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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/02/2018 08:45 PM

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Senator Galvano moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Marjory Stoneman
Douglas High School Public Safety Act."

Section 2. The Legislature finds there is a need to
comprehensively address the crisis of gun violence, including
but not limited to, gun violence on school campuses. The
Legislature intends to address this crisis by providing law
enforcement and the courts with the tools to enhance public



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12 safety by temporarily restricting firearm possession by a person
13 who is undergoing a mental health crisis and when there is
14 evidence of a threat of violence, and by promoting school safety
15 and enhanced coordination between education and law enforcement
16 entities at the state and local level.

17 Section 3. Paragraph (d) is added to subsection (5) of
18 section 16.555, Florida Statutes, to read:

19 16.555 Crime Stoppers Trust Fund; rulemaking.—

20 (5)

21 (d) Grants may be awarded to fund student crime watch
22 programs pursuant to s. 1006.07(3).

23 Section 4. Paragraph (j) is added to subsection (3) of
24 section 20.15, Florida Statutes, to read:

25 20.15 Department of Education.—There is created a
26 Department of Education.

27 (3) DIVISIONS.—The following divisions of the Department of
28 Education are established:

29 (j) The Office of Safe Schools.

30 Section 5. Paragraph (k) is added to subsection (1) of
31 section 30.15, Florida Statutes, to read:

32 30.15 Powers, duties, and obligations.—

33 (1) Sheriffs, in their respective counties, in person or by
34 deputy, shall:

35 (k) Establish, if the sheriff so chooses, a school marshal
36 program to aid in the prevention or abatement of active
37 assailant incidents on school premises. A school marshal has no
38 authority to act in any law enforcement capacity except to the
39 extent necessary to prevent or abate an active assailant
40 incident on a school premises. The sheriff who chooses to



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41 establish the program shall appoint as school marshals, without
42 the power of arrest, school employees who volunteer, who are
43 selected by a school district, or a governing board of a public
44 or nonpublic school and who:

45 1. Hold a valid license issued under s. 790.06.

46 2. Complete 132 total hours of comprehensive firearm safety
47 and proficiency training conducted by Criminal Justice Training
48 and Standards Commission-certified instructors, which must
49 include:

50 a. Eighty hours of firearms instruction based on the
51 Criminal Justice Standards and Training Commission's Law
52 Enforcement Academy training model, which must include at least
53 10 percent but no more than 20 percent more rounds fired than
54 associated with academy training. Program participants must
55 achieve an 85 percent pass rate on the firearms training.

56 b. Sixteen hours of instruction in precision pistol.

57 c. Eight hours of discretionary shooting instruction using
58 state-of-the-art simulator exercises.

59 d. Eight hours of instruction in active shooter or
60 assailant scenarios.

61 e. Eight hours of instruction in defensive tactics.

62 f. Twelve hours of instruction in legal issues.

63 3. Pass a psychological evaluation administered by a
64 psychologist licensed under chapter 490 and designated by the
65 Department of Law Enforcement and submit the results of the
66 evaluation to the sheriff's office. The Department of Law
67 Enforcement is authorized to provide the sheriff's office with
68 mental health and substance abuse data for compliance with this
69 paragraph.



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70 4. Submit to and pass an initial drug test and subsequent
71 random drug tests in accordance with the requirements of s.
72 112.0455 and the sheriff's office.

73 5. Successfully complete ongoing training, weapon
74 inspection, and firearm qualification on at least an annual
75 basis.

76
77 The sheriff shall issue a school marshal certificate to
78 individuals who meet the requirements of subparagraph 2. The
79 sheriff shall maintain documentation of weapon and equipment
80 inspections, as well as the training, certification, inspection,
81 and qualification records of each school marshal appointed by
82 the sheriff.

83 Section 6. Paragraph (c) of subsection (9) of section
84 121.091, Florida Statutes, is amended, and paragraph (f) is
85 added to that subsection to read:

86 121.091 Benefits payable under the system.—Benefits may not
87 be paid under this section unless the member has terminated
88 employment as provided in s. 121.021(39) (a) or begun
89 participation in the Deferred Retirement Option Program as
90 provided in subsection (13), and a proper application has been
91 filed in the manner prescribed by the department. The department
92 may cancel an application for retirement benefits when the
93 member or beneficiary fails to timely provide the information
94 and documents required by this chapter and the department's
95 rules. The department shall adopt rules establishing procedures
96 for application for retirement benefits and for the cancellation
97 of such application when the required information or documents
98 are not received.



