 1006.07(6). The office shall develop the training
1322 program which shall be based on national and state best
1323 practices on school safety and security and must include active
1324 shooter training. The office shall develop training modules in
1325 traditional or online formats. A school safety specialist
1326 certificate of completion shall be awarded to a school safety
1327 specialist who satisfactorily completes the training required by



234288

1328 rules of the office.

1329 (5) Review and provide recommendations on the security risk
1330 assessments. The department may contract with security
1331 personnel, consulting engineers, architects, or other safety and
1332 security experts the department deems necessary for safety and
1333 security consultant services.

1334 (6) Coordinate with the Department of Law Enforcement to
1335 provide a centralized integrated data repository and data
1336 analytics resources to improve access to timely, complete and
1337 accurate information integrating data from, at a minimum, but
1338 not limited to, the following data sources by December 1, 2018:

- 1339 (a) Social Media;
- 1340 (b) Department of Children and Families;
- 1341 (c) Department of Law Enforcement;
- 1342 (d) Department of Juvenile Justice; and
- 1343 (e) Local law enforcement.

1344 (7) Data that is exempt or confidential and exempt from
1345 public records requirements retains its exempt or confidential
1346 and exempt status when incorporated into the centralized
1347 integrated data repository.

1348 (8) To maintain the confidentially requirements attached to
1349 the information provided to the centralized integrated data
1350 repository by the various state and local agencies, data
1351 governance and security shall ensure compliance with all
1352 applicable state and federal data privacy requirements through
1353 the use of user authorization and role based security, data
1354 anonymization and aggregation and auditing capabilities.

1355 (9) To maintain the confidentially requirements attached to
1356 the information provided to the centralized integrated data



234288

1357 repository by the various state and local agencies, each source
1358 agency providing data for the repository shall be the sole
1359 custodian of the data for the purpose of any request for
1360 inspection or copies thereof under ch. 119. The department shall
1361 only allow access to data from the source agencies in accordance
1362 with rules adopted by the respective source agencies.

1363 (10) Award grants to schools to improve the safety and
1364 security of school buildings based upon recommendations of the
1365 security risk assessment developed pursuant to subsection (1).

1366 (11) Disseminate, in consultation with the Department of
1367 Law Enforcement, to participating schools awareness and
1368 education materials on the School Safety Awareness Program
1369 developed pursuant to s. 943.082.

1370 Section 21. Paragraph (a) of subsection (10) of section
1371 1002.32, Florida Statutes, is amended to read:

1372 1002.32 Developmental research (laboratory) schools.—

1373 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
1374 and facilitate the mission of the lab schools, in addition to
1375 the exceptions to law specified in s. 1001.23(2), the following
1376 exceptions shall be permitted for lab schools:

1377 (a) The methods and requirements of the following statutes
1378 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
1379 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
1380 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
1381 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
1382 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
1383 1001.49; 1001.50; 1001.51; 1006.12(2) ~~1006.12(1)~~; 1006.21(3),
1384 (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;
1385 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;



234288

1386 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3),
1387 (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;
1388 1011.72; 1011.73; and 1011.74.

1389 Section 22. Subsection (1) of section 1006.04, Florida
1390 Statutes, is amended to read:

1391 1006.04 Educational multiagency services for students with
1392 severe emotional disturbance.-

1393 (1) (a) The multiagency network for students with emotional
1394 and behavioral disabilities works with education, mental health,
1395 child welfare, and juvenile justice professionals, along with
1396 other agencies and families, to provide children with mental
1397 illness or emotional and behavioral problems and their families
1398 with access to the services and supports they need to succeed An
1399 intensive, integrated educational program; a continuum of mental
1400 health treatment services; and, when needed, residential
1401 services are necessary to enable students with severe emotional
1402 disturbance to develop appropriate behaviors and demonstrate
1403 academic and career education skills. The small incidence of
1404 severe emotional disturbance in the total school population
1405 requires multiagency programs to provide access to appropriate
1406 services for all students with severe emotional disturbance.
1407 District school boards should provide educational programs, and
1408 state departments and agencies administering children's mental
1409 health funds should provide mental health treatment and
1410 residential services when needed, as part of the forming a
1411 multiagency network to provide support for students with severe
1412 emotional disturbance.

1413 (b) The purpose of the multiagency network is to: The
1414 program goals for each component of the multiagency network are



234288

1415 ~~to~~

1416 1. Enable students with severe emotional disturbance to
1417 learn appropriate behaviors, reduce dependency, and fully
1418 participate in all aspects of school and community living. ~~to~~

1419 2. Develop individual programs for students with severe
1420 emotional disturbance, including necessary educational,
1421 residential, and mental health treatment services. ~~to~~

1422 3. Provide programs and services as close as possible to
1423 the student's home in the least restrictive manner consistent
1424 with the student's needs. ~~and to~~

1425 4. Integrate a wide range of services necessary to support
1426 students with severe emotional disturbance and their families.

1427 (c) The multiagency network shall:

1428 1. Support and represent the needs of students in each
1429 school district in joint planning with fiscal agents of
1430 children's mental health funds, including the expansion of
1431 school-based mental health services, transition services, and
1432 integrated education and treatment programs.

1433 2. Improve coordination of services for children with or at
1434 risk of emotional or behavioral disabilities and their families
1435 by assisting multi-agency collaborative initiatives to identify
1436 critical issues and barriers of mutual concern and develop local
1437 response systems that increase home and school connections and
1438 family engagement.

1439 3. Increase parent and youth involvement and development
1440 with local systems of care.

1441 4. Facilitate student and family access to effective
1442 services and programs for students with and at risk of emotional
1443 or behavioral disabilities that include necessary educational,



234288

1444 residential, and mental health treatment services, enabling
1445 these students to learn appropriate behaviors, reduce
1446 dependency, and fully participate in all aspects of school and
1447 community living.

1448 Section 23. Paragraph (b) of subsection (1), paragraphs (k)
1449 through (m) of subsection (2), and subsections (3), (4), and (6)
1450 of section 1006.07, Florida Statutes, are amended, and
1451 subsections (7) and (8) are added to that section to read:

1452 1006.07 District school board duties relating to student
1453 discipline and school safety.—The district school board shall
1454 provide for the proper accounting for all students, for the
1455 attendance and control of students at school, and for proper
1456 attention to health, safety, and other matters relating to the
1457 welfare of students, including:

1458 (1) CONTROL OF STUDENTS.—

1459 (b) Require each student at the time of initial
1460 registration for school in the school district to note previous
1461 school expulsions, arrests resulting in a charge, ~~and~~ juvenile
1462 justice actions, and referrals to mental health services the
1463 student has had, and have the authority as the district school
1464 board of a receiving school district to honor the final order of
1465 expulsion or dismissal of a student by any in-state or out-of-
1466 state public district school board or private school, or lab
1467 school, for an act which would have been grounds for expulsion
1468 according to the receiving district school board's code of
1469 student conduct, in accordance with the following procedures:

1470 1. A final order of expulsion shall be recorded in the
1471 records of the receiving school district.

1472 2. The expelled student applying for admission to the



234288

1473 receiving school district shall be advised of the final order of
1474 expulsion.

1475 3. The district school superintendent of the receiving
1476 school district may recommend to the district school board that
1477 the final order of expulsion be waived and the student be
1478 admitted to the school district, or that the final order of
1479 expulsion be honored and the student not be admitted to the
1480 school district. If the student is admitted by the district
1481 school board, with or without the recommendation of the district
1482 school superintendent, the student may be placed in an
1483 appropriate educational program and referred to mental health
1484 services identified by the school district pursuant to s.
1485 1012.584(4), when appropriate, at the direction of the district
1486 school board.

1487 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
1488 conduct for elementary schools and a code of student conduct for
1489 middle and high schools and distribute the appropriate code to
1490 all teachers, school personnel, students, and parents, at the
1491 beginning of every school year. Each code shall be organized and
1492 written in language that is understandable to students and
1493 parents and shall be discussed at the beginning of every school
1494 year in student classes, school advisory council meetings, and
1495 parent and teacher association or organization meetings. Each
1496 code shall be based on the rules governing student conduct and
1497 discipline adopted by the district school board and shall be
1498 made available in the student handbook or similar publication.
1499 Each code shall include, but is not limited to:

1500 (k) Policies to be followed for the assignment of violent
1501 or disruptive students to an alternative educational program or



234288

1502 referral of such students to mental health services identified
1503 by the school district pursuant to s. 1012.584(4).

