

By the Committee on Fiscal Policy; and Senators Collins,
Gruters, Martin, and Hooper

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1 A bill to be entitled
2 An act relating to public safety; amending s. 27.53,
3 F.S.; conforming provisions to changes made by the
4 act; amending s. 30.15, F.S.; requiring sheriffs to
5 assist private schools in complying with a certain
6 statute; authorizing a private school to request the
7 sheriff to establish a guardian program under certain
8 conditions; providing requirements for the guardian
9 program; authorizing certified individuals to serve as
10 school guardians if appointed by the applicable
11 private school head of school; revising the training
12 program hours required for school employees to be
13 certified as school guardians; amending s. 768.28,
14 F.S.; revising a definition; amending s. 790.001,
15 F.S.; defining the term "handgun"; amending s. 790.01,
16 F.S.; authorizing a person to carry a concealed weapon
17 or concealed firearm if he or she is licensed to do so
18 or meets specified requirements; specifying that the
19 state bears the burden of proof for certain
20 violations; creating s. 790.013, F.S.; requiring a
21 person who is carrying a concealed weapon or concealed
22 firearm without a license to carry valid
23 identification and display such identification upon
24 demand by a law enforcement officer; providing a
25 noncriminal penalty; prohibiting a person who is
26 carrying a concealed weapon or concealed firearm
27 without a license from carrying such weapon or firearm
28 in specified locations; amending s. 790.015, F.S.;
29 authorizing a nonresident to carry a concealed weapon

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30 or concealed firearm in this state if he or she meets
31 the same requirements as a resident; removing a
32 requirement that limits recognition of concealed
33 firearm licenses to those states that honor Florida
34 concealed weapon or concealed firearm licenses;
35 amending s. 790.052, F.S.; conforming provisions to
36 changes made by the act; amending s. 790.053, F.S.;
37 specifying that it is not a violation of specified
38 provisions for persons authorized to carry a concealed
39 weapon or concealed firearm without a license to
40 briefly and openly display a firearm under specified
41 circumstances; amending s. 790.06, F.S.; defining the
42 term "concealed weapon or concealed firearm"; removing
43 a requirement that a person who is licensed to carry a
44 concealed weapon or concealed firearm must carry such
45 license while he or she is in actual possession of a
46 concealed weapon or concealed firearm; revising
47 legislative findings; making technical changes;
48 amending s. 790.0655, F.S.; making technical changes;
49 amending s. 790.115, F.S.; providing that a person who
50 is authorized to carry a concealed weapon or concealed
51 firearm without a license is subject to specified
52 penalties for possessing such weapon or firearm at a
53 school-sponsored event or on school property;
54 conforming provisions to changes made by the act;
55 revising applicability; repealing s. 790.145, F.S.,
56 relating to the possession of firearms or destructive
57 devices within the premises of pharmacies; amending s.
58 790.25, F.S.; providing that a person who is

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59 authorized to carry a concealed weapon or concealed
60 firearm may carry such weapon or firearm on his or her
61 person in a private conveyance under certain
62 circumstances; conforming provisions to changes made
63 by the act; making technical changes; amending s.
64 790.251, F.S.; revising the definition of the term
65 "employee" to include any person who is authorized to
66 carry a concealed weapon or concealed firearm;
67 prohibiting an employer from conditioning employment
68 upon the fact that an employee or a prospective
69 employee is authorized to carry a concealed weapon or
70 concealed firearm; amending s. 790.31, F.S.; removing
71 the definition of the term "handgun"; creating s.
72 943.6873, F.S.; requiring each law enforcement agency
73 in this state to create and maintain an active
74 assailant response policy by a specified date;
75 providing requirements for the policy; amending s.
76 1001.212, F.S.; requiring the Office of Safe Schools
77 to develop a behavioral threat management operational
78 process by a specified date; providing requirements
79 for the process; revising provisions requiring the
80 office to develop a Florida-specific behavioral threat
81 assessment instrument by a specified date; revising
82 requirements for the instrument; requiring the office
83 to develop, host, maintain, and administer a threat
84 management portal by a specified date; providing
85 requirements for the threat management portal;
86 providing a noncriminal penalty for an individual
87 using the threat management portal for an unauthorized

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88 purpose; deleting provisions providing for the
89 Statewide Threat Assessment Database Workgroup;
90 authorizing the State Board of Education to adopt
91 emergency rules; amending s. 1002.42, F.S.;
92 authorizing a private school to partner with a law
93 enforcement agency or security agency for specified
94 purposes; requiring a private school that establishes
95 a safe-school officer to comply with specified
96 provisions of law; providing that the private school
97 is responsible for certain implementation costs;
98 amending s. 1003.25, F.S.; revising information
99 included in verified reports of serious or recurrent
100 behavior patterns; amending s. 1006.07, F.S.;
101 redesignating threat assessment teams as threat
102 management teams; requiring a charter school governing
103 board to establish a threat management team; providing
104 requirements for a threat management team; requiring
105 the threat management team to prepare a specified
106 report; authorizing the state board to adopt emergency
107 rules; providing legislative findings; creating s.
108 1006.121, F.S.; requiring the Department of Education
109 to establish the Florida Safe Schools Canine Program;
110 requiring the Office of Safe Schools to consult with
111 specified entities; defining the term "firearm
112 detection canine"; providing requirements for the
113 program; requiring the State Board of Education to
114 adopt rules; amending s. 1006.13, F.S.; conforming
115 provisions to changes made by the act; providing
116 reporting requirements for certain school safety

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117 incidents; amending ss. 790.1612, 810.095, 921.0022,
118 921.0024, 943.051, 943.0585, 943.059, 985.11, and
119 1002.33, F.S.; conforming provisions to changes made
120 by the act; providing appropriations; providing
121 effective dates.

122
123 Be It Enacted by the Legislature of the State of Florida:

124
125 Section 1. Subsections (1) and (4) of section 27.53,
126 Florida Statutes, are amended to read:

127 27.53 Appointment of assistants and other staff; method of
128 payment.—

129 (1) The public defender of each judicial circuit is
130 authorized to employ and establish, in such numbers as
131 authorized by the General Appropriations Act, assistant public
132 defenders and other staff and personnel pursuant to s. 29.006,
133 who shall be paid from funds appropriated for that purpose.
134 Notwithstanding ss. 790.01 and 790.02, ~~the provisions of s.~~
135 ~~790.01, s. 790.02, or s. 790.25(2)(a)~~, an investigator employed
136 by a public defender, while actually carrying out official
137 duties, is authorized to carry a concealed weapon or concealed
138 firearm weapons if the investigator complies with s.
139 790.25(2)(o) ~~s. 790.25(3)(e)~~. However, such investigators are
140 not eligible for membership in the Special Risk Class of the
141 Florida Retirement System. The public defenders of all judicial
142 circuits shall jointly develop a coordinated classification and
143 pay plan which shall be submitted on or before January 1 of each
144 year to the Justice Administrative Commission, the office of the
145 President of the Senate, and the office of the Speaker of the

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146 House of Representatives. Such plan shall be developed in
147 accordance with policies and procedures of the Executive Office
148 of the Governor established in s. 216.181. Each assistant public
149 defender appointed by a public defender under this section shall
150 serve at the pleasure of the public defender. Each investigator
151 employed by a public defender shall have full authority to serve
152 any witness subpoena or court order issued, by any court or
153 judge within the judicial circuit served by such public
154 defender, in a criminal case in which such public defender has
155 been appointed to represent the accused.

156 (4) The five criminal conflict and civil regional counsels
157 may employ and establish, in the numbers authorized by the
158 General Appropriations Act, assistant regional counsels and
159 other staff and personnel in each judicial district pursuant to
160 s. 29.006, who shall be paid from funds appropriated for that
161 purpose. Notwithstanding ss. 790.01 and 790.02, ~~s. 790.01, s.~~
162 ~~790.02, or s. 790.25(2)(a)~~, an investigator employed by an
163 office of criminal conflict and civil regional counsel, while
164 actually carrying out official duties, is authorized to carry a
165 concealed weapon or concealed firearm ~~weapons~~ if the
166 investigator complies with s. 790.25(2)(o) ~~s. 790.25(3)(e)~~.
167 However, such investigators are not eligible for membership in
168 the Special Risk Class of the Florida Retirement System. The
169 five regional counsels shall jointly develop a coordinated
170 classification and pay plan for submission to the Justice
171 Administrative Commission, the President of the Senate, and the
172 Speaker of the House of Representatives by January 1 of each
173 year. The plan must be developed in accordance with policies and
174 procedures of the Executive Office of the Governor established

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175 in s. 216.181. Each assistant regional counsel appointed by the
176 regional counsel under this section shall serve at the pleasure
177 of the regional counsel. Each investigator employed by the
178 regional counsel shall have full authority to serve any witness
179 subpoena or court order issued by any court or judge in a
180 criminal case in which the regional counsel has been appointed
181 to represent the accused.

182 Section 2. Paragraph (k) of subsection (1) of section
183 30.15, Florida Statutes, is amended to read:

184 30.15 Powers, duties, and obligations.—

185 (1) Sheriffs, in their respective counties, in person or by
186 deputy, shall:

187 (k) Assist district school boards and charter school
188 governing boards in complying with, or private schools in
189 exercising options in, s. 1006.12. A sheriff must, at a minimum,
190 provide access to a Coach Aaron Feis Guardian Program to aid in
191 the prevention or abatement of active assailant incidents on
192 school premises, as required under this paragraph. Persons
193 certified as school guardians pursuant to this paragraph have no
194 authority to act in any law enforcement capacity except to the
195 extent necessary to prevent or abate an active assailant
196 incident.

197 1.a. If a local school board has voted by a majority to
198 implement a guardian program, the sheriff in that county shall
199 establish a guardian program to provide training, pursuant to
200 subparagraph 2., to school district, ~~or~~ charter school, or
201 private school employees, either directly or through a contract
202 with another sheriff's office that has established a guardian
203 program.

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204 b. A charter school governing board in a school district
205 that has not voted, or has declined, to implement a guardian
206 program may request the sheriff in the county to establish a
207 guardian program for the purpose of training the charter school
208 employees. If the county sheriff denies the request, the charter
209 school governing board may contract with a sheriff that has
210 established a guardian program to provide such training. The
211 charter school governing board must notify the superintendent
212 and the sheriff in the charter school's county of the contract
213 prior to its execution.

214 c. A private school in a school district that has not
215 voted, or has declined, to implement a guardian program may
216 request that the sheriff in the county of the private school
217 establish a guardian program for the purpose of training private
218 school employees. If the county sheriff denies the request, the
219 private school may contract with a sheriff from another county
220 who has established a guardian program to provide such training.
221 The private school must notify the sheriff in the private
222 school's county of the contract with a sheriff from another
223 county before its execution. The private school is responsible
224 for all training costs for a school guardian program. The
225 sheriff providing such training must ensure that any moneys paid
226 by a private school are not commingled with any funds provided
227 by the state to the sheriff as reimbursement for screening-
228 related and training-related costs of any school district or
229 charter school employee.

230 d. The training program required in sub-subparagraph 2.b.
231 is a standardized statewide curriculum, and each sheriff
232 providing such training shall adhere to the course of

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233 instruction specified in that sub-subparagraph. This
234 subparagraph does not prohibit a sheriff from providing
235 additional training. A school guardian who has completed the
236 training program required in sub-subparagraph 2.b. may not be
237 required to attend another sheriff's training program pursuant
238 to that sub-subparagraph unless there has been at least a 1-year
239 break in his or her employment as a guardian.

240 e. The sheriff conducting the training pursuant to
241 subparagraph 2. will be reimbursed for screening-related and
242 training-related costs and for providing a one-time stipend of
243 \$500 to each school guardian who participates in the school
244 guardian program.

245 2. A sheriff who establishes a program shall consult with
246 the Department of Law Enforcement on programmatic guiding
247 principles, practices, and resources, and shall certify as
248 school guardians, without the power of arrest, school employees,
249 as specified in s. 1006.12(3), who:

250 a. Hold a valid license issued under s. 790.06.

251 b. Complete a 144-hour training program, consisting of 12
252 hours of certified nationally recognized diversity training and
253 132 total hours of comprehensive firearm safety and proficiency
254 training conducted by Criminal Justice Standards and Training
255 Commission-certified instructors, which must include:

256 (I) Eighty hours of firearms instruction based on the
257 Criminal Justice Standards and Training Commission's Law
258 Enforcement Academy training model, which must include at least
259 10 percent but no more than 20 percent more rounds fired than
260 associated with academy training. Program participants must
261 achieve an 85 percent pass rate on the firearms training.

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262 (II) Sixteen hours of instruction in precision pistol.
263 (III) Eight hours of discretionary shooting instruction
264 using state-of-the-art simulator exercises.
265 (IV) Sixteen ~~Eight~~ hours of instruction in active shooter
266 or assailant scenarios.
267 (V) Eight hours of instruction in defensive tactics.
268 (VI) Four ~~Twelve~~ hours of instruction in legal issues.
269 c. Pass a psychological evaluation administered by a
270 psychologist licensed under chapter 490 and designated by the
271 Department of Law Enforcement and submit the results of the
272 evaluation to the sheriff's office. The Department of Law
273 Enforcement is authorized to provide the sheriff's office with
274 mental health and substance abuse data for compliance with this
275 paragraph.
276 d. Submit to and pass an initial drug test and subsequent
277 random drug tests in accordance with the requirements of s.
278 112.0455 and the sheriff's office.
279 e. Successfully complete ongoing training, weapon
280 inspection, and firearm qualification on at least an annual
281 basis.
282
283 The sheriff who conducts the guardian training shall issue a
284 school guardian certificate to individuals who meet the
285 requirements of this section to the satisfaction of the sheriff,
286 and shall maintain documentation of weapon and equipment
287 inspections, as well as the training, certification, inspection,
288 and qualification records of each school guardian certified by
289 the sheriff. An individual who is certified under this paragraph
290 may serve as a school guardian under s. 1006.12(3) only if he or

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291 she is appointed by the applicable school district
 292 superintendent, ~~or~~ charter school principal, or private school
 293 head of school.

294 Section 3. Paragraph (b) of subsection (9) of section
 295 768.28, Florida Statutes, is amended to read:

296 768.28 Waiver of sovereign immunity in tort actions;
 297 recovery limits; civil liability for damages caused during a
 298 riot; limitation on attorney fees; statute of limitations;
 299 exclusions; indemnification; risk management programs.—

300 (9)

301 (b) As used in this subsection, the term:

302 1. "Employee" includes any volunteer firefighter.

303 2. "Officer, employee, or agent" includes, but is not
 304 limited to, any health care provider when providing services
 305 pursuant to s. 766.1115; any nonprofit independent college or
 306 university located and chartered in this state which owns or
 307 operates an accredited medical school, and its employees or
 308 agents, when providing patient services pursuant to paragraph
 309 (10)(f); any public defender or her or his employee or agent,
 310 including an assistant public defender or an investigator; and
 311 any member of a Child Protection Team, as defined in s. 39.01,
 312 or any member of a threat management team, as described in s.
 313 1006.07(7) ~~s. 39.01(13)~~, when carrying out her or his duties as
 314 a team member under the control, direction, and supervision of
 315 the state or any of its agencies or subdivisions.