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99 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

100 (c) Any person whose retirement is effective on or after
101 July 1, 2010, or whose participation in the Deferred Retirement
102 Option Program terminates on or after July 1, 2010, who is
103 retired under this chapter, except under the disability
104 retirement provisions of subsection (4) or as provided in s.
105 121.053, may be reemployed by an employer that participates in a
106 state-administered retirement system and receive retirement
107 benefits and compensation from that employer. However, a person
108 may not be reemployed by an employer participating in the
109 Florida Retirement System before meeting the definition of
110 termination in s. 121.021 and may not receive both a salary from
111 the employer and retirement benefits for 6 calendar months after
112 meeting the definition of termination, except as provided in
113 paragraph (f). However, a DROP participant shall continue
114 employment and receive a salary during the period of
115 participation in the Deferred Retirement Option Program, as
116 provided in subsection (13).

117 1. The reemployed retiree may not renew membership in the
118 Florida Retirement System, except as provided in s. 121.122.

119 2. The employer shall pay retirement contributions in an
120 amount equal to the unfunded actuarial liability portion of the
121 employer contribution that would be required for active members
122 of the Florida Retirement System in addition to the
123 contributions required by s. 121.76.

124 3. A retiree initially reemployed in violation of this
125 paragraph and an employer that employs or appoints such person
126 are jointly and severally liable for reimbursement of any
127 retirement benefits paid to the retirement trust fund from which



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128 the benefits were paid, including the Florida Retirement System
129 Trust Fund and the Public Employee Optional Retirement Program
130 Trust Fund, as appropriate. The employer must have a written
131 statement from the employee that he or she is not retired from a
132 state-administered retirement system. Retirement benefits shall
133 remain suspended until repayment is made. Benefits suspended
134 beyond the end of the retiree's 6-month reemployment limitation
135 period shall apply toward the repayment of benefits received in
136 violation of this paragraph.

137 (f) A retired law enforcement officer may be reemployed as
138 a school resource officer by an employer that participates in
139 the Florida Retirement System and receive compensation from that
140 employer and retirement benefits after meeting the definition of
141 termination in s. 121.021, but may not receive both a salary
142 from the employer and retirement benefits for 6 calendar months
143 immediately subsequent to the date of retirement. The reemployed
144 retired law enforcement officer may not renew membership in the
145 Florida Retirement System, except as provided in s. 121.122.

146 Section 7. Paragraphs (c) and (d) of subsection (2) of
147 section 394.463, Florida Statutes, are amended to read:

148 394.463 Involuntary examination.—

149 (2) INVOLUNTARY EXAMINATION.—

150 (c) A law enforcement officer acting in accordance with an
151 ex parte order issued pursuant to this subsection may:

152 1. Serve and execute such order on any day of the week, at
153 any time of the day or night; and

154 2. Use such reasonable physical force as is necessary to
155 gain entry to the premises, and any dwellings, buildings, or
156 other structures located on the premises, and take custody of



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157 the person who is the subject of the ex parte order. When
158 practicable, a law enforcement officer who has received crisis
159 intervention team (CIT) training shall be assigned to serve and
160 execute the ex parte order.

161 (d)1. A law enforcement officer taking custody of a person
162 under this subsection may seize and hold a firearm or any
163 ammunition the person possesses at the time of taking him or her
164 into custody if the person poses a potential danger to himself
165 or herself or others and has made a credible threat of violence
166 against another person.

167 2. If the law enforcement officer takes custody of the
168 person at the person's residence and the criteria in
169 subparagraph 1. have been met, the law enforcement officer may
170 seek the voluntary surrender of firearms or ammunition kept in
171 the residence which have not already been seized under
172 subparagraph 1. If such firearms or ammunition are not
173 voluntarily surrendered, or if the person has other firearms or
174 ammunition that were not seized or voluntarily surrendered when
175 he or she was taken into custody, a law enforcement officer may
176 petition the appropriate court under s. 790.401 for a risk
177 protection order against the person.

