

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/HB 23 Panic Alarms in Public Schools

SPONSOR(S): PreK-12 Appropriations Subcommittee, PreK-12 Innovation Subcommittee, Gottlieb, Daley and others

TIED BILLS: None **IDEN./SIM. BILLS:** CS/SB 70

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Innovation Subcommittee	17 Y, 0 N, As CS	McAlarney	Brink
2) PreK-12 Appropriations Subcommittee	8 Y, 0 N, As CS	Bailey	Potvin
3) Education Committee	16 Y, 0 N	McAlarney	Hassell

SUMMARY ANALYSIS

This bill creates “Alyssa’s Law,” which requires each public elementary, middle, and high school campus, including charter schools, to implement a mobile panic button system. The system, referred to as “Alyssa’s Alert,” must have interoperability capability to connect diverse emergency services technologies for real-time coordination between multiple first responders. The system must be integrated with local public safety answering point infrastructure to transmit emergency 9-1-1 calls and mobile device application activations.

The bill appropriates \$8 million to the Department of Education (DOE) to issue a competitive solicitation to contract for a statewide mobile panic button system that can be utilized by all school districts at no cost to the school district. The DOE must consult with school safety specialists in the development of the competitive solicitation. The systems must be operable beginning with the 2021-2022 school year.

The bill takes effect on July 1, 2020.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Alyssa's Law

In 2019, New Jersey passed "Alyssa's Law,"¹ requiring public school buildings in the state to be equipped with panic alarms linked to local law enforcement.² The law is named after Alyssa Alhadeff,³ a Marjory Stoneman Douglas High School student who was one of the 17 people killed during a shooting at the school in February 2018.⁴

Life-Threatening Emergencies

Florida law requires district school boards to provide for the health, safety, and welfare of students at school. They must establish model emergency management and preparedness procedures that include, among other things, notification procedures for life-threatening emergencies.⁵ The policies and procedures must be formulated in consultation with appropriate public safety agencies and include commonly used alarm system responses for specific emergencies. The policy must identify those responsible for reporting the emergency.⁶ Life-threatening emergencies are defined as weapon-use; hostage and active shooter situations; hazardous materials or toxic chemical spills; severe weather (hurricanes, tornadoes, and severe storms); and exposure as a result of a manmade emergency.⁷

Enhanced 911

The Federal Communications Commission requires wireless phone companies to implement Enhanced 911 (E911) service.⁸ Enhanced 911 is a statewide emergency system that provides rapid access to first responders when a person dials "911" on his or her phone,⁹ and reduces response times by law enforcement, fire departments, and emergency medical services.¹⁰ The caller's phone number, geographic location, and jurisdictional first responder agency¹¹ appear on the 911 emergency operator's screen, as opposed to the basic 911 service where the caller has to tell the operator their phone number and location.¹² E911 "may also include details such as the floor, wing, room, or office of the caller to allow arriving first responders more quickly locate the source of the emergency."¹³ E911 is helpful when a caller cannot to communicate with the operator. The operator automatically has the caller's location and phone number and can dispatch first responders to the proper location.¹⁴

¹ 2019 N.J. Sess. Law Serv. Ch. 33; codified at N.J. Stat. Ann. S. 18A: 41-10 (2019).

² *Id.*

³ Russ Crespolini, *Silent Panic Alarms Coming To All Chatham Schools*, The Patch, May 1, 2019, <https://patch.com/new-jersey/chatham/silent-panic-alarms-coming-all-chatham-schools> (last visited January 17, 2020).

⁴ Marjory Stoneman Douglas High School Public Safety Commission, *Second Report* (Nov. 1, 2019), available at <http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf>. [hereinafter referred to as MSD Commission: Second Report].

⁵ Section 1006.07(4)(a), F.S.

⁶ *Id.*

⁷ Section 1006.07(4)(b), F.S.

⁸ Federal Communications Commission, Fact Sheet, *FCC Wireless 911 Requirements*, available at https://transition.fcc.gov/pshs/services/911-services/enhanced911/archives/factsheet_requirements_012001.pdf.

⁹ Section 365.175(2)(a), F.S.

¹⁰ Florida Department of Management Services, *Florida Emergency Communications Number E911 State Plan*, p. 37, available at https://www.dms.myflorida.com/content/download/108633/610926/State_E911_PLAN_2017_post.pdf.

¹¹ *Id.* at 6.

¹² Intrado, *E911 Frequently Asked Questions*, <https://www.west.com/safety-services/enterprise-e911-solutions/what-is-e911-faqs/> (last visited January 17, 2020).

¹³ *Id.*

¹⁴ *Id.*

E911 uses selective, alternate, and default routing methods to send 911 calls to the appropriate Public-Safety Answering Point (PSAP) based on the geographic location of the caller.¹⁵ A PSAP is a dispatch center staffed by emergency operators that receive 911 calls and dispatches the appropriate first responder.¹⁶ All PSAPs operate 24 hours a day, seven days a week¹⁷ and are required to have staffing levels that ensure that at least 90 percent of calls are answered within 10 seconds.¹⁸

Marjory Stoneman Douglas High School Public Safety Commission

The Marjory Stoneman Douglas High School Public Safety Commission (commission) is charged with investigating system failures in the Marjory Stoneman Douglas High School shooting and prior mass violence incidents and developing recommendations for system improvements.¹⁹ The commission submitted its initial report to the Governor and the Legislature on January 2, 2019,²⁰ and its second report to the Governor and Legislature on November 1, 2019.²¹ The commission is authorized to issue a report annually, by January 1, and is scheduled to sunset July 1, 2023.²²