316 Section 4. Section 790.001, Florida Statutes, is amended to
 317 read:

318 790.001 Definitions.—As used in this chapter, except where
 319 the context otherwise requires:

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320 (2)~~(1)~~ "Antique firearm" means any firearm manufactured in
321 or before 1918 (including any matchlock, flintlock, percussion
322 cap, or similar early type of ignition system) or replica
323 thereof, whether actually manufactured before or after the year
324 1918, and also any firearm using fixed ammunition manufactured
325 in or before 1918, for which ammunition is no longer
326 manufactured in the United States and is not readily available
327 in the ordinary channels of commercial trade.

328 (3)~~(2)~~ "Concealed firearm" means any firearm, as defined in
329 subsection (9) ~~(6)~~, which is carried on or about a person in
330 such a manner as to conceal the firearm from the ordinary sight
331 of another person.

332 (4)~~(3)~~(a) "Concealed weapon" means any dirk, metallic
333 knuckles, billie, tear gas gun, chemical weapon or device, or
334 other deadly weapon carried on or about a person in such a
335 manner as to conceal the weapon from the ordinary sight of
336 another person.

337 (b) "Tear gas gun" or "chemical weapon or device" means any
338 weapon of such nature, except a device known as a "self-defense
339 chemical spray." "Self-defense chemical spray" means a device
340 carried solely for purposes of lawful self-defense that is
341 compact in size, designed to be carried on or about the person,
342 and contains not more than two ounces of chemical.

343 (6)~~(4)~~ "Destructive device" means any bomb, grenade, mine,
344 rocket, missile, pipebomb, or similar device containing an
345 explosive, incendiary, or poison gas and includes any frangible
346 container filled with an explosive, incendiary, explosive gas,
347 or expanding gas, which is designed or so constructed as to
348 explode by such filler and is capable of causing bodily harm or

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349 property damage; any combination of parts either designed or
350 intended for use in converting any device into a destructive
351 device and from which a destructive device may be readily
352 assembled; any device declared a destructive device by the
353 Bureau of Alcohol, Tobacco, and Firearms; any type of weapon
354 which will, is designed to, or may readily be converted to expel
355 a projectile by the action of any explosive and which has a
356 barrel with a bore of one-half inch or more in diameter; and
357 ammunition for such destructive devices, but not including
358 shotgun shells or any other ammunition designed for use in a
359 firearm other than a destructive device. "Destructive device"
360 does not include:

361 (a) A device which is not designed, redesigned, used, or
362 intended for use as a weapon;

363 (b) Any device, although originally designed as a weapon,
364 which is redesigned so that it may be used solely as a
365 signaling, line-throwing, safety, or similar device;

366 (c) Any shotgun other than a short-barreled shotgun; or

367 (d) Any nonautomatic rifle (other than a short-barreled
368 rifle) generally recognized or particularly suitable for use for
369 the hunting of big game.

370 (8)~~(5)~~ "Explosive" means any chemical compound or mixture
371 that has the property of yielding readily to combustion or
372 oxidation upon application of heat, flame, or shock, including
373 but not limited to dynamite, nitroglycerin, trinitrotoluene, or
374 ammonium nitrate when combined with other ingredients to form an
375 explosive mixture, blasting caps, and detonators; but not
376 including:

377 (a) Shotgun shells, cartridges, or ammunition for firearms;

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378 (b) Fireworks as defined in s. 791.01;

379 (c) Smokeless propellant powder or small arms ammunition
380 primers, if possessed, purchased, sold, transported, or used in
381 compliance with s. 552.241;

382 (d) Black powder in quantities not to exceed that
383 authorized by chapter 552, or by any rules adopted thereunder by
384 the Department of Financial Services, when used for, or intended
385 to be used for, the manufacture of target and sporting
386 ammunition or for use in muzzle-loading flint or percussion
387 weapons.

388
389 The exclusions contained in paragraphs (a)-(d) do not apply to
390 the term "explosive" as used in the definition of "firearm" in
391 subsection (9) ~~(6)~~.

392 (9) ~~(6)~~ "Firearm" means any weapon (including a starter gun)
393 which will, is designed to, or may readily be converted to expel
394 a projectile by the action of an explosive; the frame or
395 receiver of any such weapon; any firearm muffler or firearm
396 silencer; any destructive device; or any machine gun. The term
397 "firearm" does not include an antique firearm unless the antique
398 firearm is used in the commission of a crime.

399 (11) ~~(7)~~ "Indictment" means an indictment or an information
400 in any court under which a crime punishable by imprisonment for
401 a term exceeding 1 year may be prosecuted.

402 (12) ~~(8)~~ "Law enforcement officer" means:

403 (a) All officers or employees of the United States or the
404 State of Florida, or any agency, commission, department, board,
405 division, municipality, or subdivision thereof, who have
406 authority to make arrests;

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407 (b) Officers or employees of the United States or the State
408 of Florida, or any agency, commission, department, board,
409 division, municipality, or subdivision thereof, duly authorized
410 to carry a concealed weapon;

411 (c) Members of the Armed Forces of the United States, the
412 organized reserves, state militia, or Florida National Guard,
413 when on duty, when preparing themselves for, or going to or
414 from, military duty, or under orders;

415 (d) An employee of the state prisons or correctional
416 systems who has been so designated by the Department of
417 Corrections or by a warden of an institution;

418 (e) All peace officers;

419 (f) All state attorneys and United States attorneys and
420 their respective assistants and investigators.

421 (13)~~(9)~~ "Machine gun" means any firearm,~~as defined herein,~~
422 which shoots, or is designed to shoot, automatically more than
423 one shot, without manually reloading, by a single function of
424 the trigger.

425 (10) "Handgun" means a firearm capable of being carried and
426 used by one hand, such as a pistol or revolver.

427 (17)~~(10)~~ "Short-barreled shotgun" means a shotgun having
428 one or more barrels less than 18 inches in length and any weapon
429 made from a shotgun (whether by alteration, modification, or
430 otherwise) if such weapon as modified has an overall length of
431 less than 26 inches.

432 (16)~~(11)~~ "Short-barreled rifle" means a rifle having one or
433 more barrels less than 16 inches in length and any weapon made
434 from a rifle (whether by alteration, modification, or otherwise)
435 if such weapon as modified has an overall length of less than 26

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436 inches.

437 (18)~~(12)~~ "Slungshot" means a small mass of metal, stone,
438 sand, or similar material fixed on a flexible handle, strap, or
439 the like, used as a weapon.

440 (20)~~(13)~~ "Weapon" means any dirk, knife, metallic knuckles,
441 slungshot, billie, tear gas gun, chemical weapon or device, or
442 other deadly weapon except a firearm or a common pocketknife,
443 plastic knife, or blunt-bladed table knife.

444 (7)~~(14)~~ "Electric weapon or device" means any device which,
445 through the application or use of electrical current, is
446 designed, redesigned, used, or intended to be used for offensive
447 or defensive purposes, the destruction of life, or the
448 infliction of injury.

449 (5)~~(15)~~ "Dart-firing stun gun" means any device having one
450 or more darts that are capable of delivering an electrical
451 current.

452 (14)~~(16)~~ "Readily accessible for immediate use" means that
453 a firearm or other weapon is carried on the person or within
454 such close proximity and in such a manner that it can be
455 retrieved and used as easily and quickly as if carried on the
456 person.

457 (15)~~(17)~~ "Securely encased" means in a glove compartment,
458 whether or not locked; snapped in a holster; in a gun case,
459 whether or not locked; in a zippered gun case; or in a closed
460 box or container which requires a lid or cover to be opened for
461 access.

462 (19)~~(18)~~ "Sterile area" means the area of an airport to
463 which access is controlled by the inspection of persons and
464 property in accordance with federally approved airport security

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465 programs.

466 (1)~~(19)~~ "Ammunition" means an object consisting of all of
467 the following:

468 (a) A fixed metallic or nonmetallic hull or casing
469 containing a primer.

470 (b) One or more projectiles, one or more bullets, or shot.

471 (c) Gunpowder.

472

473 All of the specified components must be present for an object to
474 be ammunition.

475 Section 5. Section 790.01, Florida Statutes, is amended to
476 read:

477 790.01 ~~Unlicensed~~ Carrying of concealed weapons or
478 concealed firearms.—

479 (1) A person is authorized to carry a concealed weapon or
480 concealed firearm, as that term is defined in s. 790.06(1), if
481 he or she:

482 (a) Is licensed under s. 790.06; or

483 (b) Is not licensed under s. 790.06, but otherwise
484 satisfies the criteria for receiving and maintaining such a
485 license under s. 790.06(2)(a)-(f) and (i)-(n), (3), and (10).

486 (2)~~(1)~~ Except as provided in subsection (5) ~~(3)~~, a person
487 who does not meet the criteria in subsection (1) ~~is not licensed~~
488 ~~under s. 790.06~~ and who carries a concealed weapon or electric
489 weapon or device, as those terms are defined in s. 790.001, on
490 or about his or her person commits a misdemeanor of the first
491 degree, punishable as provided in s. 775.082 or s. 775.083.

492 (3)~~(2)~~ Except as provided in subsection (5) ~~(3)~~, a person
493 who does not meet the criteria in subsection (1) ~~is not licensed~~

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494 ~~under s. 790.06~~ and who carries a concealed firearm, as that
495 term is defined in s. 790.001, on or about his or her person
496 commits a felony of the third degree, punishable as provided in
497 s. 775.082, s. 775.083, or s. 775.084.

498 (4) In any prosecution for a violation of subsection (2) or
499 subsection (3), the state bears the burden of proving, as an
500 element of the offense, both that a person is not licensed under
501 s. 790.06 and that he or she is ineligible to receive and
502 maintain such a license under the criteria listed in s.
503 790.06(2)(a)-(f) and (i)-(n), (3), and (10).

504 (5)~~(3)~~ A person does not violate this section if he or she
505 ~~This section does not apply to:~~

506 (a) Is lawfully in possession of ~~A person who carries a~~
507 concealed weapon or a concealed firearm, as those terms are
508 defined in s. 790.001, ~~or a person who may lawfully possess a~~
509 ~~firearm~~ and ~~who~~ carries such a concealed weapon or concealed
510 firearm, on or about his or her person while in the act of
511 evacuating during a mandatory evacuation order issued during a
512 state of emergency declared by the Governor pursuant to chapter
513 252 or declared by a local authority pursuant to chapter 870. As
514 used in this subsection, the term "in the act of evacuating"
515 means the immediate and urgent movement of a person away from
516 the evacuation zone within 48 hours after a mandatory evacuation
517 is ordered. The 48 hours may be extended by an order issued by
518 the Governor.

519 (b) ~~A person who~~ Carries for purposes of lawful self-
520 defense, in a concealed manner:

- 521 1. A self-defense chemical spray.
522 2. A nonlethal stun gun or dart-firing stun gun or other

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523 nonlethal electric weapon or device that is designed solely for
524 defensive purposes.

525 (6)~~(4)~~ This section does not preclude any prosecution for
526 the use of an electric weapon or device, a dart-firing stun gun,
527 or a self-defense chemical spray during the commission of any
528 criminal offense under s. 790.07, s. 790.10, s. 790.23, or s.
529 790.235, or for any other criminal offense.

530 Section 6. Section 790.013, Florida Statutes, is created to
531 read:

532 790.013 Carrying of concealed weapons or concealed firearms
533 without a license.—A person who carries a concealed weapon or
534 concealed firearm without a license as authorized under s.
535 790.01(1)(b):

536 (1)(a) Must carry valid identification at all times when he
537 or she is in actual possession of a concealed weapon or
538 concealed firearm and must display such identification upon
539 demand by a law enforcement officer.

540 (b) A violation of this subsection is a noncriminal
541 violation punishable by a \$25 fine, payable to the clerk of the
542 court.

543 (2) Is subject to s. 790.06(12) in the same manner as a
544 person who is licensed to carry a concealed weapon or concealed
545 firearm.

546 Section 7. Section 790.015, Florida Statutes, is amended to
547 read:

548 790.015 Nonresidents ~~who are United States citizens and~~
549 ~~hold a concealed weapons license in another state; reciprocity.—~~

550 (1) ~~Notwithstanding s. 790.01,~~ A nonresident of Florida may
551 carry a concealed weapon or concealed firearm, as that term is

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552 defined in s. 790.06(1), while in this state if the nonresident
553 is a resident of the United States who is 21 years of age or
554 older and he or she:

555 (a) Satisfies the criteria for receiving and maintaining a
556 license to carry a concealed weapon or concealed firearm under
557 s. 790.06(2) (a)-(f) and (i)-(n), (3), and (10); or

558 ~~(a) Is 21 years of age or older.~~

559 (b) Has in his or her immediate possession a valid license
560 to carry a concealed weapon or concealed firearm issued to the
561 nonresident in his or her state of residence.

562 ~~(c) Is a resident of the United States.~~

563 (2) A nonresident is subject to the same laws and
564 restrictions with respect to carrying a concealed weapon or
565 concealed firearm as a resident of Florida ~~who is so licensed.~~

566 (3) If the resident of another state who is the holder of a
567 valid license to carry a concealed weapon or concealed firearm
568 issued in another state establishes legal residence in this
569 state by:

570 (a) Registering to vote;

571 (b) Making a statement of domicile pursuant to s. 222.17;

572 or

573 (c) Filing for homestead tax exemption on property in this
574 state,

575
576 the license shall be recognized as valid ~~remain in effect~~ for 90
577 days following the date on which the holder of the license
578 establishes legal state residence.

579 ~~(4) This section applies only to nonresident concealed~~
580 ~~weapon or concealed firearm licenseholders from states that~~

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581 ~~honor Florida concealed weapon or concealed firearm licenses.~~

582 (4)(5) The requirement in subsection (1) that a nonresident
583 be 21 years of age or older to carry a concealed weapon or
584 concealed firearm of paragraph (1)(a) does not apply to a person
585 who:

586 (a) Is a servicemember, as defined in s. 250.01; or

587 (b) Is a veteran of the United States Armed Forces who was
588 discharged under honorable conditions.

589 Section 8. Paragraph (d) of subsection (1) of section
590 790.052, Florida Statutes, is amended to read:

591 790.052 Carrying concealed firearms; off-duty law
592 enforcement officers.—

593 (1)

594 (d) This section does not limit the right of a law
595 enforcement officer, correctional officer, or correctional
596 probation officer to carry a concealed firearm off duty as a
597 private citizen under the exemption provided in s. 790.06 that
598 allows a law enforcement officer, correctional officer, or
599 correctional probation officer as defined in s. 943.10(1), (2),
600 (3), (6), (7), (8), or (9) to carry a concealed firearm without
601 a concealed weapon or concealed firearm license or as otherwise
602 provided by law. The appointing or employing agency or
603 department of an officer carrying a concealed firearm as a
604 private citizen is under s. 790.06 shall not be liable for the
605 use of the firearm in such capacity. This section does not limit
606 ~~Nothing herein limits~~ the authority of the appointing or
607 employing agency or department from establishing policies
608 limiting law enforcement officers or correctional officers from
609 carrying concealed firearms during off-duty hours in their

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610 capacity as appointees or employees of the agency or department.