1504 (l) Notice that any student who is determined to have
1505 brought a firearm or weapon, as defined in chapter 790, to
1506 school, to any school function, or onto any school-sponsored
1507 transportation, or to have possessed a firearm at school, will
1508 be expelled, with or without continuing educational services,
1509 from the student's regular school for a period of not less than
1510 1 full year and referred to mental health services identified by
1511 the school district pursuant to s. 1012.584(4) and the criminal
1512 justice or juvenile justice system. District school boards may
1513 assign the student to a disciplinary program or second chance
1514 school for the purpose of continuing educational services during
1515 the period of expulsion. District school superintendents may
1516 consider the 1-year expulsion requirement on a case-by-case
1517 basis and request the district school board to modify the
1518 requirement by assigning the student to a disciplinary program
1519 or second chance school if the request for modification is in
1520 writing and it is determined to be in the best interest of the
1521 student and the school system.

1522 (m) Notice that any student who is determined to have made
1523 a threat or false report, as defined by ss. 790.162 and 790.163,
1524 respectively, involving school or school personnel's property,
1525 school transportation, or a school-sponsored activity will be
1526 expelled, with or without continuing educational services, from
1527 the student's regular school for a period of not less than 1
1528 full year and referred for criminal prosecution and mental
1529 health services identified by the school district pursuant to s.
1530 1012.584(4) for evaluation or treatment, when appropriate.



234288

1531 District school boards may assign the student to a disciplinary
1532 program or second chance school for the purpose of continuing
1533 educational services during the period of expulsion. District
1534 school superintendents may consider the 1-year expulsion
1535 requirement on a case-by-case basis and request the district
1536 school board to modify the requirement by assigning the student
1537 to a disciplinary program or second chance school if it is
1538 determined to be in the best interest of the student and the
1539 school system.

1540 (3) STUDENT CRIME WATCH PROGRAM.—By resolution of the
1541 district school board, implement a student crime watch program
1542 to promote responsibility among students and improve school
1543 safety. The student crime watch program shall allow students and
1544 the community to anonymously relay information concerning unsafe
1545 and potentially harmful, dangerous, violent, or criminal
1546 activities, or the threat of these activities, to appropriate
1547 public safety agencies and school officials ~~to assist in the~~
1548 ~~control of criminal behavior within the schools.~~

1549 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

1550 (a) Formulate and prescribe policies and procedures, in
1551 consultation with the appropriate public safety agencies, for
1552 emergency drills and for actual emergencies, including, but not
1553 limited to, fires, natural disasters, active shooter and hostage
1554 situations, and bomb threats, for all students and faculty at
1555 all the public schools of the district comprised of which
1556 comprise grades K-12. Drills for active shooter and hostage
1557 situations shall be conducted at least as often as other
1558 emergency drills. District school board policies shall include
1559 commonly used alarm system responses for specific types of



234288

1560 emergencies and verification by each school that drills have
1561 been provided as required by law and fire protection codes. The
1562 emergency response policy shall identify the individuals
1563 responsible for contacting the primary emergency response agency
1564 and the emergency response agency that is responsible for
1565 notifying the school district for each type of emergency ~~must be~~
1566 ~~listed in the district's emergency response policy.~~

1567 (b) Establish model emergency management and emergency
1568 preparedness procedures, including emergency notification
1569 procedures pursuant to paragraph (a), for the following life-
1570 threatening emergencies:

1571 1. Weapon-use, and hostage, and active shooter situations.
1572 The active shooter situation training for each school must
1573 engage the participation of the district school safety
1574 specialist, threat assessment team members, faculty, staff, and
1575 students and must be conducted by the law enforcement agency or
1576 agencies that are designated as first responders to the school's
1577 campus.

1578 2. Hazardous materials or toxic chemical spills.

1579 3. Weather emergencies, including hurricanes, tornadoes,
1580 and severe storms.

1581 4. Exposure as a result of a manmade emergency.

1582 (c) Establish a schedule to test the functionality and
1583 coverage capacity of all emergency communication systems and
1584 determine if adequate signal strength is available in all areas
1585 of the school's campus.

1586 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district
1587 school superintendent shall establish policies and procedures
1588 for the prevention of violence on school grounds, including the



234288

1589 assessment of and intervention with individuals whose behavior
1590 poses a threat to the safety of the school community.

1591 (a) Each district school superintendent shall designate a
1592 school administrator as a school safety specialist for the
1593 district. The school safety specialist must earn a certificate
1594 of completion of the school safety specialist training provided
1595 by the Office of Safe Schools within 1 year after appointment
1596 and is responsible for the supervision and oversight for all
1597 school safety and security personnel, policies, and procedures
1598 in the school district. The school safety specialist shall:

1599 1. Review policies and procedures for compliance with state
1600 law and rules.

1601 2. Provide the necessary training and resources to students
1602 and school district staff in matters relating to youth mental
1603 health awareness and assistance; emergency procedures, including
1604 active shooter training; and school safety and security.

1605 3. Serve as the school district liaison with local public
1606 safety agencies and national, state, and community agencies and
1607 organizations in matters of school safety and security.

1608 4. Conduct a school security risk assessment in accordance
1609 with s. 1006.1493 at each public school using the school
1610 security risk assessment tool developed by the Office of Safe
1611 Schools ~~Use the Safety and Security Best Practices developed by~~
1612 ~~the Office of Program Policy Analysis and Government~~
1613 ~~Accountability to conduct a self-assessment of the school~~
1614 ~~districts' current safety and security practices. Based on the~~
1615 ~~assessment these self-assessment findings, the district's school~~
1616 ~~safety specialist district school superintendent shall provide~~
1617 recommendations to the district school board which identify



234288

1618 strategies and activities that the district school board should
1619 implement in order to improve school safety and security.
1620 Annually, each district school board must receive such findings
1621 and the school safety specialist's recommendations ~~the self-~~
1622 ~~assessment results~~ at a publicly noticed district school board
1623 meeting to provide the public an opportunity to hear the
1624 district school board members discuss and take action on the
1625 ~~report~~ findings and recommendations. Each school safety
1626 specialist ~~district school superintendent~~ shall report such
1627 findings ~~the self-assessment results~~ and school board action to
1628 the Office of Safe Schools ~~commissioner~~ within 30 days after the
1629 district school board meeting.

1630 (b) Each school safety specialist shall coordinate with the
1631 appropriate public safety agencies, as defined in s. 365.171,
1632 that are designated as first responders to a school's campus to
1633 conduct a tour of such campus once every 3 years and provide
1634 recommendations related to school safety. The recommendations by
1635 the public safety agencies must be considered as part of the
1636 recommendations by the school safety specialist pursuant to
1637 paragraph (a).

1638 (7) THREAT ASSESSMENT TEAMS.—Each district school board
1639 shall adopt policies for the establishment of threat assessment
1640 teams at each school whose duties include the coordination of
1641 resources and assessment and intervention with individuals whose
1642 behavior may pose a threat to the safety of school staff or
1643 students consistent with the model policies developed by the
1644 Office of Safe Schools. Such policies shall include procedures
1645 for referrals to mental health services identified by the school
1646 district pursuant to s. 1012.584(4), when appropriate.



234288

1647 (a) A threat assessment team shall include persons with
1648 expertise in counseling, instruction, school administration, and
1649 law enforcement. The threat assessment teams shall identify
1650 members of the school community to whom threatening behavior
1651 should be reported and provide guidance to students, faculty,
1652 and staff regarding recognition of threatening or aberrant
1653 behavior that may represent a threat to the community, school,
1654 or self.

1655 (b) Upon a preliminary determination that a student poses a
1656 threat of violence or physical harm to himself or herself or
1657 others, a threat assessment team shall immediately report its
1658 determination to the superintendent or his or her designee. The
1659 superintendent or his or her designee shall immediately attempt
1660 to notify the student's parent or legal guardian. Nothing in
1661 this subsection shall preclude school district personnel from
1662 acting immediately to address an imminent threat.

