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1                                   A bill to be entitled  
2           An act relating to the Chief of Domestic Security  
3           Initiatives; amending s. 943.0311, F.S.; providing that  
4           costs of conducting security assessments of buildings and  
5           facilities owned or occupied by a state agency or agencies  
6           shall be borne by the agency or agencies owning or  
7           occupying the building or facility being assessed;  
8           requiring completion of initial assessments of all  
9           buildings and facilities owned or leased by a state agency  
10          by a specified date; providing for subsequent security  
11          assessments; requiring the Chief of Domestic Security  
12          Initiatives to promote security assessments of buildings  
13          and facilities owned or leased by local governments;  
14          providing that costs of security assessments of local  
15          government buildings and facilities shall be borne by the  
16          local government; authorizing the chief to provide a  
17          report based upon information obtained from security  
18          assessments of state buildings; requiring the chief to  
19          develop recommended best practices for safety and security  
20          of buildings owned or leased by state agencies and local  
21          governments; authorizing the chief to revise or enhance  
22          best practices; providing that best practices and a list  
23          of entities qualified to perform security assessments be  
24          made available to specified entities; requiring the  
25          distribution of best practices to specified officials;  
26          providing for payment of costs of conducting a security  
27          assessment requested by a private entity; providing that  
28          security assessments and specified related information,  
29          best practices, and reports of the chief are within the  
30          definitions of "threat assessment" and "threat response



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31 plan" and are, as such, confidential and exempt from  
32 public records requirements; providing an effective date.  
33

34 Be It Enacted by the Legislature of the State of Florida:  
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36 Section 1. Section 943.0311, Florida Statutes, is amended  
37 to read:

38 943.0311 Chief of Domestic Security Initiatives; and the  
39 ~~department's~~ duties of the department with respect to domestic  
40 security.--The executive director of the department, or a member  
41 of the department designated by the executive director, shall  
42 serve as the Chief of Domestic Security Initiatives.

43 (1) The Chief of Domestic Security Initiatives shall:

44 (a) Coordinate the efforts of the department in the  
45 ongoing assessment of this state's vulnerability to, and ability  
46 to detect and respond to, acts of terrorism, as defined in s.  
47 775.30, within or affecting this state.

48 (b) Prepare recommendations for the Executive Office of  
49 the Governor, the President of the Senate, and the Speaker of  
50 the House of Representatives which are based upon ongoing  
51 assessments to limit the vulnerability of the state to  
52 terrorism.

53 (c) Coordinate the collection of proposals to limit the  
54 vulnerability of the state to terrorism.

55 (d) Use regional task forces to support the duties of the  
56 department set forth in this section.

57 (e) Use public or private resources to perform the duties  
58 assigned to the department under this section.

59 (f) Perform other duties assigned by law.



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60           (2)(a) The chief shall conduct or cause to be conducted  
61 specific security assessments of buildings and facilities owned  
62 or leased by state agencies ~~or local governments~~. All state  
63 agencies ~~and local governments~~ shall cooperate with the  
64 department and provide requested information and resources to  
65 assist the department in meeting its responsibilities under this  
66 section. Costs of conducting a security assessment shall be  
67 borne by the state agency or agencies that own or occupy the  
68 building or facility being assessed. The initial assessment of  
69 each building or facility owned or leased by a state agency or  
70 agencies shall be completed no later than December 1, 2003.  
71 After completion of the initial assessment, the chief shall  
72 ensure that followup assessments are conducted to ensure that  
73 the security assessment of buildings and facilities owned or  
74 leased by state agencies remains reasonably current and valid.

75           (b) The chief shall promote the conducting of security  
76 assessments of buildings and facilities owned or leased by local  
77 governments and agencies thereof by communicating to local  
78 governments the importance of such assessments and the options  
79 local governments should consider in obtaining such assessments.  
80 Upon the request of a local government, the chief may suggest  
81 entities known to the chief as being qualified to provide  
82 meaningful building and facility security assessments. The cost  
83 of any security assessment of a building or facility owned or  
84 leased by a local government shall be borne by the local  
85 government.