611 Section 9. Subsection (1) of section 790.053, Florida
612 Statutes, is amended to read:

613 790.053 Open carrying of weapons.—

614 (1) Except as otherwise provided by law and in subsection
615 (2), it is unlawful for any person to openly carry on or about
616 his or her person any firearm or electric weapon or device. It
617 is not a violation of this section for a person who carries
618 ~~licensed to carry~~ a concealed firearm as authorized ~~provided~~ in
619 s. 790.01(1) s. 790.06(1), and ~~who is lawfully carrying a~~
620 ~~firearm in a concealed manner~~, to briefly and openly display the
621 firearm to the ordinary sight of another person, unless the
622 firearm is intentionally displayed in an angry or threatening
623 manner, not in necessary self-defense.

624 Section 10. Subsection (1), paragraphs (g) and (h) of
625 subsection (2), paragraph (e) of subsection (4), paragraph (b)
626 of subsection (5), paragraph (f) of subsection (6), and
627 subsections (9), (10), (12), (13), and (16) of section 790.06,
628 Florida Statutes, are amended to read:

629 790.06 License to carry concealed weapon or concealed
630 firearm.—

631 (1) (a) For the purposes of this section, the term
632 “concealed weapon or concealed firearm” means a handgun,
633 electric weapon or device, tear gas gun, knife, or billie, but
634 does not include a machine gun as that term is defined in s.
635 790.001.

636 (b) The Department of Agriculture and Consumer Services is
637 authorized to issue licenses to carry concealed weapons or
638 concealed firearms to persons qualified as provided in this

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639 section. Each ~~such~~ license must bear a color photograph of the
640 licensee. ~~For the purposes of this section, concealed weapons or~~
641 ~~concealed firearms are defined as a handgun, electronic weapon~~
642 ~~or device, tear gas gun, knife, or billic, but the term does not~~
643 ~~include a machine gun as defined in s. 790.001(9).~~

644 (c) Such Licenses are ~~shall be~~ valid throughout the state
645 ~~for a period of 7 years after~~ from the date of issuance. A
646 licensee must carry ~~Any person in compliance with the terms of~~
647 ~~such license may carry a concealed weapon or concealed firearm~~
648 ~~notwithstanding the provisions of s. 790.01. The licensee must~~
649 ~~carry the license, together with~~ valid identification, at all
650 times in which the licensee is in actual possession of a
651 concealed weapon or concealed firearm and must display such ~~both~~
652 ~~the license and proper~~ identification upon demand by a law
653 enforcement officer. Violations of the provisions of this
654 subsection shall constitute a noncriminal violation with a
655 penalty of \$25, payable to the clerk of the court.

656 (2) The Department of Agriculture and Consumer Services
657 shall issue a license if the applicant:

658 (g) Desires a legal means to carry a concealed weapon or
659 concealed firearm for lawful self-defense;

660 (h) Demonstrates competence with a firearm by any one of
661 the following:

662 1. Completion of any hunter education or hunter safety
663 course approved by the Fish and Wildlife Conservation Commission
664 or a similar agency of another state;

665 2. Completion of any National Rifle Association firearms
666 safety or training course;

667 3. Completion of any firearms safety or training course or

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668 class available to the general public offered by a law
669 enforcement agency, junior college, college, or private or
670 public institution or organization or firearms training school,
671 using instructors certified by the National Rifle Association,
672 Criminal Justice Standards and Training Commission, or the
673 Department of Agriculture and Consumer Services;

674 4. Completion of any law enforcement firearms safety or
675 training course or class offered for security guards,
676 investigators, special deputies, or any division or subdivision
677 of a law enforcement agency or security enforcement;

678 5. Presents evidence of equivalent experience with a
679 firearm through participation in organized shooting competition
680 or military service;

681 6. Is licensed or has been licensed to carry a concealed
682 weapon or concealed firearm in this state or a county or
683 municipality of this state, unless such license has been revoked
684 for cause; or

685 7. Completion of any firearms training or safety course or
686 class conducted by a state-certified or National Rifle
687 Association certified firearms instructor;

688
689 A photocopy of a certificate of completion of any of the courses
690 or classes; an affidavit from the instructor, school, club,
691 organization, or group that conducted or taught such course or
692 class attesting to the completion of the course or class by the
693 applicant; or a copy of any document that shows completion of
694 the course or class or evidences participation in firearms
695 competition shall constitute evidence of qualification under
696 this paragraph. A person who conducts a course pursuant to

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697 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
698 an instructor, attests to the completion of such courses, must
699 maintain records certifying that he or she observed the student
700 safely handle and discharge the firearm in his or her physical
701 presence and that the discharge of the firearm included live
702 fire using a firearm and ammunition as defined in s. 790.001;

703 (4) The application shall be completed, under oath, on a
704 form adopted by the Department of Agriculture and Consumer
705 Services and shall include:

706 (e) A statement that the applicant desires a concealed
707 weapon or concealed firearms license as a means of lawful self-
708 defense; and

709 (5) The applicant shall submit to the Department of
710 Agriculture and Consumer Services or an approved tax collector
711 pursuant to s. 790.0625:

712 (b) A nonrefundable license fee of up to \$55 if he or she
713 has not previously been issued a statewide license or of up to
714 \$45 for renewal of a statewide license. The cost of processing
715 fingerprints as required in paragraph (c) shall be borne by the
716 applicant. However, an individual holding an active
717 certification from the Criminal Justice Standards and Training
718 Commission as a law enforcement officer, correctional officer,
719 or correctional probation officer as defined in s. 943.10(1),
720 (2), (3), (6), (7), (8), or (9) is exempt from the licensing
721 requirements of this section. If such individual wishes to
722 receive a concealed weapon or concealed firearm license, he or
723 she is exempt from the background investigation and all
724 background investigation fees but must pay the current license
725 fees regularly required to be paid by nonexempt applicants.

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726 Further, a law enforcement officer, a correctional officer, or a
727 correctional probation officer as defined in s. 943.10(1), (2),
728 or (3) is exempt from the required fees and background
729 investigation for 1 year after his or her retirement.

730 (6)

731 (f) The Department of Agriculture and Consumer Services
732 shall, upon receipt of a completed application and the
733 identifying information required under paragraph (5)(f),
734 expedite the processing of a servicemember's or a veteran's
735 concealed weapon or concealed firearm license application.

736 (9) In the event that a concealed weapon or concealed
737 firearm license is lost or destroyed, the license shall be
738 automatically invalid, and the person to whom the same was
739 issued may, upon payment of \$15 to the Department of Agriculture
740 and Consumer Services, obtain a duplicate, or substitute
741 thereof, upon furnishing a notarized statement to the Department
742 of Agriculture and Consumer Services that such license has been
743 lost or destroyed.

744 (10) A license issued under this section shall be suspended
745 or revoked pursuant to chapter 120 if the licensee:

746 (a) Is found to be ineligible under the criteria set forth
747 in subsection (2);

748 (b) Develops or sustains a physical infirmity which
749 prevents the safe handling of a weapon or firearm;

750 (c) Is convicted of a felony which would make the licensee
751 ineligible to possess a firearm pursuant to s. 790.23;

752 (d) Is found guilty of a crime under ~~the provisions of~~
753 chapter 893, or similar laws of any other state, relating to
754 controlled substances;

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755 (e) Is committed as a substance abuser under chapter 397,
756 or is deemed a habitual offender under s. 856.011(3), or similar
757 laws of any other state;

758 (f) Is convicted of a second violation of s. 316.193, or a
759 similar law of another state, within 3 years after a first
760 conviction of such section or similar law of another state, even
761 though the first violation may have occurred before the date on
762 which the application was submitted;

763 (g) Is adjudicated an incapacitated person under s.
764 744.331, or similar laws of any other state; or

765 (h) Is committed to a mental institution under chapter 394,
766 or similar laws of any other state.

767
768 Notwithstanding s. 120.60(5), service of a notice of the
769 suspension or revocation of a concealed weapon or concealed
770 firearm license must be given by either certified mail, return
771 receipt requested, to the licensee at his or her last known
772 mailing address furnished to the Department of Agriculture and
773 Consumer Services, or by personal service. If a notice given by
774 certified mail is returned as undeliverable, a second attempt
775 must be made to provide notice to the licensee at that address,
776 by either first-class mail in an envelope, postage prepaid,
777 addressed to the licensee at his or her last known mailing
778 address furnished to the department, or, if the licensee has
779 provided an e-mail address to the department, by e-mail. Such
780 mailing by the department constitutes notice, and any failure by
781 the licensee to receive such notice does not stay the effective
782 date or term of the suspension or revocation. A request for
783 hearing must be filed with the department within 21 days after

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784 notice is received by personal delivery, or within 26 days after
785 the date the department deposits the notice in the United States
786 mail (21 days plus 5 days for mailing). The department shall
787 document its attempts to provide notice, and such documentation
788 is admissible in the courts of this state and constitutes
789 sufficient proof that notice was given.

790 (12) (a) A license issued under this section does not
791 authorize any person to openly carry a handgun or carry a
792 concealed weapon or concealed firearm into:

- 793 1. Any place of nuisance as defined in s. 823.05;
- 794 2. Any police, sheriff, or highway patrol station;
- 795 3. Any detention facility, prison, or jail;
- 796 4. Any courthouse;
- 797 5. Any courtroom, except that nothing in this section
798 precludes ~~would preclude~~ a judge from carrying a concealed
799 weapon or concealed firearm or determining who will carry a
800 concealed weapon or concealed firearm in his or her courtroom;
- 801 6. Any polling place;
- 802 7. Any meeting of the governing body of a county, public
803 school district, municipality, or special district;
- 804 8. Any meeting of the Legislature or a committee thereof;
- 805 9. Any school, college, or professional athletic event not
806 related to firearms;
- 807 10. Any elementary or secondary school facility or
808 administration building;
- 809 11. Any career center;
- 810 12. Any portion of an establishment licensed to dispense
811 alcoholic beverages for consumption on the premises, which
812 portion of the establishment is primarily devoted to such

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813 purpose;

814 13. Any college or university facility unless the licensee
815 is a registered student, employee, or faculty member of such
816 college or university and the weapon is a stun gun or nonlethal
817 electric weapon or device designed solely for defensive purposes
818 and the weapon does not fire a dart or projectile;

819 14. The inside of the passenger terminal and sterile area
820 of any airport, provided that no person shall be prohibited from
821 carrying any legal firearm into the terminal, which firearm is
822 encased for shipment for purposes of checking such firearm as
823 baggage to be lawfully transported on any aircraft; or

824 15. Any place where the carrying of firearms is prohibited
825 by federal law.

826 (b) A person licensed under this section is ~~shall~~ not ~~be~~
827 prohibited from carrying or storing a firearm in a vehicle for
828 lawful purposes.

829 (c) This section does not modify the terms or conditions of
830 s. 790.251(7).

831 (d) Any person who knowingly and willfully violates any
832 provision of this subsection commits a misdemeanor of the second
833 degree, punishable as provided in s. 775.082 or s. 775.083.

834 (13) Notwithstanding any other law, for the purposes of
835 safety, security, personal protection, or any other lawful
836 purpose, a person licensed under this section may carry a
837 concealed weapon or concealed firearm on property owned, rented,
838 leased, borrowed, or lawfully used by a church, synagogue, or
839 other religious institution. This subsection does not limit the
840 private property rights of a church, synagogue, or other
841 religious institution to exercise control over property that the

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842 church, synagogue, or other religious institution owns, rents,
843 leases, borrows, or lawfully uses.

844 (16) The Legislature finds as a matter of public policy and
845 fact that it is necessary to provide statewide uniform standards
846 for issuing licenses to carry concealed weapons and concealed
847 firearms ~~for self-defense~~ and finds it necessary to occupy the
848 field of regulation of the bearing of concealed weapons or
849 concealed firearms ~~for self-defense to ensure that no honest,~~
850 ~~law-abiding person who qualifies under the provisions of this~~
851 ~~section is subjectively or arbitrarily denied his or her rights.~~

852 The Department of Agriculture and Consumer Services shall
853 implement and administer ~~the provisions of~~ this section. The
854 Legislature does not delegate to the Department of Agriculture
855 and Consumer Services the authority to regulate or restrict the
856 issuing of licenses provided for in this section, beyond those
857 provisions contained in this section. Subjective or arbitrary
858 actions or rules which encumber the issuing process by placing
859 burdens on the applicant beyond those sworn statements and
860 specified documents detailed in this section or which create
861 restrictions beyond those specified in this section are in
862 conflict with the intent of this section and are prohibited.
863 This section shall be liberally construed to carry out the
864 constitutional right to bear arms ~~for self-defense~~. This section
865 is supplemental and additional to existing rights to bear arms,
866 and nothing in this section shall impair or diminish such
867 rights.

868 Section 11. Paragraph (a) of subsection (2) of section
869 790.0655, Florida Statutes, is amended to read:

870 790.0655 Purchase and delivery of firearms; mandatory

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871 waiting period; exceptions; penalties.-

872 (2) The waiting period does not apply in the following
873 circumstances:

874 (a) When a firearm is being purchased by a holder of a
875 concealed weapons or concealed firearms license issued under
876 ~~permit as defined in~~ s. 790.06.

877 Section 12. Subsection (1) and paragraphs (a), (b), (c),
878 and (e) of subsection (2) of section 790.115, Florida Statutes,
879 are amended to read:

880 790.115 Possessing or discharging weapons or firearms at a
881 school-sponsored event or on school property prohibited;
882 penalties; exceptions.-

883 (1) A person who exhibits any sword, sword cane, firearm,
884 electric weapon or device, destructive device, or other weapon
885 as defined in s. 790.001 ~~s. 790.001(13)~~, including a razor
886 blade, box cutter, or common pocketknife, except as authorized
887 in support of school-sanctioned activities, in the presence of
888 one or more persons in a rude, careless, angry, or threatening
889 manner and not in lawful self-defense, at a school-sponsored
890 event or on the grounds or facilities of any school, school bus,
891 or school bus stop, or within 1,000 feet of the real property
892 that comprises a public or private elementary school, middle
893 school, or secondary school, during school hours or during the
894 time of a sanctioned school activity, commits a felony of the
895 third degree, punishable as provided in s. 775.082, s. 775.083,
896 or s. 775.084. This subsection does not apply to the exhibition
897 of a firearm or weapon on private real property within 1,000
898 feet of a school by the owner of such property or by a person
899 whose presence on such property has been authorized, licensed,

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900 or invited by the owner.