The commission explored the role of 911 centers in mass violence incidents. The commission found that some school districts implement a multi-step process for reporting emergencies, and that “all staff do not have direct communication with other staff and 911 centers.”²³ In their recommendations on *Active Assailant Policies and Procedures*, the commission stated that, “The timeliest way to communicate an on-campus emergency is direct reporting from a school staff member to everyone on campus and the 911 center simultaneously.”²⁴

Panic Alarms

The U.S. Department of Homeland Security has identified technologies school districts can use to enhance school safety, including panic alarms.²⁵ Once activated, a panic alarm sends a message to E911 that includes details about the caller’s location. Some panic alarms can work through a smartphone application that can be preset to the type of emergency, including active shooter and hostage situations.²⁶ Some mobile phone panic alarm applications can be programmed to “focus on locking down or activating other protective measures such as locking doors, deploying smoke cannons, activating strobe lights, and monitoring CCV.”²⁷ Once activated, a panic alarm helps school administration and E911 quickly assess the situation and react appropriately.

Effect of Proposed Changes

This bill creates “Alyssa’s Law,” which requires each public elementary, middle, and high school campus, including charter schools, to implement a mobile panic button system. The system, referred to as “Alyssa’s Alert,” must have interoperability capability to connect diverse emergency services

¹⁵ Florida Department of Management Services, *supra* note 10, at 16.

¹⁶ Section 365.172(3)(y), F.S.

¹⁷ Rule 60FF-6.005(1)(a), F.A.C.

¹⁸ Rule 60FF-6.005(1)(b), F.A.C.

¹⁹ Section 943.687(3), F.S.

²⁰ Marjory Stoneman Douglas High School Public Safety Commission, *Initial Report* (Jan. 2, 2019), available at <http://www.fdle.state.fl.us/MSDHS/CommissionReport.pdf>.

²¹ MSD Commission: Second Report, *supra* note 4, at 85.

²² Section 943.687(9), F.S.

²³ MSD Commission: Second Report, *supra* note 4, at 81.

²⁴ MSD Commission: Second Report, *supra* note 4, at 85.

²⁵ U.S. Department of Homeland Security, *K-12 School Security: A Guide for Preventing and Protecting Against Gun Violence* (2nd Edition: 2018), available at <https://www.cisa.gov/publication/k-12-school-security-guide>. [hereinafter referred to as K-12 School Security Guide].

²⁶ Sean Gorman, *Chesterfield administrators now are using mobile app to alert first-responders to school emergencies*, Richmond Times-Dispatch, Jan. 19, 2020, https://www.richmond.com/news/chesterfield-administrators-now-are-using-mobile-app-to-alert-first/article_d82f4a8f-f519-5062-93e0-f09b4e934bfb.html (last visited January 22, 2020).

²⁷ See K-12 School Security Guide, *supra* note 25.

technologies for real-time coordination between multiple first responders. The system must be integrated with local public safety answering point infrastructure to transmit emergency 9-1-1 calls and mobile device application activations.

The bill appropriates \$8 million to the DOE to issue a competitive solicitation to contract for a statewide mobile panic button system that can be utilized by all school districts at no cost to the school district. The DOE must consult with school safety specialists pursuant to S. 1006.07(6) F.S., in the development of the competitive solicitation. The systems must be operable beginning with the 2021-2022 school year.

B. SECTION DIRECTORY:

Section 1. Allows act to be cited as “Alyssa’s Law.”

Section 2. Amends s. 1006.07, F.S., requiring public elementary, middle, and high school campuses, including charter schools, to implement a mobile panic button system.

Section 3. Provides for Fiscal Year 2020-2021, the sum of \$8 million from the General Revenue Fund to the DOE to issue a competitive solicitation to contract for a statewide mobile panic button system that can be utilized by all school districts at no cost to the school district. Requires the department to consult with school safety specialists established pursuant to s. 1006.07(6), F.S., in the development of the competitive solicitation.

Section 4. Provides an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The fiscal impact to the state is \$8 million which has been appropriated in the bill.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The mobile panic button system for all public elementary, middle, and high schools is sold by private sector vendors. This would have a positive fiscal impact on vendors selling such systems.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 21, 2020, the House PreK-12 Innovation Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment:

- specifies that panic alarms are to be used in a life-threatening emergency as that term is defined in law;
- applies the panic alarm requirement to charter schools;
- requires the emergency signal to be transmitted to a PSAP rather than directly to first responders; and
- delays implementation to the 2021-2022 school year.

On February 4, 2020, the House PreK-12 Appropriations Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment:

- requires each public elementary, middle, and high school campus to implement a mobile panic button system with interoperability capability to connect diverse emergency services technologies to ensure real-time coordination between first responders;
- appropriates for Fiscal Year 2020-2021, the sum of \$8 million in nonrecurring funds from the General Revenue Fund to the DOE to implement a statewide mobile panic button system;
- requires DOE to issue a competitive solicitation to contract for a statewide mobile panic button system to be utilized by all school districts at no cost to the school district; and
- requires DOE to consult with the school safety specialists pursuant to s. 1006.07(6), F.S., in the development of the competitive solicitation.

The bill analysis is drafted to the committee substitute as adopted by the House PreK-12 Appropriations Subcommittee.