

By the Appropriations Committee on Criminal and Civil Justice; the Committee on Criminal Justice; and Senators Sharief, Osgood, Rouson, and Bernard

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A bill to be entitled

An act relating to the use of substances affecting cognitive function; creating s. 406.139, F.S.; defining terms; requiring medical examiners to take specified actions when performing an autopsy on a decedent who is a violent offender; requiring that autopsy reports for such individuals include certain findings and information; requiring notification of certain findings and information to the Department of Law Enforcement, the Department of Health, and the Agency for Health Care Administration; amending s. 456.057, F.S.; authorizing the release of certain patient records to law enforcement agencies without patient authorization under certain circumstances; amending s. 1006.07, F.S.; requiring school safety specialists to provide school district staff with certain training on the adverse effects of specified substances; specifying requirements for training; amending s. 1006.12, F.S.; requiring safe-school officers to complete certain training on the adverse effects of specified substances; specifying requirements for training; amending s. 381.028, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Section 406.139, Florida Statutes, is created to

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30 406.139 Autopsy of a suspected violent offender.—

31 (1) DEFINITIONS.—As used in this section, the term:

32 (a) "Intoxicating substance" means any alcoholic beverage,
33 controlled substance controlled under chapter 893, or chemical
34 substance set forth in s. 877.111.

35 (b) "Psychotropic drug" means any drug prescribed to affect
36 an individual's mental state, including, but not limited to,
37 antidepressants, antipsychotics, mood stabilizers, and
38 antianxiety medications.

39 (c) "Violent offender" means any person who is suspected by
40 law enforcement of engaging in unprovoked violence that results
41 in, or is likely to result in, the death or serious bodily
42 injury of another.

43 (2) CONSULTATION; TOXICOLOGY SCREENING.—If a medical
44 examiner's office performs an autopsy on a decedent who is a
45 violent offender, the medical examiner must do all of the
46 following:

47 (a) 1. Make reasonable efforts to determine the identity of
48 any treating mental health professional or primary care
49 physician of the decedent; and

50 2. Consult such individuals, if known and available, to
51 obtain information and records regarding the decedent's history
52 of psychotropic drug use, including any prescribed or
53 discontinued medications.

54 (b) Order and perform a toxicology screening on the
55 decedent to determine whether psychotropic drugs or intoxicating
56 substances are present in the decedent's body.

57 (3) AUTOPSY REPORT; NOTIFICATION.—

58 (a) All findings under subsection (2) must be documented

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59 and included in the final autopsy report, along with any
60 available corroborating information.

61 (b) 1. Any findings relating to the use of intoxicating
62 substances or psychotropic drugs must be reported to the
63 Department of Law Enforcement.

64 2. Any findings relating to the use of psychotropic drugs
65 and, if known, the prescribing facility, must be reported to the
66 Department of Health and the Agency for Health Care
67 Administration.

68 Section 2. Present subsections (8) through (20) of section
69 456.057, Florida Statutes, are redesignated as subsections (9)
70 through (21), respectively, and a new subsection (8) is added to
71 that section, to read:

72 456.057 Ownership and control of patient records; report or
73 copies of records to be furnished; disclosure of information.—

74 (8) Notwithstanding any other law, records must be
75 furnished to a law enforcement agency as defined in s. 914.28
76 upon request for the purpose of investigating a violent offender
77 as defined in s. 406.139. The release of such medical records
78 must include:

79 (a) Any medical records that may be relevant to the mental
80 or psychological state of the suspected person.

81 (b) Any records related to the prescription or use of
82 psychotropic drugs as defined in s. 406.139 or the prescription
83 or use of any drugs or substances that may contribute to a
84 person's mental or psychological state.

85 Section 3. Paragraph (a) of subsection (6) of section
86 1006.07, Florida Statutes, is amended to read:

87 1006.07 District school board duties relating to student

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88 discipline and school safety.—The district school board shall
89 provide for the proper accounting for all students, for the
90 attendance and control of students at school, and for proper
91 attention to health, safety, and other matters relating to the
92 welfare of students, including:

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

98 (a) *School safety specialist.*—Each district school
99 superintendent shall designate a school safety specialist for
100 the district. The school safety specialist must be a school
101 administrator employed by the school district or a law
102 enforcement officer employed by the sheriff's office located in
103 the school district. Any school safety specialist designated
104 from the sheriff's office must first be authorized and approved
105 by the sheriff employing the law enforcement officer. Any school
106 safety specialist designated from the sheriff's office remains
107 the employee of the office for purposes of compensation,
108 insurance, workers' compensation, and other benefits authorized
109 by law for a law enforcement officer employed by the sheriff's
110 office. The sheriff and the school superintendent may determine
111 by agreement the reimbursement for such costs, or may share the
112 costs, associated with employment of the law enforcement officer
113 as a school safety specialist. The school safety specialist must
114 earn a certificate of completion of the school safety specialist
115 training provided by the Office of Safe Schools within 1 year
116 after appointment and is responsible for the supervision and

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117 oversight for all school safety and security personnel,
118 policies, and procedures in the school district. The school
119 safety specialist, or his or her designee, shall:

120 1. In conjunction with the district school superintendent,
121 annually review school district policies and procedures for
122 compliance with state law and rules, including the district's
123 timely and accurate submission of school environmental safety
124 incident reports to the department pursuant to s. 1001.212(8).
125 At least quarterly, the school safety specialist must report to
126 the district school superintendent and the district school board
127 any noncompliance by the school district with laws or rules
128 regarding school safety.