901 (2) (a) A person shall not possess any firearm, electric
902 weapon or device, destructive device, or other weapon as defined
903 in s. 790.001 ~~s. 790.001(13)~~, including a razor blade or box
904 cutter, except as authorized in support of school-sanctioned
905 activities, at a school-sponsored event or on the property of
906 any school, school bus, or school bus stop; however, a person
907 may carry a firearm:

908 1. In a case to a firearms program, class or function which
909 has been approved in advance by the principal or chief
910 administrative officer of the school as a program or class to
911 which firearms could be carried;

912 2. In a case to a career center having a firearms training
913 range; or

914 3. In a vehicle pursuant to s. 790.25(4) ~~s. 790.25(5)~~;
915 except that school districts may adopt written and published
916 policies that waive the exception in this subparagraph for
917 purposes of student and campus parking privileges.

918
919 For the purposes of this section, "school" means any preschool,
920 elementary school, middle school, junior high school, secondary
921 school, career center, or postsecondary school, whether public
922 or nonpublic.

923 (b) Except as provided in paragraph (e), a person who
924 willfully and knowingly possesses any electric weapon or device,
925 destructive device, or other weapon as defined in s. 790.001 ~~s.~~
926 ~~790.001(13)~~, including a razor blade or box cutter, except as
927 authorized in support of school-sanctioned activities, in
928 violation of this subsection commits a felony of the third

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929 degree, punishable as provided in s. 775.082, s. 775.083, or s.
930 775.084.

931 (c)1. Except as provided in paragraph (e), a person who
932 willfully and knowingly possesses any firearm in violation of
933 this subsection commits a felony of the third degree, punishable
934 as provided in s. 775.082, s. 775.083, or s. 775.084.

935 2. A person who stores or leaves a loaded firearm within
936 the reach or easy access of a minor who obtains the firearm and
937 commits a violation of subparagraph 1. commits a misdemeanor of
938 the second degree, punishable as provided in s. 775.082 or s.
939 775.083; except that this does not apply if the firearm was
940 stored or left in a securely locked box or container or in a
941 location which a reasonable person would have believed to be
942 secure, or was securely locked with a firearm-mounted push-
943 button combination lock or a trigger lock; if the minor obtains
944 the firearm as a result of an unlawful entry by any person; or
945 to members of the Armed Forces, National Guard, or State
946 Militia, or to police or other law enforcement officers, with
947 respect to firearm possession by a minor which occurs during or
948 incidental to the performance of their official duties.

949 (e) A person who is authorized to carry a concealed weapon
950 or concealed firearm under s. 790.01(1) and who willfully and
951 knowingly violates paragraph (b) or subparagraph (c)1. commits a
952 misdemeanor of the second degree, punishable as provided in s.
953 775.082 or s. 775.083 ~~The penalties of this subsection shall not~~
954 ~~apply to persons licensed under s. 790.06. Persons licensed~~
955 ~~under s. 790.06 shall be punished as provided in s. 790.06(12),~~
956 ~~except that a licenseholder who unlawfully discharges a weapon~~
957 ~~or firearm on school property as prohibited by this subsection~~

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958 ~~commits a felony of the second degree, punishable as provided in~~
959 ~~s. 775.082, s. 775.083, or s. 775.084.~~

960 Section 13. Section 790.145, Florida Statutes, is repealed.

961 Section 14. Subsections (2), (3), and (5) of section
962 790.25, Florida Statutes, are amended to read:

963 790.25 Lawful ownership, possession, and use of firearms
964 and other weapons.—

965 ~~(2) USES NOT AUTHORIZED.—~~

966 ~~(a) This section does not authorize carrying a concealed~~
967 ~~weapon without a permit, as prohibited by ss. 790.01 and 790.02.~~

968 ~~(b) The protections of this section do not apply to the~~
969 ~~following:~~

970 1. ~~A person who has been adjudged mentally incompetent, who~~
971 ~~is addicted to the use of narcotics or any similar drug, or who~~
972 ~~is a habitual or chronic alcoholic, or a person using weapons or~~
973 ~~firearms in violation of ss. 790.07-790.115, 790.145-790.19,~~
974 ~~790.22-790.24;~~

975 2. ~~Vagrants and other undesirable persons as defined in s.~~
976 ~~856.02;~~

977 3. ~~A person in or about a place of nuisance as defined in~~
978 ~~s. 823.05, unless such person is there for law enforcement or~~
979 ~~some other lawful purpose.~~

980 (2)(3) LAWFUL USES.—Notwithstanding the provisions of ss.
981 790.01, 790.053, and 790.06, do not apply in the following
982 instances, and, despite such sections, it is lawful for the
983 following persons may to own, possess, and lawfully use firearms
984 and other weapons, ammunition, and supplies for lawful purposes
985 if they are not otherwise prohibited from owning or possessing a
986 firearm under state or federal law:

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987 (a) Members of the Militia, National Guard, Florida State
988 Defense Force, Army, Navy, Air Force, Marine Corps, Space Force,
989 Coast Guard, organized reserves, and other armed forces of the
990 state and of the United States, when on duty, when training or
991 preparing themselves for military duty, or while subject to
992 recall or mobilization;

993 (b) Citizens of this state subject to duty in the Armed
994 Forces under s. 2, Art. X of the State Constitution, under
995 chapters 250 and 251, and under federal laws, when on duty or
996 when training or preparing themselves for military duty;

997 (c) Persons carrying out or training for emergency
998 management duties under chapter 252;

999 (d) Sheriffs, marshals, prison or jail wardens, police
1000 officers, Florida highway patrol officers, game wardens, revenue
1001 officers, forest officials, special officers appointed under the
1002 provisions of chapter 354, and other peace and law enforcement
1003 officers and their deputies and assistants and full-time paid
1004 peace officers of other states and of the Federal Government who
1005 are carrying out official duties while in this state;

1006 (e) Officers or employees of the state or United States
1007 duly authorized to carry a concealed weapon or a concealed
1008 firearm;

1009 (f) Guards or messengers of common carriers, express
1010 companies, armored car carriers, mail carriers, banks, and other
1011 financial institutions, while actually employed in and about the
1012 shipment, transportation, or delivery of any money, treasure,
1013 bullion, bonds, or other thing of value within this state;

1014 (g) Regularly enrolled members of any organization duly
1015 authorized to purchase or receive weapons or firearms from the

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1016 United States or from this state, or regularly enrolled members
 1017 of clubs organized for target, skeet, or trap shooting, while at
 1018 or going to or from shooting practice; or regularly enrolled
 1019 members of clubs organized for modern or antique firearms
 1020 collecting, while such members are at or going to or from their
 1021 collectors' gun shows, conventions, or exhibits;

1022 (h) A person engaged in fishing, camping, or lawful hunting
 1023 or going to or returning from a fishing, camping, or lawful
 1024 hunting expedition;

1025 (i) A person engaged in the business of manufacturing,
 1026 repairing, or dealing in firearms, or the agent or
 1027 representative of any such person while engaged in the lawful
 1028 course of such business;

1029 (j) A person discharging a weapon or firearm ~~firing weapons~~
 1030 for testing or target practice under safe conditions and in a
 1031 safe place not prohibited by law or going to or from such place;

1032 (k) A person discharging a weapon or firearm ~~firing weapons~~
 1033 in a safe and secure indoor range for testing and target
 1034 practice;

1035 (l) A person traveling ~~by private conveyance when the~~
 1036 ~~weapon is securely encased or~~ in a public conveyance when the
 1037 weapon or firearm is securely encased and not in the person's
 1038 manual possession;

1039 (m) A person while carrying a handgun ~~pistol~~ unloaded and
 1040 in a secure wrapper, concealed or otherwise, from the place of
 1041 purchase to his or her home or place of business or to a place
 1042 of repair or back to his or her home or place of business;

1043 (n) A person possessing weapons or firearms ~~arms~~ at his or
 1044 her home or place of business;

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1045 (o) Investigators employed by the several public defenders
1046 of the state, while actually carrying out official duties,
1047 provided such investigators:

1048 1. Are employed full time;

1049 2. Meet the official training standards for firearms
1050 established by the Criminal Justice Standards and Training
1051 Commission as provided in s. 943.12(5) and the requirements of
1052 ss. 493.6108(1)(a) and 943.13(1)-(4); and

1053 3. Are individually designated by an affidavit of consent
1054 signed by the employing public defender and filed with the clerk
1055 of the circuit court in the county in which the employing public
1056 defender resides.

1057 (p) Investigators employed by the capital collateral
1058 regional counsel, while actually carrying out official duties,
1059 provided such investigators:

1060 1. Are employed full time;

1061 2. Meet the official training standards for firearms as
1062 established by the Criminal Justice Standards and Training
1063 Commission as provided in s. 943.12(1) and the requirements of
1064 ss. 493.6108(1)(a) and 943.13(1)-(4); and

1065 3. Are individually designated by an affidavit of consent
1066 signed by the capital collateral regional counsel and filed with
1067 the clerk of the circuit court in the county in which the
1068 investigator is headquartered.

1069 (q)1. A tactical medical professional who is actively
1070 operating in direct support of a tactical operation by a law
1071 enforcement agency provided that:

1072 a. The tactical medical professional is lawfully able to
1073 possess firearms and has an active concealed weapon or concealed

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1074 firearm license ~~weapons permit~~ issued pursuant to s. 790.06.

1075 b. The tactical medical professional is appointed to a law
1076 enforcement tactical team of a law enforcement agency by the
1077 head of the law enforcement agency.

1078 c. The law enforcement agency has an established policy
1079 providing for the appointment, training, and deployment of the
1080 tactical medical professional.

1081 d. The tactical medical professional successfully completes
1082 a firearms safety training and tactical training as established
1083 or designated by the appointing law enforcement agency.

1084 e. The law enforcement agency provides and the tactical
1085 medical professional participates in annual firearm training and
1086 tactical training.

1087 2. While actively operating in direct support of a tactical
1088 operation by a law enforcement agency, a tactical medical
1089 professional:

1090 a. May carry a firearm in the same manner as a law
1091 enforcement officer, as defined in s. 943.10 and,
1092 notwithstanding any other law, at any place a tactical law
1093 enforcement operation occurs.

1094 b. Has no duty to retreat and is justified in the use of
1095 any force which he or she reasonably believes is necessary to
1096 defend himself or herself or another from bodily harm.

1097 c. Has the same immunities and privileges as a law
1098 enforcement officer, as defined in s. 943.10, in a civil or
1099 criminal action arising out of a tactical law enforcement
1100 operation when acting within the scope of his or her official
1101 duties.

1102 3. This paragraph may not be construed to authorize a

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1103 tactical medical professional to carry, transport, or store any
1104 firearm or ammunition on any fire apparatus or EMS vehicle.

1105 4. The appointing law enforcement agency shall issue any
1106 firearm or ammunition that the tactical medical professional
1107 carries in accordance with this paragraph.

1108 5. For the purposes of this paragraph, the term "tactical
1109 medical professional" means a paramedic, as defined in s.
1110 401.23, a physician, as defined in s. 458.305, or an osteopathic
1111 physician, as defined in s. 459.003, who is appointed to provide
1112 direct support to a tactical law enforcement unit by providing
1113 medical services at high-risk incidents, including, but not
1114 limited to, hostage incidents, narcotics raids, hazardous
1115 surveillance, sniper incidents, armed suicidal persons,
1116 barricaded suspects, high-risk felony warrant service, fugitives
1117 refusing to surrender, and active shooter incidents.

1118 ~~(4)-(5)~~ POSSESSION IN PRIVATE CONVEYANCE.—

1119 (a) Notwithstanding s. 790.01, a person 18 years of age or
1120 older who is in lawful possession of a handgun or other weapon
1121 may possess such a handgun or weapon within the interior of a
1122 private conveyance if the handgun or weapon is securely encased
1123 or otherwise not readily accessible for immediate use. A person
1124 who possesses a handgun or other weapon as authorized under this
1125 paragraph may not carry the handgun or weapon on his or her
1126 person.

1127 (b) This subsection does not prohibit a person from
1128 carrying a:

1129 1. Legal firearm other than a handgun anywhere in a private
1130 conveyance when such firearm is being carried for a lawful use;
1131 or

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1132 2. Concealed weapon or concealed firearm on his or her
1133 person while in a private conveyance if he or she is authorized
1134 to carry a concealed weapon or concealed firearm under s.
1135 790.01(1).

1136 (c) This subsection shall be liberally construed in favor
1137 of the lawful use, ownership, and possession of firearms and
1138 other weapons, including lawful self-defense as provided in s.
1139 776.012. Notwithstanding subsection (2), it is lawful and is not
1140 a violation of s. 790.01 for a person 18 years of age or older
1141 to possess a concealed firearm or other weapon for self-defense
1142 or other lawful purpose within the interior of a private
1143 conveyance, without a license, if the firearm or other weapon is
1144 securely encased or is otherwise not readily accessible for
1145 immediate use. Nothing herein contained prohibits the carrying
1146 of a legal firearm other than a handgun anywhere in a private
1147 conveyance when such firearm is being carried for a lawful use.
1148 Nothing herein contained shall be construed to authorize the
1149 carrying of a concealed firearm or other weapon on the person.
1150 This subsection shall be liberally construed in favor of the
1151 lawful use, ownership, and possession of firearms and other
1152 weapons, including lawful self-defense as provided in s.
1153 776.012.

1154 Section 15. Paragraph (c) of subsection (2) and paragraph
1155 (c) of subsection (4) of section 790.251, Florida Statutes, are
1156 amended to read:

1157 790.251 Protection of the right to keep and bear arms in
1158 motor vehicles for self-defense and other lawful purposes;
1159 prohibited acts; duty of public and private employers; immunity
1160 from liability; enforcement.-

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1161 (2) DEFINITIONS.—As used in this section, the term:
1162 (c) "Employee" means any person who is authorized to carry
1163 a concealed weapon or concealed firearm under s. 790.01(1)
1164 ~~possesses a valid license issued pursuant to s. 790.06~~ and:
1165 1. Works for salary, wages, or other remuneration;
1166 2. Is an independent contractor; or
1167 3. Is a volunteer, intern, or other similar individual for
1168 an employer.

1169
1170 As used in this section, the term "firearm" includes ammunition
1171 and accoutrements attendant to the lawful possession and use of
1172 a firearm.

1173 (4) PROHIBITED ACTS.—No public or private employer may
1174 violate the constitutional rights of any customer, employee, or
1175 invitee as provided in paragraphs (a)-(e):

1176 (c) No public or private employer shall condition
1177 employment upon either:

1178 1. The fact that an employee or prospective employee is
1179 authorized to carry a concealed weapon or concealed firearm
1180 under s. 790.01(1) ~~holds or does not hold a license issued~~
1181 ~~pursuant to s. 790.06~~; or

1182 2. Any agreement by an employee or a prospective employee
1183 that prohibits an employee from keeping a legal firearm locked
1184 inside or locked to a private motor vehicle in a parking lot
1185 when such firearm is kept for lawful purposes.

1186
1187 This subsection applies to all public sector employers,
1188 including those already prohibited from regulating firearms
1189 under ~~the provisions of~~ s. 790.33.

