

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Oliva offered the following:

**Substitute Amendment for Amendment (396541) (with title amendment)**

Remove lines 195-1294 and insert:

(k) Establish a program to train, certify, and supervise school marshals who are capable of aiding in the prevention or abatement of active assailant incidents on school premises. School employees who volunteer and successfully complete the training program are eligible for appointment as school marshals when a school board approves and implements a marshal program. School marshals may only serve at the request of the district school board pursuant to an agreement entered into pursuant to

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14 s. 1006.12(4). The sheriff shall appoint as school marshals,  
15 without the power of arrest, school employees who:

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

17 2. Complete 132 total hours of comprehensive firearm  
18 safety and proficiency training, which must include:

19 a. Eighty hours of firearms instruction based on the  
20 Criminal Justice Standards and Training Commission's Law  
21 Enforcement Academy training model, which must include at least  
22 10 percent but no more than 20 percent more rounds fired than  
23 associated with academy training. Program participants must  
24 achieve an 85 percent pass rate on the firearms training.

25 b. Sixteen hours of instruction in precision pistol.

26 c. Eight hours of discretionary shooting instruction using  
27 state-of-the-art simulator exercises.

28 d. Eight hours of instruction in active shooter or  
29 assailant.

30 e. Eight hours of instruction in defensive tactics.

31 f. Twelve hours of instruction in legal issues.

32 3. Pass a psychological evaluation administered by a  
33 psychologist licensed under chapter 490 and designated by the  
34 Department of Law Enforcement and submit the results of the  
35 evaluation to the sheriff's office. The Department of Law  
36 Enforcement is authorized to provide the sheriff's office with  
37 mental health and substance abuse data for compliance with this  
38 subsection.

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39           4. Submit to a drug test in accordance with the  
40 requirements of s. 112.0455 and the sheriff's office.

41  
42 The sheriff shall issue a school marshal certificate to school  
43 employees who meet the requirements of subparagraph 2. The  
44 sheriff shall maintain documentation of weapon and equipment  
45 inspections, as well as the training, certification, inspection,  
46 and qualification records of each school marshal appointed by  
47 the sheriff.

48           Section 2. Section 166.0495, Florida Statutes, is amended  
49 to read:

50           166.0495 ~~Interlocal~~ Agreements to provide law enforcement  
51 services.—

52           (1) A municipality may enter into an interlocal agreement  
53 pursuant to s. 163.01 with an adjoining municipality or  
54 municipalities within the same county to provide law enforcement  
55 services within the territorial boundaries of the other  
56 adjoining municipality or municipalities. Any such agreement  
57 shall specify the duration of the agreement and shall comply  
58 with s. 112.0515, if applicable. The authority granted a  
59 municipality under this section is in addition to and not in  
60 limitation of any other authority granted a municipality to  
61 enter into agreements for law enforcement services or to conduct  
62 law enforcement activities outside the territorial boundaries of  
63 the municipality.

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64        (2) If a county does not have a sheriff to establish a  
65 program as required by s. 30.15(1)(k), the chief of the largest  
66 municipal law enforcement agency within the county shall  
67 establish a program to train, certify, and supervise school  
68 marshals who are capable of aiding in the prevention or  
69 abatement of active assailant incidents on school premises.  
70 School marshals may only serve at the request of the district  
71 school board pursuant to an agreement entered into pursuant to  
72 s. 1006.12(4). School employees who volunteer and successfully  
73 complete the training program are eligible for appointment as  
74 school marshals when a school board approves and implements a  
75 marshal program. The chief of police of a municipal law  
76 enforcement agency shall appoint as school marshals, without the  
77 power of arrest, school employees who:

78        (a) Hold a valid license issued under s. 790.06.

79        (b) Complete 132 total hours of comprehensive firearm  
80 safety and proficiency training, which must include:

81        1. Eighty hours of firearms instruction based on the  
82 Criminal Justice Standards and Training Commission's Law  
83 Enforcement Academy training model, which must include at least  
84 10 percent but no more than 20 percent more rounds fired than  
85 associated with academy training. Program participants must  
86 achieve an 85 percent pass rate on the firearms training.

87        2. Sixteen hours of instruction in precision pistol.

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88 3. Eight hours of discretionary shooting instruction using  
89 state-of-the-art simulator exercises.

90 4. Eight hours of instruction in active shooter or  
91 assailant scenarios.

92 5. Eight hours of instruction in defensive tactics.

93 6. Twelve hours of instruction in legal issues.

94 (c) Pass a psychological evaluation administered by a  
95 psychologist licensed under chapter 490 and designated by the  
96 Department of Law Enforcement and submit the results of the  
97 evaluation to the municipal law enforcement agency. The  
98 Department of Law Enforcement is authorized to provide the  
99 municipal law enforcement agency with mental health and  
100 substance abuse data for compliance with this subsection.

101 (d) Submit to a drug test in accordance with the  
102 requirements of s. 112.0455 and the municipal law enforcement  
103 agency.

104  
105 The chief of police shall issue a school marshal certificate to  
106 school employees who meet the requirements of paragraph (b). The  
107 chief of police shall maintain documentation of weapon and  
108 equipment inspections, as well as the training, certification,  
109 inspection, and qualification records of each school marshal  
110 appointed by the chief of police.

111 Section 5. Section 394.495, Florida Statutes, is amended  
112 to read:

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113 394.495 Child and adolescent mental health system of care;  
114 programs and services.—

115 (1) The department shall establish, within available  
116 resources, an array of services to meet the individualized  
117 service and treatment needs of children and adolescents who are  
118 members of the target populations specified in s. 394.493, and  
119 of their families. It is the intent of the Legislature that a  
120 child or adolescent may not be admitted to a state mental health  
121 facility and such a facility may not be included within the  
122 array of services.

123 (2) The array of services must include assessment services  
124 that provide a professional interpretation of the nature of the  
125 problems of the child or adolescent and his or her family;  
126 family issues that may impact the problems; additional factors  
127 that contribute to the problems; and the assets, strengths, and  
128 resources of the child or adolescent and his or her family. The  
129 assessment services to be provided shall be determined by the  
130 clinical needs of each child or adolescent. Assessment services  
131 include, but are not limited to, evaluation and screening in the  
132 following areas:

133 (a) Physical and mental health for purposes of identifying  
134 medical and psychiatric problems.

135 (b) Psychological functioning, as determined through a  
136 battery of psychological tests.

137 (c) Intelligence and academic achievement.

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138 (d) Social and behavioral functioning.

139 (e) Family functioning.

140

141 The assessment for academic achievement is the financial  
142 responsibility of the school district. The department shall  
143 cooperate with other state agencies and the school district to  
144 avoid duplicating assessment services.

145 (3) Assessments must be performed by:

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

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

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

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

154 (a) Prevention services.