86           (c)~~(b)~~ Based upon the information obtained from state  
87 agency security assessments, the chief shall prepare  
88 recommendations to enhance the security of buildings and



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89 facilities owned or leased by state agencies ~~or local~~  
90 ~~governments.~~

91 (d)(e) Based upon information obtained from security  
92 assessments of state buildings and facilities, the chief may  
93 ~~shall~~ report to the ~~Executive Office of the~~ Governor, the  
94 President of the Senate, and the Speaker of the House of  
95 Representatives and provide prioritized suggestions for security  
96 enhancement of recommended minimum security standards or  
97 ~~security enhancement needs for~~ any building or facility owned or  
98 leased by a state agency ~~or local government~~. The report may  
99 ~~must identify and prioritize the recommended security~~  
100 ~~enhancements and~~ provide recommendations to maximize federal  
101 funding in support of building and facility security.

102 (3) The chief shall develop ~~and submit to the Executive~~  
103 ~~Office of the Governor, the President of the Senate, and the~~  
104 ~~Speaker of the House of Representatives~~ recommended best  
105 practices for safety and security of buildings owned or leased  
106 by state agencies and local governments. To promote the  
107 continued safety of government facilities within the state, the  
108 best practices may be revised or enhanced by the chief as  
109 necessary. The recommended best practices are not a rule as  
110 defined in chapter 120. Upon request, the best practices shall  
111 be made available to the head of a state agency that owns or  
112 occupies any building or facility in the state and to the chief  
113 administrator of any local government. A copy of the current  
114 recommended best practices shall be provided to the Governor,  
115 the President of the Senate, and the Speaker of the House of  
116 Representatives. The chief may make the best practices available  
117 to other entities if their disclosure promotes public safety.  
118 Any security assessment, or suggestion or prioritization with



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119 respect thereto, or best practices prepared or developed under  
120 this section constitutes a threat assessment as that term is  
121 used in s. 119.071 ~~The chief shall review the recommended best~~  
122 ~~practices as necessary, but at least once each year, and shall~~  
123 ~~submit any recommended changes to the Executive Office of the~~  
124 ~~Governor, the President of the Senate, and the Speaker of the~~  
125 ~~House of Representatives.~~

126 (4) The chief may identify entities qualified to perform  
127 security assessments of buildings or facilities and may make a  
128 list of those entities available to state or local entities  
129 seeking to conduct security assessments. In addition, the chief  
130 may make the list available to any ~~conduct specific security~~  
131 ~~assessments of a building or facility owned by a private entity~~  
132 ~~upon the request of that private entity~~ seeking to conduct a  
133 security assessment. All costs of a security assessment by a  
134 private entity shall be borne by the private entity having the  
135 assessment performed. ~~The chief may prioritize requests, and~~  
136 ~~such prioritization is not agency action that is subject to~~  
137 ~~review under chapter 120.~~ ~~The chief may solicit private entities~~  
138 ~~for the purpose of receiving requests to perform security~~  
139 ~~assessments of buildings or facilities.~~ ~~Private entities are~~  
140 ~~urged to cooperate with and assist the department in meeting its~~  
141 ~~responsibilities for domestic security.~~

142 (5) By November 1 of each year, the executive director  
143 shall compile, coordinate, and prioritize recommendations and  
144 proposals concerning security and shall present the  
145 recommendations and proposals to the ~~Executive Office of the~~  
146 ~~Governor, the President of the Senate, and the Speaker of the~~  
147 ~~House of Representatives.~~ All recommendations seeking funding  
148 shall be prioritized, with critical domestic security needs



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149 requiring immediate or top-priority funding being clearly  
150 identified. Such recommendations shall include recommendations  
151 to maximize federal funding in support of the state's domestic-  
152 security efforts. The report of the Chief of Domestic Security  
153 Initiatives prepared under this section is a threat assessment  
154 and threat response plan as those terms are used in s. 119.071.

155 Section 2. This act shall take effect upon becoming a law.