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1190 Section 16. Paragraph (c) of subsection (1) of section
1191 790.31, Florida Statutes, is amended to read:

1192 790.31 Armor-piercing or exploding ammunition or dragon's
1193 breath shotgun shells, bolo shells, or flechette shells
1194 prohibited.—

1195 (1) As used in this section, the term:

1196 ~~(c) "Handgun" means a firearm capable of being carried and
1197 used by one hand, such as a pistol or revolver.~~

1198 Section 17. Effective upon becoming a law, section
1199 943.6873, Florida Statutes, is created to read:

1200 943.6873 Active assailant response policy.—For the
1201 protection of all persons in this state, it is necessary and
1202 required that every law enforcement agency in this state be
1203 prepared to respond to an active assailant event. To be
1204 adequately prepared, each law enforcement agency must create and
1205 maintain an active assailant response policy.

1206 (1) By October 1, 2023, each law enforcement agency in this
1207 state shall have a written active assailant response policy
1208 that:

1209 (a) Is consistent with the agency's response capabilities;
1210 and

1211 (b) Includes response procedures specifying the command
1212 protocol and coordination with other law enforcement agencies.

1213 (2) (a) The department shall make the model active assailant
1214 response policy developed by the Marjory Stoneman Douglas High
1215 School Public Safety Commission available on its website. The
1216 department may also make available any other policies deemed
1217 appropriate by the executive director which may guide a law
1218 enforcement agency in developing its active assailant response

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1219 policy.

1220 (b) Each law enforcement agency must review the model
1221 active assailant response policy developed by the Marjory
1222 Stoneman Douglas High School Public Safety Commission when
1223 developing its active assailant response policy.

1224 (3) Each law enforcement agency shall ensure that all of
1225 its sworn personnel have been trained on the agency's existing
1226 active assailant response policy, or that sworn personnel are
1227 trained within 180 days after enacting a new or revised policy.
1228 Each law enforcement agency must ensure that all of its sworn
1229 personnel receive, at minimum, annual training on the active
1230 assailant response policy.

1231 (4) By October 1, 2023, each law enforcement agency shall
1232 provide written certification to the department from the head of
1233 the law enforcement agency verifying that the agency has
1234 officially adopted a written active assailant response policy.

1235 (5) By January 1, 2024, the department shall submit a
1236 report to the Governor, the President of the Senate, and the
1237 Speaker of the House of Representatives identifying each law
1238 enforcement agency that has not complied with the requirements
1239 of this section.

1240 Section 18. Effective upon becoming a law, subsections (12)
1241 and (13) of section 1001.212, Florida Statutes, are amended to
1242 read:

1243 1001.212 Office of Safe Schools.—There is created in the
1244 Department of Education the Office of Safe Schools. The office
1245 is fully accountable to the Commissioner of Education. The
1246 office shall serve as a central repository for best practices,
1247 training standards, and compliance oversight in all matters

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1248 regarding school safety and security, including prevention
1249 efforts, intervention efforts, and emergency preparedness
1250 planning. The office shall:

1251 (12) Develop a statewide behavioral threat management
1252 operational process, a Florida-specific behavioral threat
1253 assessment instrument, and a threat management portal.

1254 (a)1. By December 1, 2023, the office shall develop a
1255 statewide behavioral threat management operational process to
1256 guide school districts, schools, charter school governing
1257 boards, and charter schools through the threat management
1258 process. The process must be designed to identify, assess,
1259 manage, and monitor potential and real threats to schools. This
1260 process must include, but is not limited to:

1261 a. The establishment and duties of threat management teams.

1262 b. Defining behavioral risks and threats.

1263 c. The use of the Florida-specific behavioral threat
1264 assessment instrument developed pursuant to paragraph (b) to
1265 evaluate the behavior of students who may pose a threat to the
1266 school, school staff, or other students and to coordinate
1267 intervention and services for such students.

1268 d. Upon the availability of the threat management portal
1269 developed pursuant to paragraph (c), the use, authorized user
1270 criteria, and access specifications of the portal.

1271 e. Procedures for the implementation of interventions,
1272 school support, and community services.

1273 f. Guidelines for appropriate law enforcement intervention.

1274 g. Procedures for risk management.

1275 h. Procedures for disciplinary actions.

1276 i. Mechanisms for continued monitoring of potential and

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1277 real threats.

1278 j. Procedures for referrals to mental health services
1279 identified by the school district or charter school governing
1280 board pursuant to s. 1012.584(4).

1281 k. Procedures and requirements necessary for the creation
1282 of a threat assessment report, all corresponding documentation,
1283 and any other information required by the Florida-specific
1284 behavioral threat assessment instrument under paragraph (b).

1285 2. Upon availability, each school district, school, charter
1286 school governing board, and charter school must use the
1287 statewide behavioral threat management operational process.

1288 3. The office shall provide training to all school
1289 districts, schools, charter school governing boards, and charter
1290 schools on the statewide behavioral threat management
1291 operational process.

1292 4. The office shall coordinate the ongoing development,
1293 implementation, and operation of the statewide behavioral threat
1294 management operational process.

1295 (b)1. By August 1, 2023 ~~2019~~, the office shall develop a
1296 Florida-specific ~~standardized, statewide~~ behavioral threat
1297 assessment instrument for school districts, schools, charter
1298 school governing boards, and charter schools to use to evaluate
1299 the behavior of students who may pose a threat to the school,
1300 school staff, or students and to coordinate intervention and
1301 services for such students. The Florida-specific behavioral
1302 threat assessment instrument must include, but is not limited
1303 to: use by all public schools, including charter schools, which
1304 ~~addresses early identification, evaluation, early intervention,~~
1305 ~~and student support.~~

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1306 ~~(a) The standardized, statewide behavioral threat~~
1307 ~~assessment instrument must include, but need not be limited to,~~
1308 ~~components and forms that address:~~

1309 ~~a.1.~~ An assessment of the threat, which includes an
1310 assessment of the student, family, and school and social
1311 dynamics.

1312 ~~b.2.~~ An evaluation to determine whether a threat exists
1313 and, if so, if the type of threat is transient or substantive.

1314 ~~c.3.~~ The response to a ~~substantive~~ threat, which includes
1315 the school response, ~~and~~ the role of law enforcement agencies in
1316 the response, and the response by mental health providers.

1317 ~~d.4.~~ ~~The response to a serious substantive threat,~~
1318 ~~including mental health and law enforcement referrals.~~

1319 ~~5.~~ Ongoing monitoring to assess implementation of threat
1320 management and safety strategies.

1321 e. Ongoing monitoring to evaluate interventions and support
1322 provided to the students.

1323 f. A standardized threat assessment report, which must
1324 include, but need not be limited to, all documentation
1325 associated with the evaluation, intervention, management, and
1326 any ongoing monitoring of the threat.

1327 2. A report, all corresponding documentation, and any other
1328 information required by the instrument in the threat management
1329 portal under paragraph (c) is an education record and may not be
1330 retained, maintained, or transferred, except in accordance with
1331 State Board of Education rule.

1332 3. Upon availability, each school district, school, charter
1333 school governing board, and charter school must use the Florida-
1334 specific behavioral threat assessment instrument.

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1335 ~~4.6-~~ The office shall provide training for members of
1336 threat management ~~assessment~~ teams established under s.
1337 1006.07(7) and for all school districts and charter school
1338 governing boards ~~school administrators~~ regarding the use of the
1339 Florida-specific behavioral threat assessment instrument.

1340 (c)1. By August 1, 2025, the office shall develop, host,
1341 maintain, and administer a threat management portal that will
1342 digitize the Florida-specific behavioral threat assessment
1343 instrument for use by each school district, school, charter
1344 school governing board, and charter school. The portal will also
1345 facilitate the electronic threat assessment reporting and
1346 documentation as required by the Florida-specific behavioral
1347 threat assessment instrument to evaluate the behavior of
1348 students who may pose a threat to the school, school staff, or
1349 students and to coordinate intervention and services for such
1350 students. The portal may not provide the office with access to
1351 the portal unless authorized in accordance with State Board of
1352 Education rule. The portal must include, but need not be limited
1353 to, the following functionalities:

1354 a. Workflow processes that align with the statewide
1355 behavioral threat management operational process.

1356 b. Direct data entry and file uploading as required by the
1357 Florida-specific behavioral threat assessment instrument.

1358 c. The ability to create a threat assessment report as
1359 required by the Florida-specific behavioral threat assessment
1360 instrument.

1361 d. The ability of authorized personnel to add to or update
1362 a threat assessment report, all corresponding documentation, or
1363 any other information required by the Florida-specific

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1364 behavioral threat assessment instrument.

1365 e. The ability to create and remove connections between
1366 education records in the portal and authorized personnel.

1367 f. The ability to grant access to and securely transfer any
1368 education records in the portal to other schools or charter
1369 schools in the district.

1370 g. The ability to grant access to and securely transfer any
1371 education records in the portal to schools and charter schools
1372 not in the originating district.

1373 h. The ability to retain, maintain, and transfer education
1374 records in the portal in accordance with State Board of
1375 Education rule.

1376 i. The ability to restrict access to, entry of,
1377 modification of, and transfer of education records in the portal
1378 to a school district, school, charter school governing board, or
1379 charter school and authorized personnel as specified by the
1380 statewide behavioral threat management operational process.

1381 j. The ability to designate school district or charter
1382 school governing board system administrators who may grant
1383 access to authorized school district and charter school
1384 governing board personnel and school and charter school system
1385 administrators.

1386 k. The ability to designate school or charter school system
1387 administrators who may grant access to authorized school or
1388 charter school personnel.

1389 l. The ability to notify the office's system administrators
1390 and school district or charter school governing board system
1391 administrators of attempts to access any education records by
1392 unauthorized personnel.

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1393 2. Upon availability, each school district, school, charter
1394 school governing board, and charter school shall use the portal.

1395 3. A threat assessment report, all corresponding
1396 documentation, and any other information required by the
1397 Florida-specific behavioral threat assessment instrument which
1398 is maintained in the portal is an education record and may not
1399 be retained, maintained, or transferred, except in accordance
1400 with State Board of Education rule.

1401 4. The office and the office system administrators may not
1402 have access to a threat assessment report, all corresponding
1403 documentation, and any other information required by the
1404 Florida-specific behavioral threat assessment instrument which
1405 is maintained in the portal.

1406 5. A school district or charter school governing board may
1407 not have access to the education records in the portal, except
1408 in accordance with State Board of Education rule.

1409 6. The parent of a student may access his or her student's
1410 education records in the portal in accordance with State Board
1411 of Education rule, but may not have access to the portal.

1412 7. The office shall develop and implement a quarterly
1413 portal access review audit process.

1414 8. Upon availability, each school district, school, charter
1415 school governing board, and charter school shall comply with the
1416 quarterly portal access review audit process developed by the
1417 office.

1418 9. By August 1, 2025, and annually thereafter, the office
1419 shall provide role-based training to all authorized school
1420 district, school, charter school governing board, and charter
1421 school personnel.

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1422 10. Any individual who accesses, uses, or releases any
 1423 education record contained in the portal for a purpose not
 1424 specifically authorized by law commits a noncriminal infraction,
 1425 punishable by a fine not exceeding \$2,000.

1426 (d) ~~(b)~~ The office shall:

1427 1. by August 1 of each year: ~~2020,~~

1428 1. Evaluate each school district's and charter school
 1429 governing board's use of the statewide behavioral threat
 1430 management operational process, the Florida-specific behavioral
 1431 threat assessment instrument, and the threat management portal
 1432 procedures for compliance with this subsection.

1433 2. Notify the district school superintendent or charter
 1434 school governing board, as applicable, if the use of the
 1435 statewide behavioral threat management operational process, the
 1436 Florida-specific behavioral threat assessment instrument, and
 1437 the threat management portal is not in compliance with this
 1438 subsection.

1439 3. Report any issues of ongoing noncompliance with this
 1440 subsection to the commissioner and the district school
 1441 superintendent or the charter school governing board, as
 1442 applicable.

1443 ~~(13) Establish the Statewide Threat Assessment Database~~
 1444 ~~Workgroup, composed of members appointed by the department, to~~
 1445 ~~complement the work of the department and the Department of Law~~
 1446 ~~Enforcement associated with the centralized integrated data~~
 1447 ~~repository and data analytics resources initiative and make~~
 1448 ~~recommendations regarding the development of a statewide threat~~
 1449 ~~assessment database. The database must allow authorized public~~
 1450 ~~school personnel to enter information related to any threat~~

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1451 ~~assessment conducted at their respective schools using the~~
1452 ~~instrument developed by the office pursuant to subsection (12),~~
1453 ~~and must provide such information to authorized personnel in~~
1454 ~~each school district and public school and to appropriate~~
1455 ~~stakeholders. By December 31, 2019, the workgroup shall provide~~
1456 ~~a report to the office with recommendations that include, but~~
1457 ~~need not be limited to:~~

1458 ~~(a) Threat assessment data that should be required to be~~
1459 ~~entered into the database.~~

1460 ~~(b) School district and public school personnel who should~~
1461 ~~be allowed to input student records to the database and view~~
1462 ~~such records.~~

1463 ~~(c) Database design and functionality, to include data~~
1464 ~~security.~~

1465 ~~(d) Restrictions and authorities on information sharing,~~
1466 ~~including:~~

1467 ~~1. Section 1002.22 and other applicable state laws.~~

1468 ~~2. The Family Educational Rights and Privacy Act (FERPA),~~
1469 ~~20 U.S.C. s. 1232g, 42 C.F.R. part 2; the Health Insurance~~
1470 ~~Portability and Accountability Act (HIPAA), 42 U.S.C. s. 1320d6,~~
1471 ~~45 C.F.R. part 164, subpart E; and other applicable federal~~
1472 ~~laws.~~

1473 ~~3. The appropriateness of interagency agreements that will~~
1474 ~~allow law enforcement to view database records.~~

1475 ~~(e) The cost to develop and maintain a statewide online~~
1476 ~~database.~~

1477 ~~(f) An implementation plan and timeline for the workgroup~~
1478 ~~recommendations.~~

1479 ~~Section 19. Effective upon becoming a law, the State Board~~

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1480 of Education may, and all conditions are deemed met, to adopt
1481 emergency rules pursuant to s. 120.54(4), Florida Statutes, for
1482 the purpose of implementing the amendments made to s.
1483 1001.212(12), Florida Statutes, by this act. Notwithstanding any
1484 other law, emergency rules adopted pursuant to this section are
1485 effective for 6 months after adoption and may be renewed during
1486 the pendency of procedures to adopt permanent rules addressing
1487 the subject of the emergency rules. This section expires July 1,
1488 2024.

1489 Section 20. Subsection (18) is added to section 1002.42,
1490 Florida Statutes, to read:

1491 1002.42 Private schools.—

1492 (18) SAFE SCHOOL OFFICERS.—

1493 (a) A private school may partner with a law enforcement
1494 agency or a security agency to establish or assign one or more
1495 safe-school officers established in s. 1006.12(1)-(4). The
1496 private school is responsible for the full cost of implementing
1497 any such option, which includes all training costs under the
1498 Coach Aaron Feis Guardian Program under s. 30.15(1)(k).