155 (b) Home-based services.

156 (c) School-based services.

157 (d) Family therapy.

158 (e) Family support.

159 (f) Respite services.

160 (g) Outpatient treatment.

161 (h) Day treatment.

162 (i) Crisis stabilization.

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- 163 (j) Therapeutic foster care.
- 164 (k) Residential treatment.
- 165 (l) Inpatient hospitalization.
- 166 (m) Case management.
- 167 (n) Services for victims of sex offenses.
- 168 (o) Transitional services.
- 169 (p) Trauma-informed services for children who have  
170 suffered sexual exploitation as defined in s. 39.01(71)(g).
- 171 (5) In order to enhance collaboration between agencies and  
172 to facilitate the provision of services by the child and  
173 adolescent mental health treatment and support system and the  
174 school district, the local child and adolescent mental health  
175 system of care shall include the local educational multiagency  
176 network for severely emotionally disturbed students specified in  
177 s. 1006.04.
- 178 (6) The department shall contract for community action  
179 teams throughout the state with the managing entities. A  
180 community action team shall:
- 181 (a) Provide community-based behavioral health and support  
182 services to children from 11 to 13 years of age, adolescents,  
183 and young adults from 18 to 21 years of age with serious  
184 behavioral health conditions who are at risk of out-of-home  
185 placement as demonstrated by:
- 186 1. Repeated failures at less intensive levels of care;
- 187 2. Two or more behavioral health hospitalizations;

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188 3. Involvement with the Department of Juvenile Justice;

189 4. A history of multiple episodes involving law  
190 enforcement; or

191 5. A record of poor academic performance or suspensions.

192  
193 Children younger than 11 years of age otherwise meeting the  
194 criteria in this paragraph may be candidates for such services  
195 if they demonstrate two or more of the characteristics listed in  
196 subparagraphs 1.-5.

197 (b) Use an integrated service delivery approach to  
198 comprehensively address the needs of the child, adolescent, or  
199 young adult and strengthen his or her family and support systems  
200 to assist the child, adolescent, or young adult to live  
201 successfully in the community. A community action team shall  
202 address the therapeutic needs of the child, adolescent, or young  
203 adult receiving services and assist parents and caregivers in  
204 obtaining services and supports. The community action team shall  
205 make referrals to specialized treatment if necessary, with  
206 follow up by the community action team to ensure services are  
207 provided.

208 (c) Focus on engaging the child, adolescent, or young  
209 adult and his or her family as active participants in every  
210 phase of the treatment process. Community action teams shall be  
211 available to the child, adolescent, or young adult and his or  
212 her family at all times.

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213 (d) Coordinate with other key entities providing services  
214 and supports to the child, adolescent, or young adult and his or  
215 her family, including, but not limited to, the child's,  
216 adolescent's, or young adult's school, the local educational  
217 multiagency network for severely emotionally disturbed students  
218 under s. 1006.04, the child welfare system, and the juvenile  
219 justice system. Community action teams shall also coordinate  
220 with the managing entity in their service location.

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

223 a. Alachua.

224 b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and  
225 Suwannee.

226 c. Bay.

227 d. Brevard.

228 e. Collier.

229 f. DeSoto and Sarasota.

230 g. Duval.

231 h. Escambia.

232 i. Hardee, Highlands, and Polk.

233 j. Hillsborough.

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

235 l. Lake and Sumter.

236 m. Lee.

237 n. Manatee.

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238 o. Marion.

239 p. Miami-Dade.

240 q. Okaloosa.

241 r. Orange.

242 s. Palm Beach.

243 t. Pasco.

244 u. Pinellas.

245 v. Walton.

246 2. Subject to appropriations, the department shall  
247 contract for additional teams through the managing entities to  
248 ensure the availability of community action team services in the  
249 remaining areas of the state.

250 Section 6. Paragraph (a) of subsection (1) of section  
251 790.065, Florida Statutes, is amended to read:

252 790.065 Sale and delivery of firearms.—

253 (1)(a)1. A licensed importer, licensed manufacturer, or  
254 licensed dealer may not sell or deliver from her or his  
255 inventory at her or his licensed premises any firearm to another  
256 person, other than a licensed importer, licensed manufacturer,  
257 licensed dealer, or licensed collector, who is less than 21  
258 years of age, except that a licensed importer, licensed  
259 manufacturer, or licensed dealer may sell or deliver a rifle or  
260 shotgun to a person who is 18 years of age or older and is a law  
261 enforcement officer or correctional officer as defined in s.

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262 943.10 or on active duty in the Armed Forces of the United  
263 States or full-time duty in the National Guard.

264 2. For a person 21 years of age or older, or 18 years of  
265 age or older and meeting an exception under this paragraph, a  
266 licensed importer, licensed manufacturer, or licensed dealer may  
267 not sell or deliver from her or his inventory at her or his  
268 licensed premises any firearm to another person, other than a  
269 licensed importer, licensed manufacturer, licensed dealer, or  
270 licensed collector until she or he has:

271 a.1. Obtained a completed form from the potential buyer or  
272 transferee, which form shall have been promulgated by the  
273 Department of Law Enforcement and provided by the licensed  
274 importer, licensed manufacturer, or licensed dealer, which shall  
275 include the name, date of birth, gender, race, and social  
276 security number or other identification number of such potential  
277 buyer or transferee and has inspected proper identification  
278 including an identification containing a photograph of the  
279 potential buyer or transferee.

280 b.2. Collected a fee from the potential buyer for  
281 processing the criminal history check of the potential buyer.  
282 The fee shall be established by the Department of Law  
283 Enforcement and may not exceed \$8 per transaction. The  
284 Department of Law Enforcement may reduce, or suspend collection  
285 of, the fee to reflect payment received from the Federal  
286 Government applied to the cost of maintaining the criminal

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287 history check system established by this section as a means of  
288 facilitating or supplementing the National Instant Criminal  
289 Background Check System. The Department of Law Enforcement  
290 shall, by rule, establish procedures for the fees to be  
291 transmitted by the licensee to the Department of Law  
292 Enforcement. All such fees shall be deposited into the  
293 Department of Law Enforcement Operating Trust Fund, but shall be  
294 segregated from all other funds deposited into such trust fund  
295 and must be accounted for separately. Such segregated funds must  
296 not be used for any purpose other than the operation of the  
297 criminal history checks required by this section. The Department  
298 of Law Enforcement, each year prior to February 1, shall make a  
299 full accounting of all receipts and expenditures of such funds  
300 to the President of the Senate, the Speaker of the House of  
301 Representatives, the majority and minority leaders of each house  
302 of the Legislature, and the chairs of the appropriations  
303 committees of each house of the Legislature. In the event that  
304 the cumulative amount of funds collected exceeds the cumulative  
305 amount of expenditures by more than \$2.5 million, excess funds  
306 may be used for the purpose of purchasing soft body armor for  
307 law enforcement officers.