1663 (c) Upon a preliminary determination by the threat
1664 assessment team that a student poses a threat of violence to
1665 himself or herself or others or exhibits significantly
1666 disruptive behavior or need for assistance, the threat
1667 assessment team may obtain criminal history record information,
1668 as provided in s. 985.047. A member of a threat assessment team
1669 may not disclose any criminal history record information
1670 obtained pursuant to this section or otherwise use any record of
1671 an individual beyond the purpose for which such disclosure was
1672 made to the threat assessment team.

1673 (d) Notwithstanding any other provision of law, all state
1674 and local agencies and programs that provide services to
1675 students experiencing or at risk of an emotional disturbance or



234288

1676 a mental illness, including the school districts, school
1677 personnel, state and local law enforcement agencies, the
1678 Department of Juvenile Justice, the Department of Children and
1679 Families, the Department of Health, the Agency for Health Care
1680 Administration, the Agency for Persons with Disabilities, the
1681 Department of Education, the Statewide Guardian Ad Litem Office,
1682 and any service or support provider contracting with such
1683 agencies, may share with each other records or information that
1684 are confidential or exempt from disclosure under chapter 119 if
1685 the records or information are reasonably necessary to ensure
1686 access to appropriate services for the student or to ensure the
1687 safety of the student or others. All such state and local
1688 agencies and programs shall communicate, collaborate, and
1689 coordinate efforts to serve such students.

1690 (e) If an immediate mental health or substance abuse crisis
1691 is suspected, school personnel shall follow policies established
1692 by the threat assessment team to engage behavioral health crisis
1693 resources. Behavioral health crisis resources, including, but
1694 not limited to, mobile crisis teams and school resource officers
1695 trained in crisis intervention, shall provide emergency
1696 intervention and assessment, make recommendations, and refer the
1697 student for appropriate services. Onsite school personnel shall
1698 report all such situations and actions taken to the threat
1699 assessment team, which shall contact the other agencies involved
1700 with the student and any known service providers to share
1701 information and coordinate any necessary followup actions.

1702 (f) Each threat assessment team established pursuant to
1703 this subsection shall report quantitative data on its activities
1704 to the Office of Safe Schools in accordance with guidance from



234288

1705 the office.

1706 (8) SAFETY IN CONSTRUCTION PLANNING.—A district school
1707 board must allow the law enforcement agency or agencies that are
1708 designated as first responders to the district's campus and
1709 school's campuses to tour such campuses once every 3 years. Any
1710 changes related to school safety and emergency issues
1711 recommended by a law enforcement agency based on a campus tour
1712 must be documented by the district school board.

1713 Section 24. Subsection (2) of section 1006.08, Florida
1714 Statutes, is amended to read:

1715 1006.08 District school superintendent duties relating to
1716 student discipline and school safety.—

1717 (2) Notwithstanding the provisions of s. 985.04(7) or any
1718 other provision of law to the contrary, the court shall, within
1719 48 hours of the finding, notify the appropriate district school
1720 superintendent of the name and address of any student found to
1721 have committed a delinquent act, or who has had adjudication of
1722 a delinquent act withheld which, if committed by an adult, would
1723 be a felony, ~~or~~ the name and address of any student found guilty
1724 of a felony, or the name and address of any student the court
1725 refers to mental health services. Notification shall include the
1726 specific delinquent act found to have been committed or for
1727 which adjudication was withheld, or the specific felony for
1728 which the student was found guilty.

1729 Section 25. Section 1006.12, Florida Statutes, is amended
1730 to read:

1731 1006.12 Safe-school school resource officers at each public
1732 school and school safety officers.—For the protection and safety
1733 of school personnel, property, students, and visitors, each



234288

1734 district school board and school district superintendent shall
1735 partner with law enforcement agencies to establish or assign one
1736 or more safe-school officers at each school facility within the
1737 district by implementing any combination of the following
1738 options which best meets the needs of the school district:

1739 (1) ~~District school boards may~~ Establish school resource
1740 officer programs, through a cooperative agreement with law
1741 enforcement agencies ~~or in accordance with subsection (2).~~

1742 (a) School resource officers shall undergo criminal
1743 background checks, drug testing, and a psychological evaluation
1744 and be certified law enforcement officers, as defined in s.
1745 943.10(1), who are employed by a law enforcement agency as
1746 defined in s. 943.10(4). The powers and duties of a law
1747 enforcement officer shall continue throughout the employee's
1748 tenure as a school resource officer.

1749 (b) School resource officers shall abide by district school
1750 board policies and shall consult with and coordinate activities
1751 through the school principal, but shall be responsible to the
1752 law enforcement agency in all matters relating to employment,
1753 subject to agreements between a district school board and a law
1754 enforcement agency. Activities conducted by the school resource
1755 officer which are part of the regular instructional program of
1756 the school shall be under the direction of the school principal.

1757 (c) Complete mental health crisis intervention training
1758 using a curriculum developed by a national organization with
1759 expertise in mental health crisis intervention. The training
1760 shall improve officers' knowledge and skills as first responders
1761 to incidents involving students with emotional disturbance or
1762 mental illness, including de-escalation skills to ensure student



234288

1763 and officer safety.

1764 (2) Commission one or more school safety officers for the
1765 protection and safety of school personnel, property, and
1766 students within the school district. The district school
1767 superintendent may recommend, and the district school board may
1768 appoint, one or more school safety officers.

1769 ~~(2)(a)~~ School safety officers shall undergo criminal
1770 background checks, drug testing, and a psychological evaluation
1771 and be law enforcement officers, as defined in s. 943.10(1),
1772 certified under the provisions of chapter 943 and employed by
1773 either a law enforcement agency or by the district school board.
1774 If the officer is employed by the district school board, the
1775 district school board is the employing agency for purposes of
1776 chapter 943, and must comply with the provisions of that
1777 chapter.

1778 ~~(b) A district school board may commission one or more~~
1779 ~~school safety officers for the protection and safety of school~~
1780 ~~personnel, property, and students within the school district.~~
1781 ~~The district school superintendent may recommend and the~~
1782 ~~district school board may appoint one or more school safety~~
1783 ~~officers.~~

1784 (b)(e) A school safety officer has and shall exercise the
1785 power to make arrests for violations of law on district school
1786 board property and to arrest persons, whether on or off such
1787 property, who violate any law on such property under the same
1788 conditions that deputy sheriffs are authorized to make arrests.
1789 A school safety officer has the authority to carry weapons when
1790 performing his or her official duties.

1791 (c)(d) A district school board may enter into mutual aid



234288

1792 agreements with one or more law enforcement agencies as provided
1793 in chapter 23. A school safety officer's salary may be paid
1794 jointly by the district school board and the law enforcement
1795 agency, as mutually agreed to.

1796 (3) At the school district's discretion, participate in the
1797 school marshal program if such program is established pursuant
1798 to s. 30.15, to meet the requirement of establishing a safe-
1799 school officer.

1800 Section 26. Subsection (1), paragraph (c) of subsection
1801 (4), and subsection (8) of section 1006.13, Florida Statutes,
1802 are amended, and paragraph (f) is added to subsection (2) of
1803 that section, to read:

1804 1006.13 Policy of zero tolerance for crime and
1805 victimization.—

1806 (1) District school boards shall ~~It is the intent of the~~
1807 ~~Legislature to~~ promote a safe and supportive learning
1808 environment in schools by protecting, ~~to protect~~ students and
1809 staff from conduct that poses a serious threat to school safety.
1810 A threat assessment team may, ~~and to encourage schools to~~ use
1811 alternatives to expulsion or referral to law enforcement
1812 agencies to address ~~by addressing~~ disruptive behavior through
1813 restitution, civil citation, teen court, neighborhood
1814 restorative justice, or similar programs. Zero-tolerance ~~The~~
1815 ~~Legislature finds that zero-tolerance~~ policies may ~~are~~ not
1816 ~~intended to~~ be rigorously applied to petty acts of misconduct
1817 and misdemeanors, including, but not limited to, minor fights or
1818 disturbances. Zero-tolerance policies ~~The Legislature finds that~~
1819 ~~zero-tolerance policies~~ must apply equally to all students
1820 regardless of their economic status, race, or disability.



234288

1821 (2) Each district school board shall adopt a policy of zero
1822 tolerance that:

1823 (f) Requires the threat assessment team to consult with law
1824 enforcement when a student exhibits a pattern of behavior, based
1825 upon previous acts or the severity of an act, that would pose a
1826 threat to school safety.