178 3. Firearms or ammunition seized or voluntarily surrendered
179 under this paragraph must be made available for return no later
180 than 72 hours after the person taken into custody can document
181 that he or she is no longer subject to involuntary examination
182 and has been released or discharged from any inpatient or
183 involuntary outpatient treatment provided or ordered under
184 paragraph (g), unless a risk protection order entered under s.
185 790.401 directs the law enforcement agency to hold the firearms



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186 or ammunition for a longer period or the person is subject to a
187 firearm ownership disability.

188 4. Law enforcement agencies must develop policies and
189 procedures relating to the seizure, storage, and return of
190 firearms or ammunition held under this paragraph. A law
191 enforcement officer acting in accordance with an ex parte order
192 issued pursuant to this subsection may use such reasonable
193 physical force as is necessary to gain entry to the premises,
194 and any dwellings, buildings, or other structures located on the
195 premises, and to take custody of the person who is the subject
196 of the ex parte order.

197 Section 8. Section 394.495, Florida Statutes, is amended
198 to read:

199 394.495 Child and adolescent mental health system of care;
200 programs and services.—

201 (1) The department shall establish, within available
202 resources, an array of services to meet the individualized
203 service and treatment needs of children and adolescents who are
204 members of the target populations specified in s. 394.493, and
205 of their families. It is the intent of the Legislature that a
206 child or adolescent may not be admitted to a state mental health
207 facility and such a facility may not be included within the
208 array of services.

209 (2) The array of services must include assessment services
210 that provide a professional interpretation of the nature of the
211 problems of the child or adolescent and his or her family;
212 family issues that may impact the problems; additional factors
213 that contribute to the problems; and the assets, strengths, and
214 resources of the child or adolescent and his or her family. The



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215 assessment services to be provided shall be determined by the
216 clinical needs of each child or adolescent. Assessment services
217 include, but are not limited to, evaluation and screening in the
218 following areas:

219 (a) Physical and mental health for purposes of identifying
220 medical and psychiatric problems.

221 (b) Psychological functioning, as determined through a
222 battery of psychological tests.

223 (c) Intelligence and academic achievement.

224 (d) Social and behavioral functioning.

225 (e) Family functioning.

226

227 The assessment for academic achievement is the financial
228 responsibility of the school district. The department shall
229 cooperate with other state agencies and the school district to
230 avoid duplicating assessment services.

231 (3) Assessments must be performed by:

232 (a) A professional as defined in s. 394.455(5), (7), (32),
233 (35), or (36);

234 (b) A professional licensed under chapter 491; or

235 (c) A person who is under the direct supervision of a
236 qualified professional as defined in s. 394.455(5), (7), (32),
237 (35), or (36) or a professional licensed under chapter 491.

238 (4) The array of services may include, but is not limited
239 to:

240 (a) Prevention services.

241 (b) Home-based services.

242 (c) School-based services.

243 (d) Family therapy.



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- 244 (e) Family support.
245 (f) Respite services.
246 (g) Outpatient treatment.
247 (h) Day treatment.
248 (i) Crisis stabilization.
249 (j) Therapeutic foster care.
250 (k) Residential treatment.
251 (l) Inpatient hospitalization.
252 (m) Case management.
253 (n) Services for victims of sex offenses.
254 (o) Transitional services.
255 (p) Trauma-informed services for children who have suffered
256 sexual exploitation as defined in s. 39.01(71)(g).
- 257 (5) In order to enhance collaboration between agencies and
258 to facilitate the provision of services by the child and
259 adolescent mental health treatment and support system and the
260 school district, the local child and adolescent mental health
261 system of care shall include the local educational multiagency
262 network for severely emotionally disturbed students specified in
263 s. 1006.04.
- 264 (6) The department shall contract for community action
265 treatment teams throughout the state with the managing entities.
266 A community action treatment team shall:
- 267 (a) Provide community-based behavioral health and support
268 services to children from 11 to 13 years of age, adolescents,
269 and young adults from 18 to 21 years of age with serious
270 behavioral health conditions who are at risk of out-of-home
271 placement as demonstrated by:
- 272 1. Repeated failures at less intensive levels of care;



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- 273 2. Two or more behavioral health hospitalizations;
274 3. Involvement with the Department of Juvenile Justice;
275 4. A history of multiple episodes involving law
276 enforcement; or
277 5. A record of poor academic performance or suspensions.
278

279 Children younger than 11 years of age who otherwise meet the
280 criteria in this paragraph may be candidates for such services
281 if they demonstrate two or more of the characteristics.