308 ~~c.3.~~ Requested, by means of a toll-free telephone call,  
309 the Department of Law Enforcement to conduct a check of the  
310 information as reported and reflected in the Florida Crime

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311 Information Center and National Crime Information Center systems  
312 as of the date of the request.

313 ~~d.4.~~ Received a unique approval number for that inquiry  
314 from the Department of Law Enforcement, and recorded the date  
315 and such number on the consent form.

316 Section 7. Section 790.0655, Florida Statutes, is amended  
317 to read:

318 790.0655 Purchase and delivery of firearms ~~handguns~~;  
319 mandatory waiting period; exceptions; penalties.-

320 (1) (a) There shall be a mandatory 3-day waiting period,  
321 which shall be 3 days, excluding weekends and legal holidays,  
322 between the purchase and the delivery at retail of any firearm  
323 ~~handgun~~. "Purchase" means the transfer of money or other  
324 valuable consideration to the retailer. "~~Handgun~~" ~~means a~~  
325 ~~firearm capable of being carried and used by one hand, such as a~~  
326 ~~pistol or revolver~~. "Retailer" means and includes every person  
327 engaged in the business of making sales at retail or for  
328 distribution, or use, or consumption, or storage to be used or  
329 consumed in this state, as defined in s. 212.02(13).

330 (b) Records of firearm ~~handgun~~ sales must be available for  
331 inspection by any law enforcement agency, as defined in s.  
332 934.02, during normal business hours.

333 (2) The 3-day waiting period shall not apply in the  
334 following circumstances:

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

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

338 (c) For the purchase of a rifle or shotgun, upon  
339 successfully completing a hunter safety course and possessing a  
340 hunter safety certification card issued under s. 379.3581. A  
341 person who is exempt from the hunter safety course requirement  
342 under s. 379.3581 and holds a valid Florida hunting license as  
343 of March 1, 2018, is exempt from the 3-day waiting period under  
344 this section for purchase of a rifle or shotgun.

345 (d) When a rifle or shotgun is being purchased by a law  
346 enforcement officer or correctional officer, as defined in s.  
347 943.10, or a person on active duty in the Armed Forces of the  
348 United States or full-time duty in the National Guard.

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

351 (a) For any retailer, or any employee or agent of a  
352 retailer, to deliver a firearm handgun before the expiration of  
353 the 3-day waiting period, subject to the exceptions provided in  
354 subsection (2).

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

357 Section 8. Section 790.0656, Florida Statutes, is created  
358 to read:

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359 790.0656 Seizure of firearms from persons subject to  
360 involuntary examination.—

361 (1) A law enforcement agency taking custody of a person  
362 who meets the criteria for involuntary examination under s.  
363 394.463 and who makes a credible threat of violence against  
364 another person shall seize each firearm and all ammunition owned  
365 by the person that is in his or her possession, custody, or  
366 control. The law enforcement agency shall report the date and  
367 time of the start of the involuntary examination period to the  
368 Department of Law Enforcement. The department shall include the  
369 person's name, age, date of birth, last known address, the date  
370 and time of the beginning of the involuntary examination period,  
371 and the date and time of the maximum duration of the involuntary  
372 examination period in the Florida Crime Information Center  
373 database.

374 (2) The law enforcement agency shall hold each firearm and  
375 ammunition for 72 hours, and return the property to the person  
376 within 7 days of the expiration of that time period unless a  
377 temporary injunction has been issued under subsection (3), and  
378 subject to the policies and procedures developed by the law  
379 enforcement agency under subsection (6). The person may not own,  
380 possess, or purchase a firearm during the 72-hour period. If the  
381 person is adjudicated mentally defective or committed to a  
382 mental institution, as each of those terms is defined in s.  
383 790.065(2)(a)4., following the involuntary examination under s.

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384 394.463, the agency shall retain each firearm and ammunition  
385 indefinitely until a court of competent jurisdiction orders the  
386 person's relief from firearm ownership disability, allowing him  
387 or her to possess or purchase a firearm.

388 (3) (a) Before the expiration of the 72-hour period, the  
389 law enforcement agency may petition a court of competent  
390 jurisdiction for an ex parte temporary injunction to retain each  
391 firearm and all ammunition for 60 days upon showing by clear and  
392 convincing evidence that the person remains a credible threat of  
393 committing violence against another person. In determining  
394 whether there is such clear and convincing evidence, the court  
395 shall consider all relevant factors, including, but not limited  
396 to:

397 1. Whether the person has:

398 a. A history of threats, harassment, stalking, physical  
399 abuse, or violence.

400 b. A criminal history involving violence or the threat of  
401 violence.

402 c. Intentionally attempted to harm or intentionally harmed  
403 another person.

404 d. Threatened to harm, either orally or in writing,  
405 another person.

406 e. Used, or has threatened to use, any weapons such as  
407 firearms or knives in a violent manner.

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408 f. Intentionally and unlawfully injured or killed an  
409 animal.

410 2. The person's medical and mental health history.

411 3. The person's school disciplinary history.

412 (b) The clerk of the court shall furnish a copy of the  
413 temporary injunction to the sheriff or a law enforcement agency  
414 of the county where the person resides or can be found, who  
415 shall serve it upon the person as soon thereafter as possible.  
416 Notwithstanding any other provision of law, the chief judge of  
417 each circuit, in consultation with the appropriate sheriff, may  
418 authorize a law enforcement agency within the jurisdiction to  
419 effect service. A law enforcement agency serving an injunction  
420 pursuant to this subsection shall use service procedures  
421 consistent with those of the sheriff.

422 (c) The law enforcement agency that obtains the temporary  
423 injunction shall report the date and time of issuance and  
424 person's identifying information, including his or her name,  
425 age, date of birth, and last known address, to the Department of  
426 Law Enforcement. The department shall include such information  
427 in the Florida Crime Information Center database. A person  
428 subject to a temporary injunction under this subsection may not  
429 own, possess, or purchase a firearm while the injunction is in  
430 effect.

431 (4) At the expiration of the 60-day period, the agency  
432 shall return each firearm and all ammunition to the person

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433 within 7 days, subject to the policies and procedures developed  
434 under subsection (6). The law enforcement agency may petition  
435 the court for one 60-day extension of the temporary injunction  
436 upon showing by clear and convincing evidence that the person  
437 presents a continuing credible threat of committing violence  
438 against another person. The court shall consider the factors in  
439 subsection (3) when deciding an extension of the temporary  
440 injunction.

441 (5) A person who is subject to a temporary injunction  
442 under subsection (3) may petition the court to terminate the  
443 injunction upon showing by clear and convincing evidence that he  
444 or she no longer presents a credible threat of committing  
445 violence against another person.