1827 (4)

1828 (c) Zero-tolerance policies do not require the reporting of
1829 petty acts of misconduct and misdemeanors to a law enforcement
1830 agency, including, but not limited to, disorderly conduct,
1831 ~~disrupting a school function,~~ simple assault or battery, affray,
1832 theft of less than \$300, trespassing, and vandalism of less than
1833 \$1,000. However, if a student commits more than one misdemeanor,
1834 the threat assessment team must consult with law enforcement to
1835 determine if the act should be reported to law enforcement.

1836 (8) A threat assessment team may ~~School districts are~~
1837 ~~encouraged to~~ use alternatives to expulsion or referral to law
1838 enforcement agencies unless the use of such alternatives will
1839 pose a threat to school safety.

1840 Section 27. Section 1006.1493, Florida Statutes, is created
1841 to read:

1842 1006.1493 Florida Safe Schools Assessment Tool.-

1843 (1) The department through the Office of Safe Schools
1844 pursuant s. 1001.212 shall contract with a security consulting
1845 firm that specializes in the development of risk assessment
1846 software solutions and has experience in conducting security
1847 assessments of public facilities to develop, update, and
1848 implement a risk assessment tool, which shall be known as the
1849 Florida Safe Schools Assessment Tool (FSSAT). The FSSAT must be



234288

1850 used by school officials at each school district and public
1851 school site in the state in conducting security assessments for
1852 use by school officials at each school district and public
1853 school site in the state.

1854 (2) The FSSAT must help school officials identify threats,
1855 vulnerabilities, and appropriate safety controls for the schools
1856 that they supervise, pursuant to the security risk assessment
1857 requirements of s. 1006.07(6).

1858 (a) At a minimum, the FSSAT must address all of the
1859 following components:

1860 1. School emergency and crisis preparedness planning;

1861 2. Security, crime, and violence prevention policies and
1862 procedures;

1863 3. Physical security measures;

1864 4. Professional development training needs;

1865 5. An examination of support service roles in school
1866 safety, security, and emergency planning;

1867 6. School security and school police staffing, operational
1868 practices, and related services;

1869 7. School and community collaboration on school safety; and

1870 8. A return on investment analysis of the recommended
1871 physical security controls.

1872 (b) The department shall require by contract that the
1873 security consulting firm:

1874 1. Generate written automated reports on assessment
1875 findings for review by the department and school and district
1876 officials;

1877 2. Provide training to the department and school officials
1878 in the use of the FSSAT and other areas of importance identified



234288

1879 by the department; and

1880 3. Advise in the development and implementation of
1881 templates, formats, guidance, and other resources necessary to
1882 facilitate the implementation of this section at state,
1883 district, school, and local levels.

1884 (3) By December 1, 2018, and annually by that date
1885 thereafter, the department must report to the Governor, the
1886 President of the Senate, and the Speaker of the House of
1887 Representatives on the status of implementation across school
1888 districts and schools. The report must include a summary of the
1889 positive school safety measures in place at the time of the
1890 assessment and any recommendations for policy changes or funding
1891 needed to facilitate continued school safety planning,
1892 improvement, and response at the state, district, or school
1893 levels.

1894 (4) In accordance with ss. 119.071(3)(a) and 281.301, data
1895 and information related to security risk assessments
1896 administered pursuant to this section and s. 1006.07(6) and the
1897 security information contained in the annual report required
1898 pursuant to subsection (3) are confidential and exempt from
1899 public records requirements.

1900 Section 28. Subsection (16) and (17) of section 1011.62,
1901 Florida Statutes, are redesignated as subsections (17) and (18),
1902 respectively, paragraph (a) of subsection (4), paragraph (b) of
1903 subsection (6), subsection (14), and subsection (15) of that
1904 section are amended, and a new subsection (16) is added to that
1905 section, to read:

1906 1011.62 Funds for operation of schools.—If the annual
1907 allocation from the Florida Education Finance Program to each



234288

1908 district for operation of schools is not determined in the
1909 annual appropriations act or the substantive bill implementing
1910 the annual appropriations act, it shall be determined as
1911 follows:

1912 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
1913 Legislature shall prescribe the aggregate required local effort
1914 for all school districts collectively as an item in the General
1915 Appropriations Act for each fiscal year. The amount that each
1916 district shall provide annually toward the cost of the Florida
1917 Education Finance Program for kindergarten through grade 12
1918 programs shall be calculated as follows:

1919 (a) *Estimated taxable value calculations.*—

1920 1.a. Not later than 2 working days before July 19, the
1921 Department of Revenue shall certify to the Commissioner of
1922 Education its most recent estimate of the taxable value for
1923 school purposes in each school district and the total for all
1924 school districts in the state for the current calendar year
1925 based on the latest available data obtained from the local
1926 property appraisers. The value certified shall be the taxable
1927 value for school purposes for that year, and no further
1928 adjustments shall be made, except those made pursuant to
1929 paragraphs (c) and (d), or an assessment roll change required by
1930 final judicial decisions as specified in paragraph (17) (b)
1931 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
1932 shall compute a millage rate, rounded to the next highest one
1933 one-thousandth of a mill, which, when applied to 96 percent of
1934 the estimated state total taxable value for school purposes,
1935 would generate the prescribed aggregate required local effort
1936 for that year for all districts. The Commissioner of Education



234288

1937 shall certify to each district school board the millage rate,
1938 computed as prescribed in this subparagraph, as the minimum
1939 millage rate necessary to provide the district required local
1940 effort for that year.

1941 b. The General Appropriations Act shall direct the
1942 computation of the statewide adjusted aggregate amount for
1943 required local effort for all school districts collectively from
1944 ad valorem taxes to ensure that no school district's revenue
1945 from required local effort millage will produce more than 90
1946 percent of the district's total Florida Education Finance
1947 Program calculation as calculated and adopted by the
1948 Legislature, and the adjustment of the required local effort
1949 millage rate of each district that produces more than 90 percent
1950 of its total Florida Education Finance Program entitlement to a
1951 level that will produce only 90 percent of its total Florida
1952 Education Finance Program entitlement in the July calculation.

1953 2. On the same date as the certification in sub-
1954 subparagraph 1.a., the Department of Revenue shall certify to
1955 the Commissioner of Education for each district:

1956 a. Each year for which the property appraiser has certified
1957 the taxable value pursuant to s. 193.122(2) or (3), if
1958 applicable, since the prior certification under sub-subparagraph
1959 1.a.

1960 b. For each year identified in sub-subparagraph a., the
1961 taxable value certified by the appraiser pursuant to s.
1962 193.122(2) or (3), if applicable, since the prior certification
1963 under sub-subparagraph 1.a. This is the certification that
1964 reflects all final administrative actions of the value
1965 adjustment board.



234288

1966 (6) CATEGORICAL FUNDS.—
1967 (b) If a district school board finds and declares in a
1968 resolution adopted at a regular meeting of the school board that
1969 the funds received for any of the following categorical
1970 appropriations are urgently needed to maintain school board
1971 specified academic classroom instruction or improve school
1972 safety, the school board may consider and approve an amendment
1973 to the school district operating budget transferring the
1974 identified amount of the categorical funds to the appropriate
1975 account for expenditure:
1976 1. Funds for student transportation.
1977 ~~2. Funds for safe schools.~~
1978 ~~2.3.~~ Funds for supplemental academic instruction if the
1979 required additional hour of instruction beyond the normal school
1980 day for each day of the entire school year has been provided for
1981 the students in each low-performing elementary school in the
1982 district pursuant to paragraph (1) (f).
1983 ~~3.4.~~ Funds for research-based reading instruction if the
1984 required additional hour of instruction beyond the normal school
1985 day for each day of the entire school year has been provided for
1986 the students in each low-performing elementary school in the
1987 district pursuant to paragraph (9) (a).
1988 ~~4.5.~~ Funds for instructional materials if all instructional
1989 material purchases necessary to provide updated materials that
1990 are aligned with applicable state standards and course
1991 descriptions and that meet statutory requirements of content and
1992 learning have been completed for that fiscal year, but no sooner
1993 than March 1. Funds available after March 1 may be used to
1994 purchase hardware for student instruction.



