

By Senator Simmons

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

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30 that the agency responsible for posting the Imminent
31 Threat Alert on the dynamic message sign does not
32 violate this section if certain traffic emergency
33 information is displayed on the sign in lieu of the
34 alert; providing an effective date.
35

36 Be It Enacted by the Legislature of the State of Florida:
37

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

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

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

44 (a) "Child care facility" has the same meaning as in s.
45 402.302.

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

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

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59 fled the scene of the offense. The alert advises the schools and
60 facilities to lock their doors and encourages persons in those
61 schools and facilities to remain in lockdown and be vigilant in
62 watching for and reporting any suspicious activity.

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

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

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

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

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

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

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

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88 facility off the list if the school or facility requests that it
89 be taken off the list.

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

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

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

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

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

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

115 (b) If a traffic emergency arises requiring that
116 information pertaining to the traffic emergency be displayed on

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117 a dynamic message sign on a state highway in lieu of an Imminent
118 Threat Alert, the agency responsible for posting the Imminent
119 Threat Alert on the dynamic message sign does not violate this
120 section.

121 Section 2. This act shall take effect October 1, 2018.