446 (6) Law enforcement agencies shall develop policies and  
447 procedures for seizing, storing, and returning firearms and  
448 ammunition under this section, and may not charge a fee for  
449 seizing, storing, or returning any firearm or ammunition under  
450 this section.

451 Section 9. Section 790.0657, Florida Statutes, is created  
452 to read:

453 790.0657 Possession of firearms or ammunition prohibited.—

454 (1) A person adjudicated mentally defective or committed  
455 to a mental institution, as those terms are defined in s.  
456 790.065(2)(a)4., may not own, possess, or purchase a firearm or  
457 ammunition unless he or she has obtained relief from firearm

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458 ownership disability from a court of competent jurisdiction. A  
459 person may not petition for such relief until 60 days after his  
460 or her release from involuntary commitment under part I of ch.  
461 394.

462 (2) A person who violates this section shall forfeit each  
463 firearm and all ammunition in his or her possession, custody, or  
464 control to a law enforcement agency. If a person fails to  
465 forfeit his or her firearm and ammunition as required under this  
466 section, a law enforcement agency shall seize such property and  
467 retain it indefinitely until ordered to return it by a court.  
468 Law enforcement agencies shall develop policies and procedures  
469 for seizing, storing, and returning firearms and ammunition  
470 under this section.

471 Section 10. Effective October 1, 2018, section 790.222,  
472 Florida Statutes, is created to read:

473 790.222 Bump-fire stocks prohibited.—A person may not  
474 import into this state or transfer, distribute, sell, keep for  
475 sale, offer for sale, possess, or give to another person a bump-  
476 fire stock. A person who violates this section commits a felony  
477 of the third degree, punishable as provided in s. 775.082, s.  
478 775.083, or s. 775.084. As used in this section, the term "bump-  
479 fire stock" means any device used with or attached to a firearm  
480 which uses the recoil action of the firearm to increase its  
481 cyclic firing rate to a nearly automatic rate of fire or to  
482 increase the rate of fire to a faster rate than is possible for

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483 an individual to operate the firearm unassisted by such a  
484 device.

485 Section 11. Section 943.082, Florida Statutes, is created  
486 to read:

487 943.082 School Safety Awareness Program.—

488 (1) The department shall competitively procure a mobile  
489 suspicious activity reporting tool that allows students and the  
490 community to relay information anonymously concerning unsafe,  
491 potentially harmful, dangerous, violent, or criminal activities,  
492 or the threat of these activities, to appropriate public safety  
493 agencies and school officials. At a minimum, the department must  
494 receive reports electronically through the mobile suspicious  
495 activity reporting tool that is available on both Android and  
496 Apple devices.

497 (2) The tool shall notify the reporting party of the  
498 following information:

499 (a) That the reporting party may provide his or her report  
500 anonymously.

501 (b) That if the reporting party chooses to disclose his or  
502 her identity, that information shall be shared with the  
503 appropriate law enforcement agency and school officials;  
504 however, the law enforcement agency and school officials shall  
505 be required to maintain the information as confidential.

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506 (3) Information received by the tool must be promptly  
507 forwarded to an appropriate law enforcement agency or school  
508 official.

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

512 (5) The department, in collaboration with the Office of  
513 Safe Schools within the Department of Education, shall develop  
514 and provide a comprehensive training and awareness program on  
515 the use of the mobile suspicious activity reporting tool.

516 Section 12. Section 943.687, Florida Statutes, is created  
517 to read:

518 943.687 Marjory Stoneman Douglas High School Public Safety  
519 Commission.—

520 (1) There is created within the department the Marjory  
521 Stoneman Douglas High School Public Safety Commission, a  
522 commission as defined in s. 20.03.

523 (2) (a) The commission shall be composed of 15 voting  
524 members. The Governor, the President of the Senate, and the  
525 Speaker of the House of Representatives shall each appoint 5  
526 members, and the Governor shall appoint the chair of the  
527 commission. Appointments must be made by April 30, 2018. The  
528 Secretary of Children and Families, the Secretary of Juvenile  
529 Justice, the Secretary of Health Care Administration, the

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530 Commissioner of Education, and the executive director shall  
531 serve as ex officio, nonvoting members of the commission.

532 (b) The commission shall meet as necessary to conduct its  
533 work at the call of the chair and at the time designated by him  
534 or her at locations throughout the state. The commission may  
535 conduct its meetings through teleconferences or other similar  
536 means. Members of the commission shall serve without  
537 compensation, but shall be reimbursed for per diem and travel  
538 expenses pursuant to s. 112.061.

539 (c) The commission is authorized to hire staff, subject to  
540 appropriations, which shall include a general counsel and staff  
541 experienced in investigations.

542 (3) The commission shall investigate system failures in  
543 the Marjory Stoneman Douglas High School shooting and prior mass  
544 violence incidents in this state and develop recommendations for  
545 system improvements. At a minimum, the commission shall analyze  
546 information and evidence about the Marjory Stoneman Douglas High  
547 School shooting and other mass violence incidents in this state.  
548 At a minimum, the commission shall:

549 (a) Develop a timeline of the incident, incident response,  
550 and all relevant events preceding the incident, with particular  
551 attention to all perpetrator contacts with local, state, and  
552 national government agencies and entities and any contract  
553 providers of such agencies and entities.

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

556 1. Identify existing policies and procedures for active  
557 assailant incidents on school premises and evaluate the  
558 compliance with such policies and procedures in the execution of  
559 incident responses.

560 2. Evaluate existing policies and procedures for active  
561 assailant incidents on school premises in comparison with  
562 national best practices.

563 3. Evaluate the extent to which any failures in policy,  
564 procedure, or execution contributed to an inability to prevent  
565 deaths and injuries.

566 4. Make specific recommendations for improving law  
567 enforcement and school resource officer incident response in the  
568 future.

569 (c) Investigate any failures in interactions with  
570 perpetrators preceding mass violence incidents.

571 1. Identify the history of interactions between  
572 perpetrators and government entities such as schools, law  
573 enforcement agencies, courts, and social service agencies, and  
574 identify any failures to adequately communicate or coordinate  
575 regarding indicators of risk or possible threats.

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

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578 3. Make specific recommendations for improving  
579 communication and coordination among entities with knowledge of  
580 indicators of risks or possible threats of mass violence in the  
581 future.

582 4. Identify available state and local tools and resources  
583 for enhancing communication and coordination regarding  
584 indicators of risk or possible threats, including, but not  
585 limited to, the Department of Law Enforcement Fusion Center or  
586 the Judicial Inquiry System, and make specific recommendations  
587 for using such tools and resources more effectively in the  
588 future.