234288

1995 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
1996 annually in the General Appropriations Act determine a
1997 percentage increase in funds per K-12 unweighted FTE as a
1998 minimum guarantee to each school district. The guarantee shall
1999 be calculated from prior year base funding per unweighted FTE
2000 student which shall include the adjusted FTE dollars as provided
2001 in subsection (17) ~~(16)~~, quality guarantee funds, and actual
2002 nonvoted discretionary local effort from taxes. From the base
2003 funding per unweighted FTE, the increase shall be calculated for
2004 the current year. The current year funds from which the
2005 guarantee shall be determined shall include the adjusted FTE
2006 dollars as provided in subsection (17) ~~(16)~~ and potential
2007 nonvoted discretionary local effort from taxes. A comparison of
2008 current year funds per unweighted FTE to prior year funds per
2009 unweighted FTE shall be computed. For those school districts
2010 which have less than the legislatively assigned percentage
2011 increase, funds shall be provided to guarantee the assigned
2012 percentage increase in funds per unweighted FTE student. Should
2013 appropriated funds be less than the sum of this calculated
2014 amount for all districts, the commissioner shall prorate each
2015 district's allocation. This provision shall be implemented to
2016 the extent specifically funded.

2017 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
2018 created to provide funding to assist school districts in their
2019 compliance with s. 1006.07 ~~ss. 1006.07-1006.148~~, with priority
2020 given to implementing the district's ~~establishing a school~~
2021 resource officer program pursuant to s. 1006.12. Each school
2022 district shall receive a minimum safe schools allocation in an
2023 amount provided in the General Appropriations Act. Of the



234288

2024 remaining balance of the safe schools allocation, two-thirds
2025 shall be allocated to school districts based on the most recent
2026 official Florida Crime Index provided by the Department of Law
2027 Enforcement and one-third shall be allocated based on each
2028 school district's proportionate share of the state's total
2029 unweighted full-time equivalent student enrollment. Any
2030 additional funds appropriated to this allocation in the 2018-
2031 2019 fiscal year to the school resource officer program
2032 established pursuant to s. 1006.12 shall be used exclusively for
2033 employing or contracting for school resource officers, which
2034 shall be in addition to the number of officers employed or
2035 contracted for in the 2017-2018 fiscal year.

2036 (16) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
2037 assistance allocation is created to provide funding to assist
2038 school districts in establishing or expanding school-based
2039 mental health care. These funds shall be allocated annually in
2040 the General Appropriations Act or other law to each eligible
2041 school district. Each school district shall receive a minimum of
2042 \$100,000 with the remaining balance allocated based on each
2043 school district's proportionate share of the state's total
2044 unweighted full-time equivalent student enrollment. Eligible
2045 charter schools are entitled to a proportionate share of
2046 district funding. At least 90 percent of a district's allocation
2047 must be expended on the elements specified in subparagraphs
2048 (b)1. and 2. The allocated funds may not supplant funds that are
2049 provided for this purpose from other operating funds and may not
2050 be used to increase salaries or provide bonuses. School
2051 districts are encouraged to maximize third party health
2052 insurance benefits and Medicaid claiming for services, where



234288

2053 appropriate.

2054 (a) Before the distribution of the allocation:

2055 1. The school district must develop and submit a detailed

2056 plan outlining the local program and planned expenditures to the

2057 district school board for approval.

2058 2. A charter school must develop and submit a detailed plan

2059 outlining the local program and planned expenditures to its

2060 governing body for approval. After the plan is approved by the

2061 governing body, it must be provided to the charter school's

2062 sponsor.

2063 (b) The plans required under paragraph (a) must be focused

2064 on delivering evidence-based mental health care treatment to

2065 children and include the following elements:

2066 1. Provision of mental health assessment, diagnosis,

2067 intervention, treatment, and recovery services to students with

2068 one or more mental health or co-occurring substance abuse

2069 diagnoses and students at high risk of such diagnoses.

2070 2. Coordination of such services with a student's primary

2071 care provider and with other mental health providers involved in

2072 the student's care.

2073 3. Direct employment of such service providers, or a

2074 contract-based collaborative effort or partnership with one or

2075 more local community mental health programs, agencies, or

2076 providers.

2077 (c) School districts shall submit approved plans, including

2078 approved plans of each charter school in the district, to the

2079 commissioner by August 1 of each fiscal year.

2080 (d) Beginning September 30, 2019, and annually by September

2081 30 thereafter, each school district shall submit to the



234288

2082 Department of Education a report on its program outcomes and
2083 expenditures for the previous fiscal year that, at a minimum,
2084 must include the number of each of the following:

- 2085 1. Students who receive screenings or assessments.
2086 2. Students who are referred for services or assistance.
2087 3. Students who receive services or assistance.
2088 4. Direct employment service providers employed by each
2089 school district.

- 2090 5. Contract-based collaborative efforts or partnerships
2091 with community mental health programs, agencies, or providers.

2092 Section 29. Section 1012.584, Florida Statutes, is created
2093 to read:

2094 1012.584 Continuing education and inservice training for
2095 youth mental health awareness and assistance.—

2096 (1) Beginning with the 2018-2019 school year, the
2097 Department of Education shall establish an evidence-based youth
2098 mental health awareness and assistance training program to help
2099 school personnel identify and understand the signs of emotional
2100 disturbance, mental illness, and substance use disorders and
2101 provide such personnel with the skills to help a person who is
2102 developing or experiencing an emotional disturbance, mental
2103 health, or substance use problem.

2104 (2) The Department of Education shall select a national
2105 authority on youth mental health awareness and assistance to
2106 facilitate providing youth mental health awareness and
2107 assistance training, using a trainer certification model, to all
2108 school personnel in elementary, middle, and high schools. Each
2109 school safety specialist shall earn, or designate one or more
2110 individuals to earn, certification as a youth mental health



234288

2111 awareness and assistance trainer. The school safety specialist
2112 shall ensure that all school personnel within his or her school
2113 district receive youth mental health awareness and assistance
2114 training.

2115 (3) The training program shall include, but is not limited
2116 to:

2117 (a) An overview of mental illnesses and substance use
2118 disorders and the need to reduce the stigma of mental illness.

2119 (b) Information on the potential risk factors and warning
2120 signs of emotional disturbance, mental illness, or substance use
2121 disorders, including, but not limited to, depression, anxiety,
2122 psychosis, eating disorders, and self-injury, as well as common
2123 treatments for those conditions and how to assess those risks.

2124 (c) Information on how to engage at-risk students with the
2125 skills, resources, and knowledge required to assess the
2126 situation, and how to identify and encourage the student to use
2127 appropriate professional help and other support strategies,
2128 including, but not limited to, peer, social, or self-help care.

2129 (4) Each school district shall notify all school personnel
2130 who have received training pursuant to this section of mental
2131 health services that are available in the school district, and
2132 the individual to contact if a student needs services. The term
2133 "mental health services" includes, but is not limited to,
2134 community mental health services, health care providers, and
2135 services provided under ss. 1006.04 and 1011.62(17).

2136 Section 30. For the purpose of incorporating the amendment
2137 made by this act to section 790.065, Florida Statutes, in a
2138 reference thereto, subsection (2) of section 397.6760, Florida
2139 Statutes, is reenacted to read:



234288

2140 397.6760 Court records; confidentiality.—

2141 (2) This section does not preclude the clerk of the court
2142 from submitting the information required by s. 790.065 to the
2143 Department of Law Enforcement.

2144 Section 31. For the purpose of incorporating the amendment
2145 made by this act to section 790.065, Florida Statutes, in a
2146 reference thereto, paragraph (e) of subsection (3) of section
2147 790.335, Florida Statutes, is reenacted to read:

2148 790.335 Prohibition of registration of firearms; electronic
2149 records.—

2150 (3) EXCEPTIONS.—The provisions of this section shall not
2151 apply to:

2152 (e)1. Records kept pursuant to the recordkeeping provisions
2153 of s. 790.065; however, nothing in this section shall be
2154 construed to authorize the public release or inspection of
2155 records that are made confidential and exempt from the
2156 provisions of s. 119.07(1) by s. 790.065(4) (a).

