

By Senator Simmons

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1                                   A bill to be entitled  
2       An act relating to emergency alerts; creating s.  
3       784.072, F.S.; defining terms; authorizing a local law  
4       enforcement agency to activate the emergency alert  
5       system and issue a Lockdown Alert to public and  
6       private schools and child care facilities under  
7       certain circumstances; requiring local law enforcement  
8       agencies to create and maintain a list of all public  
9       schools, private schools, and child care facilities  
10      within their jurisdictions which must be included in  
11      the Lockdown Alert; authorizing public or private  
12      schools or child care facilities to contact their  
13      local law enforcement agencies to verify that they are  
14      included on the list or to register for inclusion on  
15      the list; requiring a local law enforcement agency to  
16      take a private school or child care facility off the  
17      list if the school or facility requests that it be  
18      taken off the list; requiring the Department of Law  
19      Enforcement, in cooperation with the Department of  
20      Highway Safety and Motor Vehicles and the Department  
21      of Transportation, to activate the emergency alert  
22      system and issue an Imminent Threat Alert to the  
23      public at the request of a local law enforcement  
24      agency under certain circumstances; specifying  
25      information that must be provided in Imminent Threat  
26      Alerts, if available; requiring Imminent Threat Alerts  
27      to be disseminated to the public through the emergency  
28      alert system and through the use of certain dynamic  
29      message signs; providing that the agency responsible

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30 for posting the Imminent Threat Alert on the dynamic  
31 message sign does not violate this section if certain  
32 traffic emergency information is displayed on the sign  
33 in lieu of the alert; providing an effective date.  
34

35 Be It Enacted by the Legislature of the State of Florida:  
36

37 Section 1. Section 784.072, Florida Statutes, is created to  
38 read:

39 784.072 Notification of imminent threat to schools and  
40 child care facilities or the public; Lockdown Alert; Imminent  
41 Threat Alert.—

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

43 (a) "Child care facility" has the same meaning as in s.  
44 402.302.

45 (b) "Imminent Threat Alert" means a notification issued  
46 pursuant to subsection (3) which informs the public that an  
47 imminent threat exists such that the lives and safety of people  
48 are endangered, including, but not limited to, instances in  
49 which a person suspected of killing or causing serious bodily  
50 injury to another person or assaulting another person with a  
51 deadly weapon has fled the scene of the offense.

52 (c) "Lockdown Alert" means a notification issued pursuant  
53 to subsection (2) which informs public schools, private schools,  
54 and child care facilities that an imminent threat exists,  
55 including, but not limited to, instances in which a person  
56 suspected of killing or causing serious bodily injury to another  
57 person or assaulting another person with a deadly weapon has  
58 fled the scene of the offense. The alert advises the schools and

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59 facilities to lock their doors and encourages persons in those  
60 schools and facilities to remain in lockdown and be vigilant in  
61 watching for and reporting any suspicious activity.

62 (d) "Private school" has the same meaning as in s. 1002.01.

63 (2) (a) A local law enforcement agency that has jurisdiction  
64 over the scene of an incident giving rise to an imminent threat  
65 to the public may activate the emergency alert system and issue  
66 a Lockdown Alert to all public and private schools and child  
67 care facilities it determines are at risk, given their proximity  
68 to the incident, including an incident in which all of the  
69 following conditions are satisfied:

70 1. A person has been killed or has suffered serious bodily  
71 injury or a person has been assaulted with a deadly weapon by  
72 another person.

73 2. The person suspected of committing the offense has fled  
74 the scene of the offense.

75 3. The law enforcement agency investigating the offense has  
76 determined that the suspect poses an imminent threat to the  
77 public safety.

78 (b) For purposes of complying with this subsection, each  
79 local law enforcement agency shall create and maintain a list of  
80 all public schools, private schools, and child care facilities  
81 within its jurisdiction.

82 (c) A public or private school or child care facility may  
83 contact local law enforcement agencies to verify that it is  
84 included on the list of those that will receive a Lockdown Alert  
85 or to register to be included on the list. A local law  
86 enforcement agency must take a private school or child care  
87 facility off the list if the school or facility requests that it

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88 be taken off the list.

89 (3) At the request of a local law enforcement agency, the  
90 Department of Law Enforcement, in cooperation with the  
91 Department of Highway Safety and Motor Vehicles and the  
92 Department of Transportation, must activate the emergency alert  
93 system and issue an Imminent Threat Alert to the public when the  
94 local law enforcement agency confirms that an imminent threat to  
95 the public exists, including, but not limited to, circumstances  
96 in which all of the following conditions have been satisfied:

97 (a) A person has been killed or has suffered serious bodily  
98 injury or a person has been assaulted with a deadly weapon by  
99 another person.

100 (b) The person suspected of committing the offense has fled  
101 the scene of the offense.

102 (c) The law enforcement agency has determined that the  
103 suspect poses an imminent threat to the public safety.

104 (4) An Imminent Threat Alert must, to the extent  
105 practicable, provide a detailed description of a suspect's  
106 vehicle or other means of escape, the license plate number of  
107 the suspect's vehicle, or any other available information that  
108 may assist in averting further harm or in the apprehending of  
109 the suspect.

110 (5) (a) An Imminent Threat Alert must be immediately  
111 disseminated to the public through the emergency alert system  
112 and through the use of the dynamic message signs that are  
113 located along the State Highway System.

114 (b) If a traffic emergency arises requiring that  
115 information pertaining to the traffic emergency be displayed on  
116 a dynamic message sign on a state highway in lieu of an Imminent

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117 Threat Alert, the agency responsible for posting the Imminent  
118 Threat Alert on the dynamic message sign does not violate this  
119 section.

120 Section 2. This act shall take effect October 1, 2020.