589 (4) The commission has the power to subpoena and  
590 investigate. The commission may issue subpoenas and other  
591 necessary process to compel the attendance of witnesses to  
592 testify before the commission. The commission may also issue  
593 subpoenas and other necessary process to compel the production  
594 of any books, papers, records, documentary evidence, and other  
595 items, including confidential information, relevant to the  
596 performance of the duties of the commission or to the exercise  
597 of its powers. Subpoenas issued by the commission shall run  
598 throughout the state, and the sheriffs in the several counties  
599 shall make such service and execute all processes or orders when  
600 required by the commission. Sheriffs shall be paid as provided  
601 in s. 30.321. The chair or any other member of the commission  
602 may administer all oaths and affirmations in the manner

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603 prescribed by law to witnesses who appear before the commission  
604 for the purpose of testifying in any matter concerning which the  
605 commission desires evidence. The commission may delegate to its  
606 investigators the authority to administer oaths and affirmations  
607 and may delegate the authority to issue subpoenas to its chair,  
608 who in all events shall issue process on behalf of the  
609 commission. In the case of a refusal to obey a subpoena issued  
610 to any person, the commission may make application to any  
611 circuit court of this state which shall have jurisdiction to  
612 order the witness to appear before the commission and to produce  
613 evidence, if so ordered, or to give testimony touching on the  
614 matter in question. Failure to obey the order may be punished by  
615 the court as contempt.

616 (5) The commission may call upon appropriate agencies of  
617 state government for such professional assistance as may be  
618 needed in the discharge of its duties, and such agencies shall  
619 provide such assistance in a timely manner. The Department of  
620 Legal Affairs shall, upon request, provide legal and  
621 investigative assistance to the commission.

622 (6) Notwithstanding any other law, the commission may  
623 request and shall be provided with access to any information or  
624 records, including confidential or exempt information or  
625 records, that pertain to the Marjory Stoneman Douglas High  
626 School shooting and prior mass violence incidents in the state  
627 being reviewed by the commission and that are necessary for the

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628 commission to carry out its duties. Information or records  
629 obtained by the commission that are otherwise confidential or  
630 exempt shall retain such confidential or exempt status and the  
631 commission may not disclose any such information or records.

632 (7) The commission shall submit an initial report on its  
633 findings and recommendations to the Governor, President of the  
634 Senate, and Speaker of the House of Representatives by January  
635 1, 2019, and may issue reports annually thereafter. The  
636 commission shall expire July 1, 2023, and this section is  
637 repealed on that date.

638 Section 13. Section 1001.212, Florida Statutes, is created  
639 to read:

640 1001.212 Office of Safe Schools.—There is created in the  
641 Department of Education the Office of Safe Schools. The office  
642 is fully accountable to the Commissioner of Education. The  
643 office shall serve as a central repository for best practices,  
644 training standards, and compliance oversight in all matters  
645 regarding school safety and security, including prevention  
646 efforts, intervention efforts, and emergency preparedness  
647 planning. The office shall:

648 (1) Establish and update as necessary a school security  
649 risk assessment tool for use by school districts pursuant to s.  
650 1006.07(6). The office shall make the security risk assessment  
651 tool available for use by charter schools.

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652 (2) Provide ongoing professional development opportunities  
653 to school district personnel.

654 (3) Provide a coordinated and interdisciplinary approach  
655 to providing technical assistance and guidance to school  
656 districts on safety and security and recommendations to address  
657 findings identified pursuant to s. 1006.07(6).

658 (4) Develop and implement a School Safety Specialist  
659 Training Program for school safety specialists appointed  
660 pursuant to s. 1006.07(6). The office shall develop the training  
661 program which shall be based on national and state best  
662 practices on school safety and security and must include active  
663 shooter training. The office shall develop training modules in  
664 both traditional and online formats. A school safety specialist  
665 certificate of completion shall be awarded to a school safety  
666 specialist who satisfactorily completes the training required by  
667 rules of the office.

668 (5) Review and provide recommendations on the security  
669 risk assessments. The department may contract with security  
670 personnel, consulting engineers, architects, or other safety and  
671 security experts the department deems necessary for safety and  
672 security consultant services.

673 (6) Provide data analytic resources to school districts  
674 that facilitate the monitoring of social media activities to  
675 provide early detection information of possible threats to a  
676 student's personal health and the safety of the school.

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677 (7) Award grants to schools to improve the safety and  
678 security of school buildings based upon recommendations of the  
679 security risk assessment developed pursuant to subsection (1).

680 (8) Develop and disseminate, in consultation with the  
681 Department of Law Enforcement, to participating schools  
682 awareness and education materials on the School Safety Awareness  
683 Program developed pursuant to s. 943.082.

684 Section 14. Paragraph (a) of subsection (10) of section  
685 1002.32, Florida Statutes, is amended to read:

686 1002.32 Developmental research (laboratory) schools.—

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

691 (a) The methods and requirements of the following statutes  
692 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;  
693 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;  
694 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;  
695 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;  
696 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;  
697 1001.49; 1001.50; 1001.51; 1006.12(2) ~~1006.12(1)~~; 1006.21(3),  
698 (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;  
699 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;  
700 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3),

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701 (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;  
702 1011.72; 1011.73; and 1011.74.

703 Section 15. Subsection (1) of section 1006.04, Florida  
704 Statutes, is amended to read:

705 1006.04 Educational multiagency services for students with  
706 severe emotional disturbance.—

707 (1) (a) The multiagency network for students with emotional  
708 and behavioral disabilities works with education, mental health,  
709 child welfare, and juvenile justice professionals, along with  
710 other agencies and families, to provide children with mental  
711 illness or emotional and behavioral problems and their families  
712 with access to the services and supports they need to succeed ~~An~~  
713 ~~intensive, integrated educational program; a continuum of mental~~  
714 ~~health treatment services; and, when needed, residential~~  
715 ~~services are necessary to enable students with severe emotional~~  
716 ~~disturbance to develop appropriate behaviors and demonstrate~~  
717 ~~academic and career education skills. The small incidence of~~  
718 ~~severe emotional disturbance in the total school population~~  
719 ~~requires multiagency programs to provide access to appropriate~~  
720 ~~services for all students with severe emotional disturbance.~~  
721 District school boards should provide educational programs, and  
722 state departments and agencies administering children's mental  
723 health funds should provide mental health treatment and  
724 residential services when needed, as part of the forming a

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725 multiagency network ~~to provide support for students with severe~~  
726 ~~emotional disturbance.~~

727 (b) The purpose of the multiagency network is to: ~~The~~  
728 ~~program goals for each component of the multiagency network are~~  
729 ~~to~~

730 1. Enable students with severe emotional disturbance to  
731 learn appropriate behaviors, reduce dependency, and fully  
732 participate in all aspects of school and community living. ~~;~~ ~~to~~

733 2. Develop individual programs for students with severe  
734 emotional disturbance, including necessary educational,  
735 residential, and mental health treatment services. ~~;~~ ~~to~~

736 3. Provide programs and services as close as possible to  
737 the student's home in the least restrictive manner consistent  
738 with the student's needs. ~~;~~ ~~and to~~

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

741 (c) The multiagency network shall:

742 1. Support and represent the needs of students in each  
743 school district in joint planning with fiscal agents of  
744 children's mental health funds, including the expansion of  
745 school-based mental health services, transition services, and  
746 integrated education and treatment programs.