2157 2. Nothing in this paragraph shall be construed to allow
2158 the maintaining of records containing the names of purchasers or
2159 transferees who receive unique approval numbers or the
2160 maintaining of records of firearm transactions.

2161 Section 32. For the purpose of incorporating the amendment
2162 made by this act to section 836.10, Florida Statutes, in a
2163 reference thereto, subsection (1) of section 794.056, Florida
2164 Statutes, is reenacted to read:

2165 794.056 Rape Crisis Program Trust Fund.—

2166 (1) The Rape Crisis Program Trust Fund is created within
2167 the Department of Health for the purpose of providing funds for
2168 rape crisis centers in this state. Trust fund moneys shall be



234288

2169 used exclusively for the purpose of providing services for
2170 victims of sexual assault. Funds credited to the trust fund
2171 consist of those funds collected as an additional court
2172 assessment in each case in which a defendant pleads guilty or
2173 nolo contendere to, or is found guilty of, regardless of
2174 adjudication, an offense provided in s. 775.21(6) and (10) (a),
2175 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
2176 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
2177 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
2178 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
2179 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
2180 796.06; s. 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s.
2181 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
2182 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
2183 847.0137; s. 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a),
2184 (13), and (14) (c); or s. 985.701(1). Funds credited to the trust
2185 fund also shall include revenues provided by law, moneys
2186 appropriated by the Legislature, and grants from public or
2187 private entities.

2188 Section 33. For the purpose of incorporating the amendment
2189 made by this act to section 836.10, Florida Statutes, in a
2190 reference thereto, section 938.085, Florida Statutes, is
2191 reenacted to read:

2192 938.085 Additional cost to fund rape crisis centers.—In
2193 addition to any sanction imposed when a person pleads guilty or
2194 nolo contendere to, or is found guilty of, regardless of
2195 adjudication, a violation of s. 775.21(6) and (10) (a), (b), and
2196 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
2197 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.



234288

2198 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
2199 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
2200 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
2201 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
2202 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
2203 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
2204 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and
2205 (14)(c); or s. 985.701(1), the court shall impose a surcharge of
2206 \$151. Payment of the surcharge shall be a condition of
2207 probation, community control, or any other court-ordered
2208 supervision. The sum of \$150 of the surcharge shall be deposited
2209 into the Rape Crisis Program Trust Fund established within the
2210 Department of Health by chapter 2003-140, Laws of Florida. The
2211 clerk of the court shall retain \$1 of each surcharge that the
2212 clerk of the court collects as a service charge of the clerk's
2213 office.

2214 Section 34. For the 2018-2019 fiscal year, the sum of \$69,
2215 237,286 in recurring funds is appropriated from the General
2216 Revenue Fund to the Department of Education in the Aid to Local
2217 Governments Grants and Aids - Florida Education Finance Program
2218 to fund the mental health assistance allocation created pursuant
2219 to s. 1011.62(16), Florida Statutes.

2220 Section 35. For the 2018-2019 fiscal year, the sums of
2221 \$500,000 in recurring funds and \$6,200,000 in nonrecurring funds
2222 are appropriated from the General Revenue Fund to the Department
2223 of Education to implement the youth mental health awareness and
2224 assistance training as directed pursuant to s. 1012.584, Florida
2225 Statutes.

2226 Section 36. For the 2018-2019 fiscal year, the sum of \$1



234288

2227 million in nonrecurring funds is appropriated from the General
2228 Revenue Fund to the Department of Education for the design and
2229 construction of a memorial honoring those who lost their lives
2230 on February 14, 2018, at Marjory Stoneman Douglas High School in
2231 Broward County. The department shall collaborate with the
2232 students and faculty of Marjory Stoneman Douglas High School,
2233 the families of the victims, the Broward County School District,
2234 and other relevant entities of the Parkland community on the
2235 design and placement of the memorial.

2236 Section 37. For the 2018-2019 fiscal year, the sum of
2237 \$25,262,714 in nonrecurring funds is appropriated from the
2238 General Revenue Fund to the Department of Education combined
2239 with an equal amount of local matching funds for the purpose of
2240 replacing Building 12, as listed in the Florida Inventory of
2241 School Houses, at Marjory Stoneman Douglas High School in
2242 Broward County.

2243 Section 38. For the 2018-2019 fiscal year, the sums of
2244 \$500,000 in recurring funds and \$67 million in nonrecurring
2245 funds are appropriated from the General Revenue Fund to the
2246 Department of Education to allocate to sheriffs' offices who
2247 establish a school marshal program pursuant to s. 30.15, Florida
2248 Statutes. The funds shall be used for screening-related and
2249 training-related costs and providing a one-time stipend of \$500
2250 to school marshals who participate in the school marshal
2251 program.

2252 Section 39. For the 2018-2019 fiscal year, three full-time
2253 equivalent positions, with associated salary rate of 150,000,
2254 are authorized, and the sum of \$344,393 in recurring funds is
2255 appropriated from the General Revenue Fund to the Department of



234288

2256 Education to fund the Office of Safe Schools created pursuant to
2257 s. 1001.212, Florida Statutes.

2258 Section 40. For the 2018-2019 fiscal year, the sum of
2259 \$97,500,000 in recurring funds is appropriated from the General
2260 Revenue Fund to the Department of Education in the Aid to Local
2261 Governments Grants and Aids - Florida Education Finance Program
2262 category for the safe schools allocation. These funds are in
2263 addition to the safe schools allocation funds appropriated in
2264 the Florida Education Finance Program in the Fiscal Year 2018-
2265 2019 General Appropriations Act. From these funds, \$187,340
2266 shall be distributed to each school district and developmental
2267 research school to increase each school districts' minimum
2268 amount to \$250,000 when combined with the minimum amount
2269 appropriated in the 2018-2019 General Appropriations Act.
2270 Notwithstanding s. 1011.62(15), Florida Statutes, the balance of
2271 the funds appropriated in this section shall be distributed to
2272 school districts based on each district's proportionate share of
2273 the state's total unweighted full-time equivalent student
2274 enrollment. Each school district must use these funds
2275 exclusively for hiring or contracting for school resource
2276 officers pursuant to s. 1006.12, Florida Statutes.

2277 Section 41. For the 2018-2019 fiscal year, the sum of
2278 \$100,000 in recurring funds is appropriated from the General
2279 Revenue Fund to the Department of Education to competitively
2280 procure the active shooter training component of the school
2281 safety specialist training program pursuant to s. 1001.212,
2282 Florida Statutes.

2283 Section 42. For the 2018-2019 fiscal year, the sum of
2284 \$98,962,286 in nonrecurring funds is appropriated from the



234288

2285 General Revenue Fund to the Department of Education to implement
2286 a grant program that will provide awards to schools to fund, in
2287 whole or in part, the fixed capital outlay costs associated with
2288 improving the physical security of school buildings as
2289 identified by a security risk assessment completed before August
2290 1, 2018, by a school district or charter school. By August 31,
2291 2018, the department shall submit the grant guidelines, which
2292 must include an application submission deadline of no later than
2293 December 1, 2018, and the specific evaluation criteria, to all
2294 school districts and charter schools. The department shall award
2295 grants no later than January 15, 2019, based upon the evaluation
2296 criteria set forth in the application guidelines.

2297 Section 43. For the 2018-2019 fiscal year, the sums of
2298 \$300,000 in nonrecurring funds and \$100,000 in recurring funds
2299 are appropriated from the General Revenue Fund to the Department
2300 of Law Enforcement to competitively procure proposals for the
2301 development or acquisition of the mobile suspicious activity
2302 reporting tool pursuant to s. 943.082, Florida Statutes. The
2303 tool shall be implemented no later than January 31, 2019.

2304 Section 44. For the 2018-2019 fiscal year, five full-time
2305 equivalent positions, with associated salary rate of 345,000,
2306 are authorized and the recurring sum of \$600,000 and the
2307 nonrecurring sum of \$50,000 are appropriated from the General
2308 Revenue Fund to the Department of Law Enforcement to fund the
2309 operations of the Marjory Stoneman Douglas High School Public
2310 Safety Commission.

2311 Section 45. For the 2018-2019 fiscal year, the sum of
2312 \$9,800,000 in recurring funds is appropriated from the General
2313 Revenue Fund to the Department of Children and Families to



234288

2314 competitively procure for additional community action treatment
2315 teams to ensure reasonable access among all counties. The
2316 department shall consider the geographic location of existing
2317 community action treatment teams and select providers to serve
2318 the areas of greatest need.