282 (b) Use an integrated service delivery approach to
283 comprehensively address the needs of the child, adolescent, or
284 young adult and strengthen his or her family and support systems
285 to assist the child, adolescent, or young adult to live
286 successfully in the community. A community action treatment team
287 shall address the therapeutic needs of the child, adolescent, or
288 young adult receiving services and assist parents and caregivers
289 in obtaining services and support. The community action
290 treatment team shall make referrals to specialized treatment
291 providers if necessary, with follow up by the community action
292 treatment team to ensure services are received.

293 (c) Focus on engaging the child, adolescent, or young adult
294 and his or her family as active participants in every phase of
295 the treatment process. Community action treatment teams shall be
296 available to the child, adolescent, or young adult and his or
297 her family at all times.

298 (d) Coordinate with other key entities providing services
299 and supports to the child, adolescent, or young adult and his or
300 her family, including, but not limited to, the child's,
301 adolescent's, or young adult's school, the local educational



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302 multiagency network for severely emotionally disturbed students
303 under s. 1006.04, the child welfare system, and the juvenile
304 justice system. Community action treatment teams shall also
305 coordinate with the managing entity in their service location.

306 (e)1. Subject to appropriations and at a minimum,
307 individually serve each of the following counties or regions:

308 a. Alachua.

309 b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and
310 Suwannee.

311 c. Bay.

312 d. Brevard.

313 e. Collier.

314 f. DeSoto and Sarasota.

315 g. Duval.

316 h. Escambia.

317 i. Hardee, Highlands, and Polk.

318 j. Hillsborough.

319 k. Indian River, Martin, Okeechobee, and St. Lucie.

320 l. Lake and Sumter.

321 m. Lee.

322 n. Manatee.

323 o. Marion.

324 p. Miami-Dade.

325 q. Okaloosa.

326 r. Orange.

327 s. Palm Beach.

328 t. Pasco.

329 u. Pinellas.

330 v. Walton.



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331 2. Subject to appropriations, the department shall contract
332 for additional teams through the managing entities to ensure the
333 availability of community action treatment team services in the
334 remaining areas of the state.

335 Section 9. Section 790.064, Florida Statutes, is created to
336 read:

337 790.064 Firearm possession and firearm ownership
338 disability.—

339 (1) A person who has been adjudicated mentally defective or
340 who has been committed to a mental institution, as those terms
341 are defined in s. 790.065(2), may not own a firearm or possess a
342 firearm until relief from the firearm possession and firearm
343 ownership disability is obtained.

344 (2) The firearm possession and firearm ownership disability
345 runs concurrently with the firearm purchase disability provided
346 in s. 790.065(2).

347 (3) A person may petition the court that made the
348 adjudication or commitment, or that ordered that the record be
349 submitted to the Department of Law Enforcement pursuant to s.
350 790.065(2), for relief from the firearm possession and firearm
351 ownership disability.

352 (4) The person seeking relief must follow the procedures
353 set forth in s. 790.065(2) for obtaining relief from the firearm
354 purchase disability in seeking relief from the firearm
355 possession and firearm ownership disability.

356 (5) The person may seek relief from the firearm possession
357 and firearm ownership disability simultaneously with the relief
358 being sought from the firearm purchase disability, if such
359 relief is sought, pursuant to the procedure set forth in s.



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360 790.065(2).

361 Section 10. Present subsection (13) of section 790.065,
362 Florida Statutes, is redesignated as subsection (14), and a new
363 subsection (13) is added to that section, to read:

364 790.065 Sale and delivery of firearms.-

365 (13) A person younger than 21 years of age may not purchase
366 a firearm. The sale or transfer of a firearm to a person younger
367 than 21 years of age may not be made or facilitated by a
368 licensed importer, licensed manufacturer, or licensed dealer. A
369 person who violates this subsection commits a felony of the
370 third degree, punishable as provided in s. 775.082, s. 775.083,
371 or s. 775.084. The prohibitions of this subsection do not apply
372 to the purchase of a rifle or shotgun by law enforcement
373 officers or correctional officers, as those terms are defined in
374 s. 943.10(1), (2), (3), (6), (7), (8), or (9) or to a person on
375 active duty in the Armed Forces of the United States or full-
376 time duty in the National Guard, as those terms are defined in
377 s. 250.01.