747 2. Improve coordination of services for children with or  
748 at risk of emotional or behavioral disabilities and their  
749 families by assisting multi-agency collaborative initiatives to

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750 identify critical issues and barriers of mutual concern and  
751 develop local response systems that increase home and school  
752 connections and family engagement.

753 3. Increase parent and youth involvement and development  
754 with local systems of care.

755 4. Facilitate student and family access to effective  
756 services and programs for students with and at risk of emotional  
757 or behavioral disabilities that include necessary educational,  
758 residential, and mental health treatment services, enabling  
759 these students to learn appropriate behaviors, reduce  
760 dependency, and fully participate in all aspects of school and  
761 community living.

762 Section 16. Paragraph (b) of subsection (1), paragraphs  
763 (k) through (m) of subsection (2), and subsections (3), (4), and  
764 (6) of section 1006.07, Florida Statutes, are amended, and  
765 subsection (7) is added to that section to read:

766 1006.07 District school board duties relating to student  
767 discipline and school safety.—The district school board shall  
768 provide for the proper accounting for all students, for the  
769 attendance and control of students at school, and for proper  
770 attention to health, safety, and other matters relating to the  
771 welfare of students, including:

772 (1) CONTROL OF STUDENTS.—

773 (b) Require each student at the time of initial  
774 registration for school in the school district to note previous

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775 school expulsions, arrests resulting in a charge, ~~and~~ juvenile  
776 justice actions, and referrals to mental health services the  
777 student has had, and have the authority as the district school  
778 board of a receiving school district to honor the final order of  
779 expulsion or dismissal of a student by any in-state or out-of-  
780 state public district school board or private school, or lab  
781 school, for an act which would have been grounds for expulsion  
782 according to the receiving district school board's code of  
783 student conduct, in accordance with the following procedures:

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

786 2. The expelled student applying for admission to the  
787 receiving school district shall be advised of the final order of  
788 expulsion.

789 3. The district school superintendent of the receiving  
790 school district may recommend to the district school board that  
791 the final order of expulsion be waived and the student be  
792 admitted to the school district, or that the final order of  
793 expulsion be honored and the student not be admitted to the  
794 school district. If the student is admitted by the district  
795 school board, with or without the recommendation of the district  
796 school superintendent, the student may be placed in an  
797 appropriate educational program and referred to mental health  
798 services identified by the school district pursuant to s.

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799 | 1012.584(4), when appropriate, at the direction of the district  
800 | school board.

801 | (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
802 | conduct for elementary schools and a code of student conduct for  
803 | middle and high schools and distribute the appropriate code to  
804 | all teachers, school personnel, students, and parents, at the  
805 | beginning of every school year. Each code shall be organized and  
806 | written in language that is understandable to students and  
807 | parents and shall be discussed at the beginning of every school  
808 | year in student classes, school advisory council meetings, and  
809 | parent and teacher association or organization meetings. Each  
810 | code shall be based on the rules governing student conduct and  
811 | discipline adopted by the district school board and shall be  
812 | made available in the student handbook or similar publication.  
813 | Each code shall include, but is not limited to:

814 | (k) Policies to be followed for the assignment of violent  
815 | or disruptive students to an alternative educational program or  
816 | referral of such students to mental health services identified  
817 | by the school district pursuant to s. 1012.584(4).

818 | (l) Notice that any student who is determined to have  
819 | brought a firearm or weapon, as defined in chapter 790, to  
820 | school, to any school function, or onto any school-sponsored  
821 | transportation, or to have possessed a firearm at school, will  
822 | be expelled, with or without continuing educational services,  
823 | from the student's regular school for a period of not less than

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824 1 full year and referred to mental health services identified by  
825 the school district pursuant to s. 1012.584(4) and the criminal  
826 justice or juvenile justice system. District school boards may  
827 assign the student to a disciplinary program or second chance  
828 school for the purpose of continuing educational services during  
829 the period of expulsion. District school superintendents may  
830 consider the 1-year expulsion requirement on a case-by-case  
831 basis and request the district school board to modify the  
832 requirement by assigning the student to a disciplinary program  
833 or second chance school if the request for modification is in  
834 writing and it is determined to be in the best interest of the  
835 student and the school system.

836 (m) Notice that any student who is determined to have made  
837 a threat or false report, as defined by ss. 790.162 and 790.163,  
838 respectively, involving school or school personnel's property,  
839 school transportation, or a school-sponsored activity will be  
840 expelled, with or without continuing educational services, from  
841 the student's regular school for a period of not less than 1  
842 full year and referred for criminal prosecution and mental  
843 health services identified by the school district pursuant to s.  
844 1012.584(4) for evaluation or treatment, when appropriate.

845 District school boards may assign the student to a disciplinary  
846 program or second chance school for the purpose of continuing  
847 educational services during the period of expulsion. District  
848 school superintendents may consider the 1-year expulsion

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849 requirement on a case-by-case basis and request the district  
850 school board to modify the requirement by assigning the student  
851 to a disciplinary program or second chance school if it is  
852 determined to be in the best interest of the student and the  
853 school system.

854 (3) STUDENT CRIME WATCH PROGRAM.—By resolution of the  
855 district school board, implement a student crime watch program  
856 to promote responsibility among students and improve school  
857 safety. The student crime watch program shall allow students and  
858 the community to anonymously relay information concerning unsafe  
859 and potentially harmful, dangerous, violent, or criminal  
860 activities, or the threat of these activities, to appropriate  
861 public safety agencies and school officials ~~to assist in the~~  
862 ~~control of criminal behavior within the schools.~~

863 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

864 (a) Formulate and prescribe policies and procedures, in  
865 consultation with the appropriate public safety agencies, for  
866 emergency drills and for actual emergencies, including, but not  
867 limited to, fires, natural disasters, active shooter and hostage  
868 situations, and bomb threats, for all the public schools of the  
869 the district which comprise grades K-12. Drills for active  
870 shooter and hostage situations shall be conducted at least as  
871 often as other emergency drills. District school board policies  
872 shall include commonly used alarm system responses for specific  
873 types of emergencies and verification by each school that drills

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874 have been provided as required by law and fire protection codes.  
875 The emergency response policy shall identify the individuals  
876 responsible for contacting the primary emergency response agency  
877 and the emergency response agency that is responsible for  
878 notifying the school district for each type of emergency ~~must be~~  
879 ~~listed in the district's emergency response policy.~~

880 (b) Establish model emergency management and emergency  
881 preparedness procedures, including emergency notification  
882 procedures pursuant to paragraph (a), for the following life-  
883 threatening emergencies:

- 884 1. Weapon-use, and hostage, and active shooter situations.
- 885 2. Hazardous materials or toxic chemical spills.
- 886 3. Weather emergencies, including hurricanes, tornadoes,  
887 and severe storms.
- 888 4. Exposure as a result of a manmade emergency.

