

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/CS/SB 70 (108536)

INTRODUCER: Appropriation Committee (Recommended by Appropriations Subcommittee on Education); Infrastructure and Security Committee; and Senators Book, Berman, Stewart, and others

SUBJECT: Alert Systems in Public Schools

DATE: February 26, 2020 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Proctor</u>	<u>Miller</u>	<u>IS</u>	<u>Fav/CS</u>
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	<u>Recommend: Fav/CS</u>
3.	<u>Underhill</u>	<u>Kynoch</u>	<u>AP</u>	<u>Pre-meeting</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 70 creates “Alyssa’s Law.”

The bill modifies statute to:

- Require each public school, beginning with the 2021-2022 school year, to implement an interoperable mobile panic alert system, known as “Alyssa’s Alert”, capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders.
- For the 2020-2021 fiscal year, subject to legislative appropriation, require the Department of Education, in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement, to develop a competitive solicitation for a statewide mobile panic alert system.

The bill may have a significant, negative fiscal impact to school districts.

The bill has an effective date of July 1, 2020.

II. Present Situation:

Alyssa Alhadeff

Alyssa Alhadeff, a former student at Marjory Stoneman Douglas High School in Parkland, Florida, was among the 17 killed during a school shooting in February 2018.¹

School Shootings

There have been over 234 shootings at primary and secondary schools since the shooting at Columbine High in April 1999, resulting in the loss of 144 lives.² In 2018 alone, there were 25 shootings - the highest number during any year since at least 1999, and a Washington Post database of school shootings indicates that over 236,000 students have been exposed to gun violence.³

Life-Threatening Emergencies

Florida law requires district school boards to provide for the health, safety, and welfare of students at school. School districts must establish model emergency management and preparedness procedures that include notification procedures for life-threatening emergencies. The procedures must include commonly used alarm system responses for specific emergencies. 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.⁴

9-1-1 Wireless Calls

Although wireless phones can be an important public safety tool, they also create unique challenges for emergency response personnel. Because wireless phones are not associated with one fixed physical location, authorities will not know the nature of the threat or the exact location unless the 9-1-1 caller is able to stay on the call and relay that information. Due to this limitation, police and paramedics may not know how many personnel should respond, where to set up a safe location or rally point, where to relocate students (in the case of a school shooting incident), and where an active shooter may be located.

Marjory Stoneman Douglas High School Public Safety Commission

The Marjory Stoneman Douglas High School Public Safety Commission is entrusted with investigating system failures in the Marjory Stoneman Douglas High School shooting and prior

¹ Marjory Stoneman Douglas High School Public Safety Commission, *Second Report* (November 1, 2019), available at <http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf> (last visited December 27, 2019).

² Maya Rossin-Slater ET AL.(2019), Local Exposure to School Shootings and Youth Antidepressant Use (Working Paper 26563), available at <http://www.nber.org/papers/w26563> (last visited December 27, 2019).

³ John Woodrow Cox ET AL., *More than 236,000 students have experienced gun violence at school since Columbine*, available at <https://www.washingtonpost.com/graphics/2018/local/school-shootings-database/> (last visited December 27, 2019).

⁴ See ss. 1006.07(4)(a) and (b), F.S.

mass violence incidents, and developing recommendations for system improvements.⁵ The commission submitted its initial report to the Governor and the Legislature on January 2, 2019, and its second report to the Governor and Legislature on November 1, 2019.⁶ The commission is authorized to issue a report annually, by January 1, and is scheduled to sunset July 1, 2023.⁷

The commission's second report includes school safety and security recommendations, which includes language directing that, "some emergency drills should require movement and exercise all necessary aspects of the drill and emergency operations plan, including panic buttons ...", and "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."⁸

Panic Buttons

The U.S. Department of Homeland Security has identified a variety of technologies school districts can use to enhance school safety, including mass notification systems such as panic alarms.⁹ Panic buttons can be set up at a school and monitored by the school administration, local law enforcement. They can be hard wired, wireless, or application-based devices that send a signal notifying first responders of a school security emergency.¹⁰

Some mobile phone applications, "act as panic buttons, which a teacher can press to send an alert to the phone of police officers within a certain radius of a school." Other mobile phone applications focus on locking down or activating other protective measures such as locking doors, deploying smoke cannons, activating strobe lights, and monitoring closed-circuit video.¹¹

III. Effect of Proposed Changes:

The bill names the act "Alyssa's Law."

The bill modifies s. 1006.07, F.S., to:

- Require each public school, beginning with the 2021-2022 school year, to implement an interoperable mobile panic alert system, known as "Alyssa's Alert", capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders.
- For the 2020-2021 fiscal year, subject to legislative appropriation, require the Department of Education, in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement, to develop a competitive solicitation for a statewide mobile panic alert system.

⁵ Section 943.687(3), F.S.

⁶ Marjory Stoneman Douglas High School Public Safety Commission, *Initial Report* (Jan. 2, 2019), available at <http://www.fdle.state.fl.us/MSDHS/CommissionReport.pdf> (last visited December 27, 2019).

⁷ Section 943.687(9), F.S.

⁸ *Supra*, note 2.

⁹ 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>.

¹⁰ SECURAlert, *Security Systems for Schools*, <https://www.securalert.net/blog/duress-system/security-systems-for-schools/> (last visited January 17, 2020).

¹¹ U.S. Department of Homeland Security, *supra* note 17.

The bill has an effective date of July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

This bill does not require counties or municipalities to spend funds or limit their authority to raise revenue or receive state-shared revenues as specified in Article VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Panic alert systems for a public school would be sold by private sector vendors, and would therefore have a positive impact on vendors selling a panic alert system.

C. Government Sector Impact:

The bill requires each public school to implement a mobile panic alert system. The extent to which mobile panic alert systems are currently implemented in public and charter school buildings is unknown. The bill may have a significant, negative fiscal impact to school districts.

For the 2020-2021 fiscal year, the competitive solicitation conducted by the department in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement is predicated on a legislative appropriation for the system.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1006.07 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriation Subcommittee on Education on February 25, 2020:

The committee substitute makes the following changes to the bill:

- Requires each public school, beginning with the 2021-2022 school year, to implement an interoperable mobile panic alert system, known as “Alyssa’s Alert”, capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders.
- Requires the Department of Education, in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement, to develop a competitive solicitation for a statewide mobile panic alert system.

CS by Infrastructure and Security on January 13, 2020:

- Modified the definition of “panic alarm system” to remove the portion stating the security system signal be silent;
- Adds the panic alarm system must be accessible to administrators, teachers, staff, and other designated personnel;
- Expands installation locations from just buildings to all locations on the school grounds;
- Provides the panic alarm system must provide permanently installed alert indicators located at indoor and outdoor locations; and
- Adds that the panic alarm system must be directly linked to the main office at the school, in addition to local law enforcement agencies that are designated as first responders to the school’s campus, and the system must immediately transmit a signal or message to those authorities upon activation.

B. Amendments:

None.