2319 Section 46. For the 2018-2019 fiscal year, the sums of
2320 \$18,300,000 in recurring funds are appropriated from the General
2321 Revenue Fund to the Department of Children and Families to
2322 competitively procure proposals for additional mobile crisis
2323 teams to ensure reasonable access among all counties. The
2324 department shall consider the geographic location of existing
2325 mobile crisis teams and select providers to serve the areas of
2326 greatest need.

2327 Section 47. For the 2018-2019 fiscal year, the sums of
2328 \$18,321 in recurring funds and \$225,000 in nonrecurring funds
2329 are appropriated from the General Revenue Fund to the Department
2330 of Education in the Special Categories - Teacher and School
2331 Administrator Death Benefits category to provide for the
2332 benefits awarded pursuant to s. 112.1915, Florida Statutes, to
2333 the eligible recipients of the three Marjory Stoneman Douglas
2334 High School staff members who lost their lives on February 14,
2335 2018.

2336 Section 48. For the 2018-2019 fiscal year, the sum of \$3
2337 million in recurring funds is appropriated from the General
2338 Revenue Fund to the Department of Education to competitively
2339 procure for the development or acquisition of the centralized
2340 data repository and analytics resources pursuant to s. 1001.212,
2341 Florida Statutes. The department shall collaborate with the
2342 Department of Law Enforcement and school districts to identify



234288

2343 the requirements and functionality of the data repository and
2344 analytics resources and shall make such resources available to
2345 the school districts no later than December 1, 2018.

2346 Section 49. For the 2018-2019 fiscal year, the sum of \$1
2347 million in nonrecurring funds is appropriated from the General
2348 Revenue Fund to the Department of Education to competitively
2349 procure a contract with a third-party security consultant with
2350 experience in conducting security risk assessments of public
2351 schools. Contract funds shall be used to review and analyze the
2352 department's current security risk assessment tool known as the
2353 Florida Safe Schools Assessment Tool (FSSAT) and a sample of
2354 self-assessments conducted by school districts using the FSSAT
2355 to determine the effectiveness of the recommendations produced
2356 based upon the FSSAT. The review shall include any recommended
2357 updates and enhancements with associated costs for their
2358 implementation to aid districts in developing recommendations to
2359 address safety and security issues discovered by the FSSAT. The
2360 department shall submit the completed review to the State Board
2361 of Education, the Executive Office of the Governor's Office of
2362 Policy and Budget, the chair of the Senate Committee on
2363 Appropriations, and the House of Representatives Appropriations
2364 Committee no later than January 1, 2019.

2365 Section 50. Except as otherwise expressly provided in this
2366 act, this act shall take effect upon becoming a law.

2367
2368 ===== T I T L E A M E N D M E N T =====

2369 And the title is amended as follows:

2370 Delete everything before the enacting clause
2371 and insert:



234288

2372 A bill to be entitled
2373 An act relating to public safety; providing a short
2374 title; providing legislative findings; amending
2375 16.555, F.S.; authorizing the awarding of grants
2376 through the Crime Stoppers Trust Fund for student
2377 crime watch programs; amending s. 20.15, F.S.;
2378 establishing the Office of Safe Schools within the
2379 Department of Education; amending s. 30.15, F.S.;
2380 providing that each sheriff may establish a school
2381 marshal program and appoint certain volunteer school
2382 employees as school marshals; providing sheriff and
2383 school marshal requirements; requiring certain
2384 documentation and records be maintained relating to
2385 such school marshals; amending s. 121.091, F.S.;
2386 authorizing certain retired law enforcement officers
2387 to be reemployed as school resource officers after
2388 meeting specified termination requirements;
2389 authorizing such retired law enforcement officers to
2390 receive compensation and retirement benefits after a
2391 specified period; providing that such retired law
2392 enforcement officers may not renew membership in the
2393 Florida Retirement System, except as otherwise
2394 provided; amending s. 394.463, F.S.; requiring when
2395 practicable that a law enforcement officer with
2396 certain training be assigned to serve and execute
2397 certain ex parte orders; authorizing a law enforcement
2398 officer to seize and hold firearms and ammunition if
2399 taking custody of a person who poses a potential
2400 danger to himself or herself or others and who has



234288

2401 made a credible threat against another person;
2402 authorizing a law enforcement officer to seek the
2403 voluntary surrender of firearms and ammunition kept in
2404 the residence if the law enforcement officer takes
2405 custody of the person at the person's residence and
2406 certain criteria are met; authorizing such law
2407 enforcement officer to petition an appropriate court
2408 for a risk protection order under certain
2409 circumstances; requiring that firearms and ammunition
2410 seized or voluntarily surrendered be returned within a
2411 certain timeframe under specified circumstances;
2412 providing exceptions; requiring law enforcement
2413 agencies to develop policies and procedures relating
2414 to the seizure, storage, and return of firearms and
2415 ammunition; amending s. 394.495, F.S.; requiring the
2416 Department of Children and Families to contract for
2417 community action treatment teams throughout the state
2418 with the managing entities; specifying requirements
2419 for community action treatment teams; subject to
2420 legislative appropriation, requiring the department to
2421 contract for additional teams to ensure statewide
2422 availability of services; creating s. 790.064, F.S.;
2423 prohibiting a person who has been adjudicated mentally
2424 defective or been committed to a mental institution
2425 from owning or possessing a firearm until certain
2426 relief is obtained; specifying that the firearm
2427 possession and ownership disability runs concurrently
2428 with the firearm purchase disability under certain
2429 provisions; authorizing a person to petition for



234288

2430 relief from the firearm possession and ownership
2431 disability; requiring that petitions for relief follow
2432 certain procedures; authorizing such person to
2433 petition for simultaneous relief; amending s. 790.065,
2434 F.S.; prohibiting a person younger than a certain age
2435 from purchasing a firearm; prohibiting the sale or
2436 transfer, or facilitation of a sale or transfer, of a
2437 firearm to a person younger than a certain age by a
2438 licensed importer, licensed manufacturer, or licensed
2439 dealer; providing criminal penalties; providing
2440 exceptions; amending s. 790.0655, F.S.; revising the
2441 mandatory waiting period to the later of either 3
2442 days, excluding weekends and legal holidays, or upon
2443 the completion of certain records checks; revising and
2444 redefining terms; requiring that records of firearm
2445 sales be available for inspection by any law
2446 enforcement agency during normal business hours;
2447 revising applicability of the waiting period;
2448 conforming provisions to changes made by the act;
2449 creating s. 790.222, F.S.; defining the term "bump-
2450 fire stock"; prohibiting specified acts relating to
2451 the sale and possession of bump-fire stocks; providing
2452 criminal penalties; providing legislative intent;
2453 providing a short title; creating s. 790.401, F.S.;
2454 defining terms; creating an action known as a petition
2455 for a risk protection order to prevent persons who are
2456 at high risk of harming themselves or others from
2457 accessing firearms or ammunition; providing
2458 requirements for petitions for such orders; providing



234288

2459 duties for courts and clerks of court; prohibiting
2460 fees for the filing of or service of process of such
2461 petitions; providing for jurisdiction for such
2462 petitions; requiring hearings on petitions within a
2463 specified period; providing service requirements;
2464 providing grounds that may be considered in
2465 determining whether to grant such a petition;
2466 providing requirements for proceedings; providing
2467 requirements for risk protection orders; requiring the
2468 court to inform a respondent of his or her right to
2469 request a certain hearing; authorizing temporary ex
2470 parte orders under certain circumstances; providing
2471 requirements for petitions for such ex parte orders;
2472 providing for service of orders; providing for the
2473 termination or extension of an order; providing for
2474 the surrender and storage of firearms, ammunition, and
2475 licenses to carry a concealed weapon or firearm after
2476 issuance of a risk protection order; requiring law
2477 enforcement agencies to develop certain policies and
2478 procedures; providing for return of firearms and
2479 ammunition upon the vacating or end without the
2480 extension of an order under certain circumstances;
2481 authorizing a respondent to elect to transfer all
2482 firearms and ammunition surrendered or seized by a law
2483 enforcement agency to another person under certain
2484 circumstances; requiring a clerk of the court to
2485 forward a copy of a risk protection order to the
2486 appropriate law enforcement agency within a specified
2487 timeframe; requiring the law enforcement agency to