889 (c) Establish a schedule to test the functionality and  
890 coverage capacity of all emergency communication systems and  
891 determine if adequate signal strength is available in all areas  
892 within the school's campus.

893 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district  
894 school superintendent shall establish policies and procedures  
895 for the prevention of violence on school grounds, including the  
896 assessment of and intervention with individuals whose behavior  
897 poses a threat to the safety of the school community.

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898        (a) Each district school superintendent shall designate a  
899 school administrator as a school safety specialist for the  
900 district. The school safety specialist must earn a certificate  
901 of completion of the school safety specialist training provided  
902 by the Office of Safe Schools within 1 year after appointment  
903 and is responsible for the supervision and oversight for all  
904 school safety and security personnel, policies, and procedures  
905 in the school district. The school safety specialist shall:  
906        1. Review policies and procedures for compliance with  
907 state law and rules.  
908        2. Provide the necessary training and resources to  
909 students and school district staff in matters relating to youth  
910 mental health first aid; emergency procedures, including active  
911 shooter training; and school safety and security.  
912        3. Serve as the school district liaison with local public  
913 safety agencies and national, state, and community agencies and  
914 organizations in matters of school safety and security.  
915        4. Conduct a school security risk assessment at each  
916 public school using the school security risk assessment tool  
917 developed by the Office of Safe Schools Use the Safety and  
918 Security Best Practices developed by the Office of Program  
919 Policy Analysis and Government Accountability to conduct a self-  
920 assessment of the school districts' current safety and security  
921 practices. Based on the assessment these self-assessment  
922 findings, the district's school safety specialist district

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923 ~~school superintendent~~ shall provide recommendations to the  
924 district school board which identify strategies and activities  
925 that the district school board should implement in order to  
926 improve school safety and security. Annually, each district  
927 school board must receive such findings and the school safety  
928 specialist's recommendations ~~the self-assessment results~~ at a  
929 publicly noticed district school board meeting to provide the  
930 public an opportunity to hear the district school board members  
931 discuss and take action on the ~~report~~ findings and  
932 recommendations. Each school safety specialist ~~district school~~  
933 ~~superintendent~~ shall report such findings ~~the self-assessment~~  
934 ~~results~~ and school board action to the Office of Safe Schools  
935 ~~commissioner~~ within 30 days after the district school board  
936 meeting.

937 (b) Each school safety specialist shall coordinate with  
938 the appropriate public safety agencies, as defined in s.  
939 365.171, that are designated as first responders to a school's  
940 campus to conduct a tour of such campus once every 3 years and  
941 provide recommendations related to school safety. The  
942 recommendations by the public safety agencies must be considered  
943 as part of the recommendations by the school safety specialist  
944 pursuant to paragraph (a).

945 (7) THREAT ASSESSMENT TEAMS.—Each district school board  
946 shall adopt policies for the establishment of threat assessment  
947 teams at each school whose duties include the coordination of

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948 resources and assessment and intervention with individuals whose  
949 behavior may pose a threat to the safety of school staff or  
950 students consistent with the model policies developed by the  
951 Office of Safe Schools. Such policies shall include procedures  
952 for referrals to mental health services identified by the school  
953 district pursuant to s. 1012.584(4), when appropriate.

954 (a) A threat assessment team shall include persons with  
955 expertise in counseling, instruction, school administration, and  
956 law enforcement. The threat assessment teams shall identify  
957 members of the school community to whom threatening behavior  
958 should be reported and provide guidance to students, faculty,  
959 and staff regarding recognition of threatening or aberrant  
960 behavior that may represent a threat to the community, school,  
961 or self.

962 (b) Upon a preliminary determination that a student poses  
963 a threat of violence or physical harm to himself or herself or  
964 others, a threat assessment team shall immediately report its  
965 determination to the superintendent or his or her designee. The  
966 superintendent or his or her designee shall immediately attempt  
967 to notify the student's parent or legal guardian. Nothing in  
968 this subsection shall preclude school district personnel from  
969 acting immediately to address an imminent threat.

970 (c) Upon a preliminary determination by the threat  
971 assessment team that a student poses a threat of violence to  
972 himself or herself or others or exhibits significantly

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973 disruptive behavior or need for assistance, the threat  
974 assessment team may obtain criminal history record information,  
975 as provided in s. 985.047. A member of a threat assessment team  
976 may not disclose any criminal history record information  
977 obtained pursuant to this section or otherwise use any record of  
978 an individual beyond the purpose for which such disclosure was  
979 made to the threat assessment team.

980 (d) Notwithstanding any other provision of law, all state  
981 and local agencies and programs that provide services to  
982 students experiencing or at risk of an emotional disturbance or  
983 a mental illness, including the school districts, school  
984 personnel, state and local law enforcement agencies, the  
985 Department of Juvenile Justice, the Department of Children and  
986 Families, the Department of Health, the Agency for Health Care  
987 Administration, the Agency for Persons with Disabilities, the  
988 Department of Education, the Statewide Guardian Ad Litem Office,  
989 and any service or support provider contracting with such  
990 agencies, may share with each other records or information that  
991 are confidential or exempt from disclosure under chapter 119 if  
992 the records or information are reasonably necessary to ensure  
993 access to appropriate services for the student or to ensure the  
994 safety of the student or others. All such state and local  
995 agencies and programs shall communicate, collaborate, and  
996 coordinate efforts to serve such students.

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997 (e) If an immediate mental health or substance abuse  
998 crisis is suspected, school personnel shall follow policies  
999 established by the threat assessment team to engage behavioral  
1000 health crisis resources. Behavioral health crisis resources,  
1001 including, but not limited to, mobile crisis teams and school  
1002 resource officers trained in crisis intervention, shall provide  
1003 emergency intervention and assessment, make recommendations, and  
1004 refer the student for appropriate services. Onsite school  
1005 personnel shall report all such situations and actions taken to  
1006 the threat assessment team, which shall contact the other  
1007 agencies involved with the student and any known service  
1008 providers to share information and coordinate any necessary  
1009 followup actions.

1010 (f) Each threat assessment team established pursuant to  
1011 this subsection shall report quantitative data on its activities  
1012 to the Office of Safe Schools in accordance with guidance from  
1013 the office.