1499 (b) A private school that establishes a safe-school officer
1500 must comply with the requirements of s. 1006.12. References to a
1501 school district, district school board, or district school
1502 superintendent in s. 1006.12(1)-(5) shall also mean a private
1503 school governing board or private school head of school, as
1504 applicable. References to a school district employee in s.
1505 1006.12(3) shall also mean a private school employee.

1506 Section 21. Effective upon becoming a law, subsection (2)
1507 of section 1003.25, Florida Statutes, is amended to read:

1508 1003.25 Procedures for maintenance and transfer of student

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1509 records.—

1510 (2) The procedure for transferring and maintaining records
1511 of students who transfer from school to school is ~~shall be~~
1512 prescribed by rules of the State Board of Education. The
1513 transfer of records must ~~shall~~ occur within 3 school days. The
1514 records must ~~shall~~ include, if applicable:

1515 (a) Verified reports of serious or recurrent behavior
1516 patterns, including any threat assessment report, all
1517 corresponding documentation, and any other information required
1518 by the Florida-specific behavioral threat assessment instrument
1519 pursuant to s. 1001.212(12) which contains the evaluation,
1520 evaluations and intervention, and management of the threat
1521 assessment evaluations and intervention services.

1522 (b) Psychological evaluations, including therapeutic
1523 treatment plans and therapy or progress notes created or
1524 maintained by school district or charter school staff, as
1525 appropriate.

1526 Section 22. Effective upon becoming a law, paragraph (b) of
1527 subsection (4), paragraph (b) of subsection (6), and subsections
1528 (7) and (9) of section 1006.07, Florida Statutes, are amended to
1529 read:

1530 1006.07 District school board duties relating to student
1531 discipline and school safety.—The district school board shall
1532 provide for the proper accounting for all students, for the
1533 attendance and control of students at school, and for proper
1534 attention to health, safety, and other matters relating to the
1535 welfare of students, including:

1536 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

1537 (b) Provide timely notification to parents of threats

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1538 pursuant to policies adopted under subsection (7) and the
1539 following unlawful acts or significant emergencies that occur on
1540 school grounds, during school transportation, or during school-
1541 sponsored activities:

1542 1. Weapons possession or use when there is intended harm
1543 toward another person, hostage, and active assailant situations.
1544 The active assailant situation training for each school must
1545 engage the participation of the district school safety
1546 specialist, threat management ~~assessment~~ team members, faculty,
1547 staff, and students and must be conducted by the law enforcement
1548 agency or agencies that are designated as first responders to
1549 the school's campus.

1550 2. Murder, homicide, or manslaughter.

1551 3. Sex offenses, including rape, sexual assault, or sexual
1552 misconduct with a student by school personnel.

1553 4. Natural emergencies, including hurricanes, tornadoes,
1554 and severe storms.

1555 5. Exposure as a result of a manmade emergency.

1556 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district
1557 school superintendent shall establish policies and procedures
1558 for the prevention of violence on school grounds, including the
1559 assessment of and intervention with individuals whose behavior
1560 poses a threat to the safety of the school community.

1561 (b) *Mental health coordinator*.—Each district school board
1562 shall identify a mental health coordinator for the district. The
1563 mental health coordinator shall serve as the district's primary
1564 point of contact regarding the district's coordination,
1565 communication, and implementation of student mental health
1566 policies, procedures, responsibilities, and reporting,

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1567 including:

1568 1. Coordinating with the Office of Safe Schools,
1569 established pursuant to s. 1001.212.

1570 2. Maintaining records and reports regarding student mental
1571 health as it relates to school safety and the mental health
1572 assistance allocation under s. 1011.62(14).

1573 3. Facilitating the implementation of school district
1574 policies relating to the respective duties and responsibilities
1575 of the school district, the superintendent, and district school
1576 principals.

1577 4. Coordinating with the school safety specialist on the
1578 staffing and training of threat management ~~assessment~~ teams and
1579 facilitating referrals to mental health services, as
1580 appropriate, for students and their families.

1581 5. Coordinating with the school safety specialist on the
1582 training and resources for students and school district staff
1583 relating to youth mental health awareness and assistance.

1584 6. Reviewing annually the school district's policies and
1585 procedures related to student mental health for compliance with
1586 state law and alignment with current best practices and making
1587 recommendations, as needed, for amending such policies and
1588 procedures to the superintendent and the district school board.

1589 (7) THREAT MANAGEMENT ~~ASSESSMENT~~ TEAMS.—Each district
1590 school board and charter school governing board shall establish
1591 a ~~adopt~~ policies for the establishment of threat management team
1592 ~~assessment teams~~ at each school whose duties include the
1593 coordination of resources and assessment and intervention with
1594 students ~~individuals~~ whose behavior may pose a threat to the
1595 safety of the school, school staff, or students ~~consistent with~~

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1596 ~~the model policies developed by the Office of Safe Schools. Such~~
1597 ~~policies must include procedures for referrals to mental health~~
1598 ~~services identified by the school district pursuant to s.~~
1599 ~~1012.584(4), when appropriate, and procedures for behavioral~~
1600 ~~threat assessments in compliance with the instrument developed~~
1601 ~~pursuant to s. 1001.212(12).~~

1602 (a) Upon the availability of a statewide behavioral threat
1603 management operational process developed pursuant to s.
1604 1001.212(12), all threat management teams shall use the
1605 operational process.

1606 (b) ~~(a)~~ A threat management ~~assessment~~ team shall include
1607 persons with expertise in counseling, instruction, school
1608 administration, and law enforcement. All members of the threat
1609 management ~~assessment~~ team must be involved in the threat
1610 assessment and threat management process and final
1611 decisionmaking. At least one member of the threat management
1612 team must have personal familiarity with the individual who is
1613 the subject of the threat assessment. If no member of the threat
1614 management team has such familiarity, an instructional personnel
1615 or administrative personnel, as those terms are defined in s.
1616 1012.01(2) and (3), who is personally familiar with the
1617 individual who is the subject of the threat assessment must
1618 consult with the threat management team for the purpose of
1619 assessing the threat. The instructional or administrative
1620 personnel who provides such consultation shall not participate
1621 in the decisionmaking process.

1622 (c) The threat management team ~~assessment teams~~ shall
1623 identify members of the school community to whom threatening
1624 behavior should be reported and provide guidance to students,

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1625 faculty, and staff regarding recognition of threatening or
1626 aberrant behavior that may represent a threat to the community,
1627 school, or self.

1628 (d) Upon the availability of the Florida-specific
1629 behavioral threat assessment instrument developed pursuant to s.
1630 1001.212(12), all the threat management teams ~~assessment team~~
1631 shall use that instrument when evaluating the behavior of
1632 students who may pose a threat to the school, school staff, or
1633 students and to coordinate intervention and services for such
1634 students.

1635 (e) ~~(b)~~ Upon a preliminary determination that a student
1636 poses a threat of violence or physical harm to himself or
1637 herself or others, a threat management ~~assessment~~ team shall
1638 immediately report its determination to the superintendent or
1639 his or her designee. The superintendent or his or her designee
1640 or the charter school administrator or his or her designee shall
1641 immediately attempt to notify the student's parent or legal
1642 guardian. Nothing in this subsection precludes ~~shall preclude~~
1643 school district or charter school governing board personnel from
1644 acting immediately to address an imminent threat.

1645 (f) ~~(e)~~ Upon a preliminary determination by the threat
1646 management ~~assessment~~ team that a student poses a threat of
1647 violence to himself or herself or others or exhibits
1648 significantly disruptive behavior or need for assistance,
1649 authorized members of the threat management ~~assessment~~ team may
1650 obtain criminal history record information pursuant to s.
1651 985.04(1). A member of a threat management ~~assessment~~ team may
1652 not disclose any criminal history record information obtained
1653 pursuant to this section or otherwise use any record of an

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1654 individual beyond the purpose for which such disclosure was made
1655 to the threat management ~~assessment~~ team.

1656 (g)~~(d)~~ Notwithstanding any other provision of law, all
1657 state and local agencies and programs that provide services to
1658 students experiencing or at risk of an emotional disturbance or
1659 a mental illness, including the school districts, charter
1660 schools, school personnel, state and local law enforcement
1661 agencies, the Department of Juvenile Justice, the Department of
1662 Children and Families, the Department of Health, the Agency for
1663 Health Care Administration, the Agency for Persons with
1664 Disabilities, the Department of Education, the Statewide
1665 Guardian Ad Litem Office, and any service or support provider
1666 contracting with such agencies, may share with each other
1667 records or information that are confidential or exempt from
1668 disclosure under chapter 119 if the records or information are
1669 reasonably necessary to ensure access to appropriate services
1670 for the student or to ensure the safety of the student or
1671 others. All such state and local agencies and programs shall
1672 communicate, collaborate, and coordinate efforts to serve such
1673 students.

1674 (h)~~(e)~~ If an immediate mental health or substance abuse
1675 crisis is suspected, school personnel shall follow steps
1676 ~~policies~~ established by the threat management ~~assessment~~ team to
1677 engage behavioral health crisis resources. Behavioral health
1678 crisis resources, including, but not limited to, mobile crisis
1679 teams and school resource officers trained in crisis
1680 intervention, shall provide emergency intervention and
1681 assessment, make recommendations, and refer the student for
1682 appropriate services. Onsite school personnel shall report all

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1683 such situations and actions taken to the threat management
1684 ~~assessment~~ team, which shall contact the other agencies involved
1685 with the student and any known service providers to share
1686 information and coordinate any necessary followup actions. Upon
1687 the student's transfer to a different school, the threat
1688 management ~~assessment~~ team shall verify that any intervention
1689 services provided to the student remain in place until the
1690 threat management ~~assessment~~ team of the receiving school
1691 independently determines the need for intervention services.

1692 (i) The threat management team shall prepare a threat
1693 assessment report required by the Florida-specific behavioral
1694 threat assessment instrument developed pursuant to s.
1695 1001.212(12). A threat assessment report, all corresponding
1696 documentation, and any other information required by the
1697 Florida-specific behavioral threat assessment instrument in the
1698 threat management portal is an education record.

1699 (j)-(f) Each threat management ~~assessment~~ team ~~established~~
1700 ~~pursuant to this subsection~~ shall report quantitative data on
1701 its activities to the Office of Safe Schools in accordance with
1702 guidance from the office and shall ~~utilize the threat assessment~~
1703 ~~database developed pursuant to s. 1001.212(13) upon the~~
1704 ~~availability of the database.~~

1705 (9) SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING.—Each
1706 district school board shall adopt policies to ensure the
1707 accurate and timely reporting of incidents related to school
1708 safety and discipline. The district school superintendent is
1709 responsible for school environmental safety incident reporting.
1710 A district school superintendent who fails to comply with this
1711 subsection is subject to the penalties specified in law,

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1712 including, but not limited to, s. 1001.42(13)(b) or s.
1713 1001.51(12)(b), as applicable. The State Board of Education
1714 shall adopt rules establishing the requirements for the school
1715 environmental safety incident report, including those incidents
1716 that must be reported to a law enforcement agency. Annually, the
1717 department shall publish on its website the most recently
1718 available school environmental safety incident data along with
1719 other school accountability and performance data in a uniform,
1720 statewide format that is easy to read and understand.

1721 Section 23. Effective upon becoming a law:

1722 (1) The State Board of Education is authorized, and all
1723 conditions are deemed met, to adopt emergency rules pursuant to
1724 s. 120.54(4), Florida Statutes, for the purpose of implementing
1725 the amendments made to s. 1006.07(9), Florida Statutes. The
1726 Legislature finds that school district discretion over reporting
1727 criminal incidents to law enforcement has resulted in
1728 significant under-reporting of serious crimes. The Legislature
1729 further finds that emergency rulemaking authority is necessary
1730 to ensure that all reportable incidents that are crimes are
1731 reported to law enforcement as soon as practicable starting in
1732 the 2023-2024 school year. Emergency rules adopted under this
1733 section are exempt from s. 120.54(4)(c), Florida Statutes, and
1734 shall remain in effect until replaced by rules adopted under the
1735 nonemergency rulemaking procedures of chapter 120, Florida
1736 Statutes, which must occur no later than July 1, 2024.

1737 (2) Notwithstanding any other provision of law, emergency
1738 rules adopted pursuant to subsection (1) are effective for 6
1739 months after adoption and may be renewed during the pendency of
1740 procedures to adopt permanent rules addressing the subject of

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1741 the emergency rules.

1742 Section 24. Effective upon becoming a law, section
1743 1006.121, Florida Statutes, is created to read:

1744 1006.121 Florida Safe Schools Canine Program.—

1745 (1) CREATION AND PURPOSE.—

1746 (a) The Department of Education, through the Office of Safe
1747 Schools pursuant to s. 1001.212, shall establish the Florida
1748 Safe Schools Canine Program for the purpose of designating a
1749 person, school, or business entity as a Florida Safe Schools
1750 Canine Partner if the person, school, or business entity
1751 provides a monetary or in-kind donation to a law enforcement
1752 agency to purchase, train, or care for a firearm detection
1753 canine. The office shall consult with the Florida Police Chiefs
1754 Association and the Florida Sheriffs Association in creating the
1755 program.

1756 (b) The presence of firearm detection canines at K-12
1757 schools contributes to a safe school community, furthering a
1758 communitywide investment and engagement in school safety and
1759 public safety initiatives. The program seeks to foster
1760 relationships between schools, local businesses, and law
1761 enforcement, promoting trust and confidence in the ability of
1762 law enforcement to keep schools and communities safe. Firearm
1763 detection canines act as liaisons between students and law
1764 enforcement agencies and serve as ambassadors for a law
1765 enforcement agency to improve community engagement. K-12 schools
1766 and students are encouraged to partner with law enforcement to
1767 raise funds in the local community for the monetary or in-kind
1768 donations needed to purchase, train, or care for a firearm
1769 detection canine. This includes building relationships with

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1770 local businesses that support school safety by providing
1771 monetary or in-kind donations to help with the ongoing care and
1772 expenses of a firearm detection canine which include, but are
1773 not limited to, veterinary care such as wellness checks and
1774 medicine; food; interactive and training toys; grooming; and
1775 necessary equipment such as collars and leads.

1776 (2) DEFINITION.—As used in this section, the term “firearm
1777 detection canine” means any canine that is owned or the service
1778 of which is employed by a law enforcement agency for use in K-12
1779 schools for the primary purpose of aiding in the detection of
1780 firearms and ammunition.

1781 (3) CANINE REQUIREMENTS.—A firearm detection canine must be
1782 trained to interact with children and must complete behavior and
1783 temperament training. A firearm detection canine may also be
1784 trained as an animal-assisted therapy canine.

1785 (4) ELIGIBILITY.—

1786 (a) A law enforcement agency may nominate a person, school,
1787 or business entity to be designated as a Florida Safe Schools
1788 Canine Partner, or such person, school, or business entity may
1789 apply to the office to be designated as a Florida Safe Schools
1790 Canine Partner if a monetary or an in-kind donation is made to a
1791 law enforcement agency for the purchase, training, or care of a
1792 firearm detection canine.