2488 enter the order into the Florida Crime Information
2489 Center and the National Crime Information Center
2490 systems; requiring that the order be maintained in the
2491 systems for a specified period and prohibiting a law
2492 enforcement from removing an order from the systems
2493 which has not ended or been vacated; providing that
2494 entry of an order into the systems constitutes notice
2495 to law enforcement agencies; requiring an issuing
2496 court to forward specified information concerning a
2497 respondent to the Department of Agriculture and
2498 Consumer Services within a specified timeframe;
2499 requiring the department to suspend a license to carry
2500 a concealed weapon or firearm which is held by a
2501 person subject to such an order; prohibiting a person
2502 from making a false statement under oath; providing
2503 criminal penalties; prohibiting violations of such an
2504 order; providing criminal penalties; providing
2505 construction; providing that the risk protection order
2506 provisions do not create liability for certain acts or
2507 omissions; requiring the Office of the State Courts
2508 Administrator to develop and distribute certain
2509 instructional and informational material; amending
2510 836.10, F.S.; prohibiting a person from making,
2511 posting, or transmitting a threat to conduct a mass
2512 shooting or an act of terrorism in a writing or other
2513 record in any manner that would allow another person
2514 to view the threat; providing criminal penalties;
2515 amending 921.0022, F.S.; conforming a provision to
2516 changes made by the act; creating s. 943.082, F.S.;



234288

2517 requiring the Department of Law Enforcement, in
2518 collaboration with the Department of Legal Affairs, to
2519 competitively procure a mobile suspicious activity
2520 tool with certain features; requiring the department
2521 to receive certain electronic reports; requiring the
2522 reporting tool to notify the reporting party of
2523 certain information; requiring the forwarding of
2524 certain information to appropriate law enforcement
2525 agencies; requiring that certain entities be made
2526 aware of the reporting tool; requiring the department,
2527 in collaboration with certain entities, to develop and
2528 provide certain training and awareness relating to the
2529 reporting tool; creating s. 943.687, F.S.; creating
2530 the Marjory Stoneman Douglas High School Public Safety
2531 Commission within the Department of Law Enforcement;
2532 requiring the commission to convene by a certain date;
2533 specifying the composition of the commission;
2534 requiring Department of Law Enforcement staff to
2535 assist the commission; specifying meeting
2536 requirements; authorizing reimbursement for per diem
2537 and travel expenses; providing the duties and
2538 authority of the commission; requiring the commission
2539 to submit an initial report to the Governor and the
2540 Legislature within a specified time; providing for the
2541 expiration of the commission; creating s. 1001.212,
2542 F.S.; creating the Office of Safe Schools within the
2543 Department of Education; providing duties of the
2544 office; amending s. 1002.32, F.S.; conforming a cross-
2545 reference; amending s. 1006.04, F.S.; revising the



234288

2546 purpose and duties of the educational multiagency
2547 network for students with emotional and behavioral
2548 disabilities; amending s. 1006.07, F.S.; revising
2549 district school board duties relating to student
2550 discipline and school safety; requiring students to
2551 note referrals to mental health services upon initial
2552 registration for school within a school district;
2553 authorizing a district school board to refer a student
2554 to certain mental health services under certain
2555 circumstances; revising the code of student conduct
2556 relating to the referral of certain students to
2557 certain mental health services and law enforcement;
2558 providing requirements for student crime watch
2559 programs; revising the policies and procedures for
2560 emergency drills to include drills for active shooter
2561 and hostage situations; providing requirements for
2562 such drills; revising requirements for the emergency
2563 response policy; requiring model emergency management
2564 and emergency preparedness procedures for active
2565 shooter situations; requiring school districts to
2566 establish a schedule to test emergency communication
2567 systems; requiring district school superintendents to
2568 establish certain policies and procedures relating to
2569 the prevention of violence on school grounds and
2570 designate a school safety specialist for the school
2571 district; providing requirements and duties for school
2572 safety specialists; providing school safety specialist
2573 requirements relating to the required school security
2574 risk assessments; requiring each district school board



2575 to establish a threat assessment team at each school
2576 within the district; providing requirements and duties
2577 for threat assessment teams; authorizing a threat
2578 assessment team to obtain certain criminal history
2579 record information under certain circumstances;
2580 prohibiting a member of a threat assessment team from
2581 disclosing or using such information except for a
2582 specified purpose; authorizing certain entities to
2583 share specified confidential information and records
2584 relating to students for specified purposes;
2585 authorizing school personnel to address an immediate
2586 mental health or substance abuse crisis; providing
2587 requirements for addressing such situations; providing
2588 threat assessment team reporting requirements;
2589 amending s. 1006.08, F.S.; requiring a district school
2590 superintendent to be notified by the court of a
2591 student referred to mental health services; amending
2592 s. 1006.12, F.S.; requiring district school boards to
2593 establish or assign safe-school officers at each
2594 district school facility within the district;
2595 requiring school resource officers and school safety
2596 officers to undergo specified evaluations; specifying
2597 that participation in the school marshal program meets
2598 the requirement, if such a program is available;
2599 amending s. 1006.13, F.S.; revising the policy of zero
2600 tolerance for crime and victimization; providing
2601 district school board responsibilities; authorizing a
2602 threat assessment team to use specified alternatives
2603 to expulsion or referral to law enforcement to address



234288

2604 disruptive behavior; providing requirements for zero-
2605 tolerance policies; requiring a threat assessment team
2606 to consult with law enforcement under certain
2607 circumstances; creating s. 1006.1493, F.S.; requiring
2608 the department to contract with a security consulting
2609 firm to develop, update, and implement a risk
2610 assessment tool; providing requirements for the
2611 Florida Safe Schools Assessment Tool; requiring
2612 reports, training, and advice in the security
2613 consulting firm contract; requiring a specified annual
2614 report to the Governor and Legislature by a specified
2615 date; providing for construction regarding the
2616 applicability of public records exemptions for certain
2617 security data and information; amending s. 1011.62,
2618 F.S.; authorizing a district school board to use
2619 certain categorical appropriations to improve school
2620 safety; revising the safe schools allocation; creating
2621 the mental health assistance allocation; providing the
2622 purpose of the allocation; requiring that funds be
2623 allocated annually in the General Appropriations Act;
2624 providing for the annual allocation of such funds on a
2625 specified basis; providing that eligible charter
2626 schools are entitled to a proportionate share;
2627 prohibiting the use of allocated funds to supplant
2628 funds provided from other operating funds, to increase
2629 salaries, or to provide bonuses, except in certain
2630 circumstances; requiring that school districts and
2631 schools maximize certain third-party funding;
2632 requiring that school districts and charter schools



234288

2633 annually develop and submit certain detailed plans;
2634 requiring that approved charter school plans be
2635 provided to the district for submission to the
2636 commissioner; providing that required plans must
2637 include certain elements; requiring school districts
2638 to annually submit approved plans to the Commissioner
2639 of Education by a specified date; requiring that
2640 entities receiving such allocations annually submit a
2641 final report on program outcomes and specific
2642 expenditures to the commissioner by a specified date;
2643 creating s. 1012.584, F.S.; requiring the department
2644 to establish a youth mental health awareness and
2645 assistance training program for specified purposes;
2646 providing department and program requirements;
2647 requiring certain school personnel to receive such
2648 training; requiring the school safety specialist to
2649 ensure certain personnel receive such training;
2650 requiring school districts to inform such personnel of
2651 the mental health services available in the district;
2652 providing appropriations for specified purposes;
2653 reenacting ss. 397.6760(2) and 790.335(3)(e), F.S.;
2654 relating to the confidentiality of court records and
2655 exceptions to the prohibition of registration of
2656 firearms, respectively, to incorporate the amendment
2657 made to s. 790.065, F.S., in references thereto;
2658 providing appropriations; reenacting ss. 794.056 and
2659 938.085, F.S.; relating to the Rape Crises Program
2660 Trust Fund and additional cost to fund rape crises
2661 centers, respectively, to incorporate the amendment



234288

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made to s. 836.10, F.S.; providing appropriations;
providing effective dates.