129 2. Provide the necessary training and resources to students
130 and school district staff in matters relating to youth mental
131 health awareness and assistance; emergency procedures, including
132 active shooter training; and school safety and security.

133 3. Provide the necessary training and resources to school
134 district staff in matters relating to the adverse effects of
135 psychotropic drugs and intoxicating substances as those terms
136 are defined in s. 406.139, including the irrational, violent, or
137 suicidal behavior that may be demonstrated by students under the
138 influence of such drugs or substances. The training must include
139 instruction on how such staff can identify and safely interact
140 with students who may be under the influence of such drugs or
141 substances, including de-escalation techniques to ensure student
142 and staff safety.

143 4. Serve as the school district liaison with local public
144 safety agencies and national, state, and community agencies and
145 organizations in matters of school safety and security.

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146 5.4. In collaboration with the appropriate public safety
147 agencies, as that term is defined in s. 365.171, by October 1 of
148 each year, conduct a school security risk assessment at each
149 public school using the Florida Safe Schools Assessment Tool
150 developed by the Office of Safe Schools pursuant to s.
151 1006.1493. Based on the assessment findings, the district's
152 school safety specialist shall provide recommendations to the
153 district school superintendent and the district school board
154 which identify strategies and activities that the district
155 school board should implement in order to address the findings
156 and improve school safety and security. Each district school
157 board must receive such findings and the school safety
158 specialist's recommendations at a publicly noticed district
159 school board meeting to provide the public an opportunity to
160 hear the district school board members discuss and take action
161 on the findings and recommendations. Each school safety
162 specialist, through the district school superintendent, shall
163 report such findings and school board action to the Office of
164 Safe Schools within 30 days after the district school board
165 meeting.

166 6.5. Conduct annual unannounced inspections, using the form
167 adopted by the Office of Safe Schools pursuant to s.
168 1001.212(13), of all public schools, including charter schools,
169 while school is in session and investigate reports of
170 noncompliance with school safety requirements.

171 7.6. Report violations of paragraph (f) by administrative
172 personnel and instructional personnel to the district school
173 superintendent or charter school administrator, as applicable.

174 Section 4. Subsection (6) of section 1006.12, Florida

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175 Statutes, is amended to read:

176 1006.12 Safe-school officers at each public school.—For the
177 protection and safety of school personnel, property, students,
178 and visitors, each district school board and school district
179 superintendent shall partner with law enforcement agencies or
180 security agencies to establish or assign one or more safe-school
181 officers at each school facility within the district, including
182 charter schools. A district school board must collaborate with
183 charter school governing boards to facilitate charter school
184 access to all safe-school officer options available under this
185 section. The school district may implement any combination of
186 the options in subsections (1)-(4) to best meet the needs of the
187 school district and charter schools.

188 (6) CRISIS INTERVENTION TRAINING; SUBSTANCE USE TRAINING.—

189 (a) Each safe-school officer who is also a sworn law
190 enforcement officer shall complete mental health crisis
191 intervention training using a curriculum developed by a national
192 organization with expertise in mental health crisis
193 intervention. The training must improve the officer's knowledge
194 and skills as a first responder to incidents involving students
195 with emotional disturbance or mental illness, including de-
196 escalation skills to ensure student and officer safety.

197 (b) Each safe-school officer shall complete training on the
198 adverse effects of psychotropic drugs and intoxicating
199 substances as those terms are defined in s. 406.139, including
200 the irrational, violent, or suicidal behavior that may be
201 demonstrated by students under the influence of such drugs or
202 substances. The training must include instruction on how such a
203 safe-school officer can identify and safely interact with

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204 students who may be under the influence of such drugs or
205 substances, including de-escalation techniques to ensure student
206 and officer safety.

207
208 If a district school board, through its adopted policies,
209 procedures, or actions, denies a charter school access to any
210 safe-school officer options pursuant to this section, the school
211 district must assign a school resource officer or school safety
212 officer to the charter school. Under such circumstances, the
213 charter school's share of the costs of the school resource
214 officer or school safety officer may not exceed the safe school
215 allocation funds provided to the charter school pursuant to s.
216 1011.62(12) and shall be retained by the school district.

217 Section 5. Paragraph (c) of subsection (7) of section
218 381.028, Florida Statutes, is amended to read:

219 381.028 Adverse medical incidents.—

220 (7) PRODUCTION OF RECORDS.—

221 (c)1. Fees charged by a health care facility for copies of
222 records requested by a patient under s. 25, Art. X of the State
223 Constitution may not exceed the reasonable and actual cost of
224 complying with the request, including a reasonable charge for
225 the staff time necessary to search for records and prevent the
226 disclosure of the identity of any patient involved in the
227 adverse medical incident through redaction or other means as
228 required by the Health Insurance Portability and Accountability
229 Act of 1996 or its implementing regulations. The health care
230 facility may require payment, in full or in part, before acting
231 on the records request.

232 2. Fees charged by a health care provider for copies of

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233 records requested by a patient under s. 25, Art. X of the State
234 Constitution may not exceed the amount established under s.
235 456.057(18) ~~s. 456.057(17)~~, which may include a reasonable
236 charge for the staff time necessary to prevent the disclosure of
237 the identity of any patient involved in the adverse medical
238 incident through redaction or other means as required by the
239 Health Insurance Portability and Accountability Act of 1996 or
240 its implementing regulations. The health care provider may
241 require payment, in full or in part, before acting on the
242 records request.

243 Section 6. This act shall take effect July 1, 2026.