1793 (b) The nomination or application to the office for
1794 designation as a Florida Safe Schools Canine Partner must, at
1795 minimum, include all of the following:

1796 1. The name, address, and contact information of the
1797 person, school, or business entity.

1798 2. The name, address, and contact information of the law

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1799 enforcement agency.

1800 3. Whether the donation was monetary or in kind.

1801 4. The amount of the donation or type of in-kind donation.

1802 5. Documentation from the law enforcement agency
1803 certifying:

1804 a. The date of receipt of the monetary or in-kind donation
1805 by the person, school, or business entity; and

1806 b. The monetary or in-kind donation by person, school, or
1807 business entity is for the purchase, training, or care of a
1808 firearm detection canine.

1809 (c) The office shall adopt procedures for the nomination
1810 and application processes for a Florida Safe Schools Canine
1811 Partner.

1812 (5) DESIGNATION AND AWARD.—

1813 (a) The office shall determine whether a person, school, or
1814 business entity, based on the information provided in the
1815 nomination or application, meets the requirements in subsection
1816 (4). The office may request additional information from the
1817 person, school, or business entity.

1818 (b)1. A nominated person, school, or business entity that
1819 meets the requirements shall be notified by the office regarding
1820 the nominee's eligibility to be awarded a designation as a
1821 Florida Safe Schools Canine Partner.

1822 2. The nominee shall have 30 days after receipt of the
1823 notice to certify that the information in the notice is true and
1824 accurate and accept the nomination, to provide corrected
1825 information for consideration by the office and indicate an
1826 intention to accept the nomination, or to decline the
1827 nomination. If the nominee accepts the nomination, the office

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1828 shall award the designation. The office may not award the
1829 designation if the nominee declines the nomination or has not
1830 accepted the nomination within 30 days after receiving notice.

1831 (c) An applicant person, school, or business entity that
1832 meets the requirements shall be notified and awarded a
1833 designation as a Florida Safe Schools Canine Partner.

1834 (d) The office shall adopt procedures for the designation
1835 process of a Florida Safe Schools Canine Partner. Designation as
1836 a Florida Safe Schools Canine Partner does not establish or
1837 involve licensure, does not affect the substantial interests of
1838 a party, and does not constitute a final agency action. The
1839 Florida Safe Schools Canine Program and designation are not
1840 subject to chapter 120.

1841 (6) LOGO DEVELOPMENT.—

1842 (a) The office shall develop a logo that identifies a
1843 person, school, or business entity that is designated as a
1844 Florida Safe Schools Canine Partner.

1845 (b) The office shall adopt guidelines and requirements for
1846 the use of the logo, including how the logo may be used in
1847 advertising. The office may allow a person, school, or business
1848 entity to display a Florida Safe Schools Canine Partner logo
1849 upon designation. A person, school, or business entity that has
1850 not been designated as a Florida Safe Schools Canine Partner or
1851 has elected to discontinue its designated status may not display
1852 the logo.

1853 (7) WEBSITE.—The office shall establish a page on the
1854 department's website for the Florida Safe Schools Canine
1855 Program. At a minimum, the page must provide a list, updated
1856 quarterly, of persons, schools, or business entities, by county,

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1857 which currently have the Florida Safe Schools Canine Partner
1858 designation and information regarding the eligibility
1859 requirements for the designation and the method of application
1860 or nomination.

1861 (8) RULES.—The State Board of Education shall adopt rules
1862 to administer this section.

1863 Section 25. Effective upon becoming a law, subsections (1),
1864 (2), and (8) of section 1006.13, Florida Statutes, are amended
1865 to read:

1866 1006.13 Policy of zero tolerance for crime and
1867 victimization.—

1868 (1) District school boards shall promote a safe and
1869 supportive learning environment in schools by protecting
1870 students and staff from conduct that poses a threat to school
1871 safety. A threat management ~~assessment~~ team may use alternatives
1872 to expulsion or referral to law enforcement agencies to address
1873 disruptive behavior through restitution, civil citation, teen
1874 court, neighborhood restorative justice, or similar programs.
1875 Zero-tolerance policies may not be rigorously applied to petty
1876 acts of misconduct. Zero-tolerance policies must apply equally
1877 to all students regardless of their economic status, race, or
1878 disability.

1879 (2) Each district school board shall adopt a policy of zero
1880 tolerance that:

1881 (a) Identifies acts that are required to be reported under
1882 the school environmental safety incident reporting pursuant to
1883 s. 1006.07(9) ~~Defines criteria for reporting to a law~~
1884 ~~enforcement agency any act that poses a threat to school safety~~
1885 ~~that occurs whenever or wherever students are within the~~

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1886 ~~jurisdiction of the district school board.~~

1887 (b) Defines acts that pose a threat to school safety.

1888 (c) Defines petty acts of misconduct which are not a threat
1889 to school safety and do not require consultation with law
1890 enforcement.

1891 (d) Minimizes the victimization of students, staff, or
1892 volunteers, including taking all steps necessary to protect the
1893 victim of any violent crime from any further victimization.

1894 (e) Establishes a procedure that provides each student with
1895 the opportunity for a review of the disciplinary action imposed
1896 pursuant to s. 1006.07.

1897 (f) Requires the threat management ~~assessment~~ team to
1898 consult with law enforcement when a student exhibits a pattern
1899 of behavior, based upon previous acts or the severity of an act,
1900 that would pose a threat to school safety.

1901 (8) A threat management ~~assessment~~ team may use
1902 alternatives to expulsion or referral to law enforcement
1903 agencies unless the use of such alternatives will pose a threat
1904 to school safety.

1905 Section 26. Section 790.1612, Florida Statutes, is amended
1906 to read:

1907 790.1612 Authorization for governmental manufacture,
1908 possession, and use of destructive devices.—The governing body
1909 of any municipality or county and the Division of State Fire
1910 Marshal of the Department of Financial Services have the power
1911 to authorize the manufacture, possession, and use of destructive
1912 devices as defined in s. 790.001 ~~s. 790.001(4)~~.

1913 Section 27. Subsection (1) of section 810.095, Florida
1914 Statutes, is amended to read:

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1915 810.095 Trespass on school property with firearm or other
 1916 weapon prohibited.-

1917 (1) It is a felony of the third degree, punishable as
 1918 provided in s. 775.082, s. 775.083, or s. 775.084, for a person
 1919 who is trespassing upon school property to bring onto, or to
 1920 possess on, such school property any weapon as defined in s.
 1921 790.001 ~~s. 790.001(13)~~ or any firearm.

1922 Section 28. Paragraph (e) of subsection (3) of section
 1923 921.0022, Florida Statutes, is amended to read:

1924 921.0022 Criminal Punishment Code; offense severity ranking
 1925 chart.-

1926 (3) OFFENSE SEVERITY RANKING CHART

1927 (e) LEVEL 5

1928

Florida	Felony	Description
Statute	Degree	

1929

316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
---------------	-----	---

1930

316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
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1931

316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
-----------	-----	---

1932

322.34(6)	3rd	Careless operation of motor vehicle with suspended
-----------	-----	--

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1933

license, resulting in death or serious bodily injury.

327.30(5)

3rd

Vessel accidents involving personal injury; leaving scene.

1934

379.365(2)(c)1.

3rd

Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

1935

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1936	379.367 (4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
1937	379.407 (5) (b) 3.	3rd	Possession of 100 or more undersized spiny lobsters.
1938	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
1939	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
1940	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
1941	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
1942	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

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1943	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.	
	<u>790.01 (3)</u>	3rd	<u>Unlawful</u> carrying <u>of</u> a	
1944	790.01 (2)		concealed firearm.	
	790.162	2nd	Threat to throw or discharge destructive device.	
1945				
	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.	
1946				
	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.	
1947				
	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.	
1948				
	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.	
1949				
	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.	
1950				
	800.04 (7) (b)	2nd	Lewd or lascivious exhibition;	

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			offender 18 years of age or older.
1951	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
1952	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
1953	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
1954	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
1955	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
1956	812.081 (3)	2nd	Trafficking in trade secrets.
1957	812.131 (2) (b)	3rd	Robbery by sudden snatching.
1958	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
1959			

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1960

817.034 (4) (a) 2. 2nd Communications fraud, value
\$20,000 to \$50,000.

1961

817.234 (11) (b) 2nd Insurance fraud; property
value \$20,000 or more but less
than \$100,000.

1962

817.2341 (1), 3rd Filing false financial
(2) (a) & (3) (a) statements, making false
entries of material fact or
false statements regarding
property values relating to
the solvency of an insuring
entity.

1963

817.568 (2) (b) 2nd Fraudulent use of personal
identification information;
value of benefit, services
received, payment avoided, or
amount of injury or fraud,
\$5,000 or more or use of
personal identification
information of 10 or more
persons.

1964

817.611 (2) (a) 2nd Traffic in or possess 5 to 14
counterfeit credit cards or
related documents.

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1965	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
1966	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
1967	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
1968	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
1969	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
	836.14 (4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without

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1970

consent.

839.13 (2) (b)

2nd

Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

1971

843.01

3rd

Resist officer with violence to person; resist arrest with violence.

1972

847.0135 (5) (b)

2nd

Lewd or lascivious exhibition using computer; offender 18 years or older.

1973

847.0137
(2) & (3)

3rd

Transmission of pornography by electronic device or equipment.

1974

847.0138
(2) & (3)

3rd

Transmission of material harmful to minors to a minor by electronic device or equipment.

1975

874.05 (1) (b)

2nd

Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

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1976

874.05 (2) (a) 2nd Encouraging or recruiting person under 13 years of age to join a criminal gang.

1977

893.13 (1) (a) 1. 2nd Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. drugs).

1978

893.13 (1) (c) 2. 2nd Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

1979

893.13 (1) (d) 1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. drugs) within 1,000 feet of

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1980

university.

893.13(1)(e)2.

2nd

Sell, manufacture, or deliver cannabis or other drug prohibited under s.

893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.

1981

893.13(1)(f)1.

1st

Sell, manufacture, or deliver cocaine (or other s.

893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of public housing facility.

1982

893.13(4)(b)

2nd

Use or hire of minor; deliver to minor other controlled substance.

1983

893.1351(1)

3rd

Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

1984

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1985 Section 29. Paragraph (b) of subsection (1) of section
1986 921.0024, Florida Statutes, is amended to read:
1987 921.0024 Criminal Punishment Code; worksheet computations;
1988 scoresheets.-

1989 (1)

1990 (b) WORKSHEET KEY:

1991

1992 Legal status points are assessed when any form of legal status
1993 existed at the time the offender committed an offense before the
1994 court for sentencing. Four (4) sentence points are assessed for
1995 an offender's legal status.

1996

1997 Community sanction violation points are assessed when a
1998 community sanction violation is before the court for sentencing.
1999 Six (6) sentence points are assessed for each community sanction
2000 violation and each successive community sanction violation,
2001 unless any of the following apply:

2002 1. If the community sanction violation includes a new
2003 felony conviction before the sentencing court, twelve (12)
2004 community sanction violation points are assessed for the
2005 violation, and for each successive community sanction violation
2006 involving a new felony conviction.

2007 2. If the community sanction violation is committed by a
2008 violent felony offender of special concern as defined in s.
2009 948.06:

2010 a. Twelve (12) community sanction violation points are
2011 assessed for the violation and for each successive violation of
2012 felony probation or community control where:

2013 I. The violation does not include a new felony conviction;

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2014 and

2015 II. The community sanction violation is not based solely on
2016 the probationer or offender's failure to pay costs or fines or
2017 make restitution payments.

2018 b. Twenty-four (24) community sanction violation points are
2019 assessed for the violation and for each successive violation of
2020 felony probation or community control where the violation
2021 includes a new felony conviction.

2022
2023 Multiple counts of community sanction violations before the
2024 sentencing court shall not be a basis for multiplying the
2025 assessment of community sanction violation points.

2026
2027 Prior serious felony points: If the offender has a primary
2028 offense or any additional offense ranked in level 8, level 9, or
2029 level 10, and one or more prior serious felonies, a single
2030 assessment of thirty (30) points shall be added. For purposes of
2031 this section, a prior serious felony is an offense in the
2032 offender's prior record that is ranked in level 8, level 9, or
2033 level 10 under s. 921.0022 or s. 921.0023 and for which the
2034 offender is serving a sentence of confinement, supervision, or
2035 other sanction or for which the offender's date of release from
2036 confinement, supervision, or other sanction, whichever is later,
2037 is within 3 years before the date the primary offense or any
2038 additional offense was committed.

2039
2040 Prior capital felony points: If the offender has one or more
2041 prior capital felonies in the offender's criminal record, points
2042 shall be added to the subtotal sentence points of the offender

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2043 equal to twice the number of points the offender receives for
2044 the primary offense and any additional offense. A prior capital
2045 felony in the offender's criminal record is a previous capital
2046 felony offense for which the offender has entered a plea of nolo
2047 contendere or guilty or has been found guilty; or a felony in
2048 another jurisdiction which is a capital felony in that
2049 jurisdiction, or would be a capital felony if the offense were
2050 committed in this state.

2051
2052 Possession of a firearm, semiautomatic firearm, or machine gun:
2053 If the offender is convicted of committing or attempting to
2054 commit any felony other than those enumerated in s. 775.087(2)
2055 while having in his or her possession: a firearm as defined in
2056 s. 790.001 ~~s. 790.001(6)~~, an additional eighteen (18) sentence
2057 points are assessed; or if the offender is convicted of
2058 committing or attempting to commit any felony other than those
2059 enumerated in s. 775.087(3) while having in his or her
2060 possession a semiautomatic firearm as defined in s. 775.087(3)
2061 or a machine gun as defined in s. 790.001 ~~s. 790.001(9)~~, an
2062 additional twenty-five (25) sentence points are assessed.

2063
2064 Sentencing multipliers:

2065
2066 Drug trafficking: If the primary offense is drug trafficking
2067 under s. 893.135, the subtotal sentence points are multiplied,
2068 at the discretion of the court, for a level 7 or level 8
2069 offense, by 1.5. The state attorney may move the sentencing
2070 court to reduce or suspend the sentence of a person convicted of
2071 a level 7 or level 8 offense, if the offender provides

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2072 substantial assistance as described in s. 893.135(4).

2073

2074 Law enforcement protection: If the primary offense is a
2075 violation of the Law Enforcement Protection Act under s.
2076 775.0823(2), (3), or (4), the subtotal sentence points are
2077 multiplied by 2.5. If the primary offense is a violation of s.
2078 775.0823(5), (6), (7), (8), or (9), the subtotal sentence points
2079 are multiplied by 2.0. If the primary offense is a violation of
2080 s. 784.07(3) or s. 775.0875(1), or of the Law Enforcement
2081 Protection Act under s. 775.0823(10) or (11), the subtotal
2082 sentence points are multiplied by 1.5.

2083

2084 Grand theft of a motor vehicle: If the primary offense is grand
2085 theft of the third degree involving a motor vehicle and in the
2086 offender's prior record, there are three or more grand thefts of
2087 the third degree involving a motor vehicle, the subtotal
2088 sentence points are multiplied by 1.5.

