

By Senator Simmons

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20181116\_\_

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

9-00991-18

20181116\_\_

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

9-00991-18

20181116\_\_

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

9-00991-18

20181116\_\_

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

9-00991-18

20181116\_\_

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.