1014 Section 17. Subsection (2) of section 1006.08, Florida  
1015 Statutes, is amended to read:

1016 1006.08 District school superintendent duties relating to  
1017 student discipline and school safety.-

1018 (2) Notwithstanding the provisions of s. 985.04(7) or any  
1019 other provision of law to the contrary, the court shall, within  
1020 48 hours of the finding, notify the appropriate district school  
1021 superintendent of the name and address of any student found to

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1022 have committed a delinquent act, or who has had adjudication of  
1023 a delinquent act withheld which, if committed by an adult, would  
1024 be a felony, ~~or~~ the name and address of any student found guilty  
1025 of a felony, or the name and address of any student the court  
1026 refers to mental health services. Notification shall include the  
1027 specific delinquent act found to have been committed or for  
1028 which adjudication was withheld, or the specific felony for  
1029 which the student was found guilty.

1030 Section 18. Section 1006.12, Florida Statutes, is amended  
1031 to read:

1032 1006.12 School resource officers, ~~and~~ school safety  
1033 officers, and school marshals.-

1034 (1) District school boards shall develop partnerships with  
1035 local law enforcement agencies to address the security needs of  
1036 schools. District school boards and local law enforcement  
1037 agencies shall examine the use of school resource officers,  
1038 school safety officers, and school marshals to increase security  
1039 on school grounds and the use of directed patrols before and  
1040 after school and extracurricular activities to enhance the  
1041 presence of law enforcement and provide an atmosphere of safety  
1042 and trust.

1043 (2)-(1) District school boards shall ~~may~~ establish a school  
1044 resource officer program ~~programs~~, through a cooperative  
1045 agreement with law enforcement agencies or in accordance with  
1046 subsection (3) ~~subsection (2)~~.

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- 1047 (a) School resource officers shall:
- 1048 1. Be certified law enforcement officers, as defined in s.
- 1049 943.10(1), who are employed by a law enforcement agency as
- 1050 defined in s. 943.10(4). The powers and duties of a law
- 1051 enforcement officer shall continue throughout the employee's
- 1052 tenure as a school resource officer.
- 1053 2. Complete mental health crisis intervention training
- 1054 using a curriculum developed by a national organization with
- 1055 expertise in mental health crisis intervention. The training
- 1056 shall improve officers' knowledge and skills as first responders
- 1057 to incidents involving students with emotional disturbance or
- 1058 mental illness, including de-escalation skills to ensure student
- 1059 and officer safety.
- 1060 (b) School resource officers shall abide by district
- 1061 school board policies and shall consult with and coordinate
- 1062 activities through the school principal, but shall be
- 1063 responsible to the law enforcement agency in all matters
- 1064 relating to employment, subject to agreements between a district
- 1065 school board and a law enforcement agency. Activities conducted
- 1066 by the school resource officer which are part of the regular
- 1067 instructional program of the school shall be under the direction
- 1068 of the school principal.
- 1069 (3) (a) ~~(2) (a)~~ School safety officers shall be law
- 1070 enforcement officers, as defined in s. 943.10(1), certified
- 1071 under the provisions of chapter 943 and employed by either a law

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1072 enforcement agency or by the district school board. If the  
1073 officer is employed by the district school board, the district  
1074 school board is the employing agency for purposes of chapter  
1075 943, and must comply with the provisions of that chapter.

1076 ~~(b) A district school board may commission one or more~~  
1077 ~~school safety officers for the protection and safety of school~~  
1078 ~~personnel, property, and students within the school district.~~  
1079 ~~The district school superintendent may recommend and the~~  
1080 ~~district school board may appoint one or more school safety~~  
1081 ~~officers.~~

1082 (b)(e) A school safety officer has and shall exercise the  
1083 power to make arrests for violations of law on district school  
1084 board property and to arrest persons, whether on or off such  
1085 property, who violate any law on such property under the same  
1086 conditions that deputy sheriffs are authorized to make arrests.  
1087 A school safety officer has the authority to carry weapons when  
1088 performing his or her official duties.

1089 (c)(d) A district school board may enter into mutual aid  
1090 agreements with one or more law enforcement agencies as provided  
1091 in chapter 23. A school safety officer's salary may be paid  
1092 jointly by the district school board and the law enforcement  
1093 agency, as mutually agreed to.

1094 (4)(a) Each district school board may establish a school  
1095 marshal program through an agreement with a local law  
1096 enforcement agency. The district school board must adopt the

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1097 agreement at a publicly noticed meeting. School marshals shall  
1098 be appointed in accordance with the adopted policy and s. 30.15  
1099 or s. 166.0495 to support approved school-sanctioned activities  
1100 for purposes of s. 790.115. A school marshal has no authority to  
1101 act in any law enforcement capacity except to the extent  
1102 necessary to prevent or abate an active assailant incident on  
1103 school premises. A school employee may not be required to serve  
1104 as a school marshal for any reason. However, a collective  
1105 bargaining agreement may not preclude a school employee from  
1106 serving as a school marshal in accordance with the adopted  
1107 policy.

1108 (b) The agreement between the district school board and a  
1109 local law enforcement agency shall require:

1110 1. The school marshal to:

1111 a. Carry a firearm of the specific type and caliber with  
1112 which she or he is qualified pursuant to the firearms training  
1113 and be loaded only with frangible ammunition designed to  
1114 disintegrate on impact for maximum safety and minimal danger to  
1115 others.

1116 b. Be distinctly and visually identifiable to responding  
1117 law enforcement officers, faculty, staff, and students in the  
1118 case of any active assailant incident on a sponsoring school  
1119 district's campus.

1120 c. Execute a volunteer agreement with the appointing law  
1121 enforcement agency outlining duties and responsibilities.

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1122 d. Complete a minimum of 4 hours of firearms  
1123 requalification training in active shooter scenarios every 2  
1124 years.

1125 e. Pass a fitness for duty assessment that meets or  
1126 exceeds the physical abilities test conducted by the appointing  
1127 law enforcement agency, in accordance with a schedule adopted by  
1128 the appointing law enforcement agency.

1129  
1130

1131 -----

**T I T L E A M E N D M E N T**

1132 Remove lines 6-14 and insert:  
1133 F.S.; requiring each sheriff to establish a training  
1134 program and appoint certain school employees;  
1135 providing sheriff and training requirements; requiring  
1136 certain documentation and records be maintained  
1137 relating to such school marshals; amending s.  
1138 166.0495, F.S.; requiring a municipality to enter into  
1139 a memorandum of agreement with a school district for  
1140 the prevention or abatement of certain incidents on  
1141 school premises through the appointment of school  
1142 marshals under certain circumstances; providing chief  
1143 of police and training requirements; requiring certain  
1144 documentation and records be maintained relating to  
1145 such school marshals;  
1146

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