2089

2090 Offense related to a criminal gang: If the offender is convicted
2091 of the primary offense and committed that offense for the
2092 purpose of benefiting, promoting, or furthering the interests of
2093 a criminal gang as defined in s. 874.03, the subtotal sentence
2094 points are multiplied by 1.5. If applying the multiplier results
2095 in the lowest permissible sentence exceeding the statutory
2096 maximum sentence for the primary offense under chapter 775, the
2097 court may not apply the multiplier and must sentence the
2098 defendant to the statutory maximum sentence.

2099

2100 Domestic violence in the presence of a child: If the offender is

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2101 convicted of the primary offense and the primary offense is a
2102 crime of domestic violence, as defined in s. 741.28, which was
2103 committed in the presence of a child under 16 years of age who
2104 is a family or household member as defined in s. 741.28(3) with
2105 the victim or perpetrator, the subtotal sentence points are
2106 multiplied by 1.5.

2107
2108 Adult-on-minor sex offense: If the offender was 18 years of age
2109 or older and the victim was younger than 18 years of age at the
2110 time the offender committed the primary offense, and if the
2111 primary offense was an offense committed on or after October 1,
2112 2014, and is a violation of s. 787.01(2) or s. 787.02(2), if the
2113 violation involved a victim who was a minor and, in the course
2114 of committing that violation, the defendant committed a sexual
2115 battery under chapter 794 or a lewd act under s. 800.04 or s.
2116 847.0135(5) against the minor; s. 787.01(3)(a)2. or 3.; s.
2117 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s.
2118 800.04; or s. 847.0135(5), the subtotal sentence points are
2119 multiplied by 2.0. If applying the multiplier results in the
2120 lowest permissible sentence exceeding the statutory maximum
2121 sentence for the primary offense under chapter 775, the court
2122 may not apply the multiplier and must sentence the defendant to
2123 the statutory maximum sentence.

2124 Section 30. Paragraph (b) of subsection (3) of section
2125 943.051, Florida Statutes, is amended to read:

2126 943.051 Criminal justice information; collection and
2127 storage; fingerprinting.—

2128 (3)

2129 (b) A minor who is charged with or found to have committed

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2130 the following offenses shall be fingerprinted and the
2131 fingerprints shall be submitted electronically to the
2132 department, unless the minor is issued a civil citation pursuant
2133 to s. 985.12:

2134 1. Assault, as defined in s. 784.011.

2135 2. Battery, as defined in s. 784.03.

2136 3. Carrying a concealed weapon, as defined in s. 790.01(2)
2137 ~~s. 790.01(1)~~.

2138 4. Unlawful use of destructive devices or bombs, as defined
2139 in s. 790.1615(1).

2140 5. Neglect of a child, as defined in s. 827.03(1)(e).

2141 6. Assault or battery on a law enforcement officer, a
2142 firefighter, or other specified officers, as defined in s.
2143 784.07(2)(a) and (b).

2144 7. Open carrying of a weapon, as defined in s. 790.053.

2145 8. Exposure of sexual organs, as defined in s. 800.03.

2146 9. Unlawful possession of a firearm, as defined in s.
2147 790.22(5).

2148 10. Petit theft, as defined in s. 812.014(3).

2149 11. Cruelty to animals, as defined in s. 828.12(1).

2150 12. Arson, as defined in s. 806.031(1).

2151 13. Unlawful possession or discharge of a weapon or firearm
2152 at a school-sponsored event or on school property, as provided
2153 in s. 790.115.

2154 Section 31. Paragraph (d) of subsection (1) of section
2155 943.0585, Florida Statutes, is amended to read:

2156 943.0585 Court-ordered expunction of criminal history
2157 records.—

2158 (1) ELIGIBILITY.—A person is eligible to petition a court

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2159 to expunge a criminal history record if:

2160 (d) The person has never, as of the date the application
2161 for a certificate of expunction is filed, been adjudicated
2162 guilty in this state of a criminal offense or been adjudicated
2163 delinquent in this state for committing any felony or any of the
2164 following misdemeanors, unless the record of such adjudication
2165 of delinquency has been expunged pursuant to s. 943.0515:

- 2166 1. Assault, as defined in s. 784.011;
- 2167 2. Battery, as defined in s. 784.03;
- 2168 3. Assault on a law enforcement officer, a firefighter, or
2169 other specified officers, as defined in s. 784.07(2)(a);
- 2170 4. Carrying a concealed weapon, as defined in s. 790.01(2)
2171 ~~s. 790.01(1)~~;
- 2172 5. Open carrying of a weapon, as defined in s. 790.053;
- 2173 6. Unlawful possession or discharge of a weapon or firearm
2174 at a school-sponsored event or on school property, as defined in
2175 s. 790.115;
- 2176 7. Unlawful use of destructive devices or bombs, as defined
2177 in s. 790.1615(1);
- 2178 8. Unlawful possession of a firearm, as defined in s.
2179 790.22(5);
- 2180 9. Exposure of sexual organs, as defined in s. 800.03;
- 2181 10. Arson, as defined in s. 806.031(1);
- 2182 11. Petit theft, as defined in s. 812.014(3);
- 2183 12. Neglect of a child, as defined in s. 827.03(1)(e); or
- 2184 13. Cruelty to animals, as defined in s. 828.12(1).

2185 Section 32. Paragraph (b) of subsection (1) of section
2186 943.059, Florida Statutes, is amended to read:

2187 943.059 Court-ordered sealing of criminal history records.—

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2188 (1) ELIGIBILITY.—A person is eligible to petition a court
2189 to seal a criminal history record when:

2190 (b) The person has never, before the date the application
2191 for a certificate of eligibility is filed, been adjudicated
2192 guilty in this state of a criminal offense, or been adjudicated
2193 delinquent in this state for committing any felony or any of the
2194 following misdemeanor offenses, unless the record of such
2195 adjudication of delinquency has been expunged pursuant to s.
2196 943.0515:

2197 1. Assault, as defined in s. 784.011;

2198 2. Battery, as defined in s. 784.03;

2199 3. Assault on a law enforcement officer, a firefighter, or
2200 other specified officers, as defined in s. 784.07(2)(a);

2201 4. Carrying a concealed weapon, as defined in s. 790.01(2)
2202 ~~s. 790.01(1)~~;

2203 5. Open carrying of a weapon, as defined in s. 790.053;

2204 6. Unlawful possession or discharge of a weapon or firearm
2205 at a school-sponsored event or on school property, as defined in
2206 s. 790.115;

2207 7. Unlawful use of destructive devices or bombs, as defined
2208 in s. 790.1615(1);

2209 8. Unlawful possession of a firearm by a minor, as defined
2210 in s. 790.22(5);

2211 9. Exposure of sexual organs, as defined in s. 800.03;

2212 10. Arson, as defined in s. 806.031(1);

2213 11. Petit theft, as defined in s. 812.014(3);

2214 12. Neglect of a child, as defined in s. 827.03(1)(e); or

2215 13. Cruelty to animals, as defined in s. 828.12(1).

2216 Section 33. Paragraph (b) of subsection (1) of section

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2217 985.11, Florida Statutes, is amended to read:
2218 985.11 Fingerprinting and photographing.—
2219 (1)
2220 (b) Unless the child is issued a civil citation or is
2221 participating in a similar diversion program pursuant to s.
2222 985.12, a child who is charged with or found to have committed
2223 one of the following offenses shall be fingerprinted, and the
2224 fingerprints shall be submitted to the Department of Law
2225 Enforcement as provided in s. 943.051(3)(b):
2226 1. Assault, as defined in s. 784.011.
2227 2. Battery, as defined in s. 784.03.
2228 3. Carrying a concealed weapon, as defined in s. 790.01(2)
2229 ~~s. 790.01(1)~~.
2230 4. Unlawful use of destructive devices or bombs, as defined
2231 in s. 790.1615(1).
2232 5. Neglect of a child, as defined in s. 827.03(1)(e).
2233 6. Assault on a law enforcement officer, a firefighter, or
2234 other specified officers, as defined in s. 784.07(2)(a).
2235 7. Open carrying of a weapon, as defined in s. 790.053.
2236 8. Exposure of sexual organs, as defined in s. 800.03.
2237 9. Unlawful possession of a firearm, as defined in s.
2238 790.22(5).
2239 10. Petit theft, as defined in s. 812.014.
2240 11. Cruelty to animals, as defined in s. 828.12(1).
2241 12. Arson, resulting in bodily harm to a firefighter, as
2242 defined in s. 806.031(1).
2243 13. Unlawful possession or discharge of a weapon or firearm
2244 at a school-sponsored event or on school property as defined in
2245 s. 790.115.

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2246
2247 A law enforcement agency may fingerprint and photograph a child
2248 taken into custody upon probable cause that such child has
2249 committed any other violation of law, as the agency deems
2250 appropriate. Such fingerprint records and photographs shall be
2251 retained by the law enforcement agency in a separate file, and
2252 these records and all copies thereof must be marked "Juvenile
2253 Confidential." These records are not available for public
2254 disclosure and inspection under s. 119.07(1) except as provided
2255 in ss. 943.053 and 985.04(2), but shall be available to other
2256 law enforcement agencies, criminal justice agencies, state
2257 attorneys, the courts, the child, the parents or legal
2258 custodians of the child, their attorneys, and any other person
2259 authorized by the court to have access to such records. In
2260 addition, such records may be submitted to the Department of Law
2261 Enforcement for inclusion in the state criminal history records
2262 and used by criminal justice agencies for criminal justice
2263 purposes. These records may, in the discretion of the court, be
2264 open to inspection by anyone upon a showing of cause. The
2265 fingerprint and photograph records shall be produced in the
2266 court whenever directed by the court. Any photograph taken
2267 pursuant to this section may be shown by a law enforcement
2268 officer to any victim or witness of a crime for the purpose of
2269 identifying the person who committed such crime.

2270 Section 34. Paragraph (b) of subsection (16) of section
2271 1002.33, Florida Statutes, is amended to read:

2272 1002.33 Charter schools.—

2273 (16) EXEMPTION FROM STATUTES.—

2274 (b) Additionally, a charter school shall be in compliance

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2275 with the following statutes:

2276 1. Section 286.011, relating to public meetings and
2277 records, public inspection, and criminal and civil penalties.

2278 2. Chapter 119, relating to public records.

2279 3. Section 1003.03, relating to the maximum class size,
2280 except that the calculation for compliance pursuant to s.
2281 1003.03 shall be the average at the school level.

2282 4. Section 1012.22(1)(c), relating to compensation and
2283 salary schedules.

2284 5. Section 1012.33(5), relating to workforce reductions.

2285 6. Section 1012.335, relating to contracts with
2286 instructional personnel hired on or after July 1, 2011.

2287 7. Section 1012.34, relating to the substantive
2288 requirements for performance evaluations for instructional
2289 personnel and school administrators.

2290 8. Section 1006.12, relating to safe-school officers.

2291 9. Section 1006.07(7), relating to threat management
2292 ~~assessment~~ teams.

2293 10. Section 1006.07(9), relating to School Environmental
2294 Safety Incident Reporting.

2295 11. Section 1006.07(10), relating to reporting of
2296 involuntary examinations.

2297 12. Section 1006.1493, relating to the Florida Safe Schools
2298 Assessment Tool.

2299 13. Section 1006.07(6)(d), relating to adopting an active
2300 assailant response plan.

2301 14. Section 943.082(4)(b), relating to the mobile
2302 suspicious activity reporting tool.

2303 15. Section 1012.584, relating to youth mental health

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2304 awareness and assistance training.

2305 Section 35. For the 2023-2024 fiscal year, the sum of \$1.5
2306 million in recurring funds from the General Revenue Fund is
2307 appropriated to the Department of Law Enforcement to implement a
2308 grant program for local law enforcement agencies to provide
2309 firearm safety training. The department shall develop a process
2310 and guidelines for the disbursement of funds appropriated in
2311 this section. Local law enforcement grant recipients shall
2312 report documentation on the use of training funds, in a form and
2313 manner determined by the department.

2314 Section 36. For the 2023-2024 fiscal year, eight full-time
2315 equivalent positions, with associated salary rate of 582,000,
2316 are authorized and the sums of \$1,207,321 in recurring funds and
2317 \$70,525 in nonrecurring funds from the General Revenue Fund are
2318 appropriated to the Department of Education to fund new and
2319 existing positions and additional workload expenses within the
2320 Office of Safe Schools.

2321 Section 37. For the 2023-2024 fiscal year, the sum of
2322 \$400,000 in recurring funds from the General Revenue Fund is
2323 appropriated to the Department of Education to fund the Office
2324 of Safe Schools to update the existing school safety training
2325 infrastructure.

2326 Section 38. For the 2023-2024 fiscal year, the sums of \$5
2327 million in recurring funds and \$7 million in nonrecurring funds
2328 from the General Revenue Fund are appropriated to the Department
2329 of Education to competitively procure for the development or
2330 acquisition of a cloud-based secure statewide information
2331 sharing system that meets the requirements of the threat
2332 management portal as prescribed in this act.

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2333 Section 39. For the 2023-2024 fiscal year, the sums of \$1.5
2334 million in recurring funds and \$1.5 million in nonrecurring
2335 funds from the General Revenue Fund are appropriated to the
2336 Department of Education to competitively procure for the
2337 development or acquisition of a cloud-based secure School
2338 Environmental Safety Incident Reporting (SESIR) system.

2339 Section 40. For the 2023-2024 fiscal year, the sum of \$42
2340 million in nonrecurring funds from the General Revenue Fund is
2341 appropriated to the Department of Education for school hardening
2342 grant programs to improve the physical security of school
2343 buildings based on the security risk assessment required
2344 pursuant to s. 1006.1493, Florida Statutes. By December 31,
2345 2023, school districts and charter schools receiving school
2346 hardening grant program funds shall report to the Department of
2347 Education, in a format prescribed by the department, the total
2348 estimated costs of their unmet school campus hardening needs as
2349 identified by the Florida Safe Schools Assessment Tool (FSSAT)
2350 conducted pursuant to s. 1006.1493, Florida Statutes. The report
2351 should include a prioritized list of school hardening project
2352 needs by each school district or charter school and an expected
2353 timeframe for implementing those projects. In accordance with
2354 ss. 119.071(3)(a) and 281.301, Florida Statutes, data and
2355 information related to security risk assessments administered
2356 pursuant to s. 1006.1493, Florida Statutes, are confidential and
2357 exempt from public records requirements. Funds may be used only
2358 for capital expenditures. Funds shall be allocated initially
2359 based on each district's capital outlay full-time equivalent
2360 (FTE) and charter school FTE. A district shall not be allocated
2361 less than \$42,000. Funds shall be provided based on a district's

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2362 application, which must be submitted to the Department of
2363 Education by February 1, 2024.

2364 Section 41. Except as otherwise expressly provided in this
2365 act and except for this section, which shall take effect upon
2366 this act becoming a law, this act shall take effect July 1,
2367 2023.