378 Section 11. Section 790.0655, Florida Statutes, is amended
379 to read:

380 790.0655 Purchase and delivery of firearms ~~handguns~~;
381 mandatory waiting period; exceptions; penalties.-

382 (1) (a) ~~There shall be~~ A mandatory ~~3-day~~ waiting period is
383 imposed between the purchase and delivery of a firearm. The
384 mandatory waiting period is, which shall be 3 days, excluding
385 weekends and legal holidays, or expires upon the completion of
386 the records checks required under s. 790.065, whichever occurs
387 later between the purchase and the delivery at retail of any
388 ~~handgun~~. "Purchase" means the transfer of money or other



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389 valuable consideration to the retailer. ~~"Handgun" means a~~
390 ~~firearm capable of being carried and used by one hand, such as a~~
391 ~~pistol or revolver.~~ "Retailer" means and includes a licensed
392 importer, licensed manufacturer, or licensed dealer ~~every person~~
393 engaged in the business of making firearm sales at retail or for
394 distribution, or use, or consumption, or storage to be used or
395 consumed in this state, as defined in s. 212.02(13).

396 (b) Records of firearm handgun sales must be available for
397 inspection by any law enforcement agency, as defined in s.
398 934.02, during normal business hours.

399 (2) The ~~3-day~~ waiting period does ~~shall~~ not apply in the
400 following circumstances:

401 (a) When a firearm handgun is being purchased by a holder
402 of a concealed weapons permit as defined in s. 790.06.

403 (b) To a trade-in of another firearm handgun.

404 (c) To the purchase of a rifle or shotgun, upon a person's
405 successfully completing a minimum of a 16-hour hunter safety
406 course and possessing a hunter safety certification card issued
407 under s. 379.3581. A person who is exempt from the hunter safety
408 course requirement under 379.3581 and holds a valid Florida
409 hunting license as of March 1, 2018, and has held it
410 continuously, is exempt from the mandatory waiting period under
411 this section for the purchase of a rifle or shotgun.

412 (d) When a rifle or shotgun is being purchased by law
413 enforcement officers or correctional officers, as those terms
414 are defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9).

415 (3) It is a felony of the third degree, punishable as
416 provided in s. 775.082, s. 775.083, or s. 775.084:

417 (a) For any retailer, or any employee or agent of a



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418 retailer, to deliver a firearm handgun before the expiration of
419 the ~~3-day~~ waiting period, subject to the exceptions provided in
420 subsection (2).

421 (b) For a purchaser to obtain delivery of a firearm handgun
422 by fraud, false pretense, or false representation.

423 Section 12. Effective October 1, 2018, section 790.222,
424 Florida Statutes, is created to read:

425 790.222 Bump-fire stocks prohibited.—A person may not
426 import into this state or transfer, distribute, sell, keep for
427 sale, offer for sale, possess, or give to another person a bump-
428 fire stock, A person who violates this section commits a felony
429 of the third degree, punishable as provided in s. 775.082, s.
430 775.083, or s. 775.084. As used in this section, the term "bump-
431 fire stock" means a conversion kit, a tool, an accessory, or a
432 device used to alter the rate of fire of a firearm to mimic
433 automatic weapon fire or which is used to increase the rate of
434 fire of a semiautomatic firearm to a faster rate than is
435 possible for a person to fire such semiautomatic firearm
436 unassisted by a kit, a tool, an accessory, or a device.

437 Section 13. (1) Section 790.401, Florida Statutes, is
438 intended to temporarily prevent individuals who are at high risk
439 of harming themselves or others from accessing firearms or
440 ammunition by allowing law enforcement officers to obtain a
441 court order when there is demonstrated evidence that a person
442 poses a significant danger to himself or herself or others,
443 including significant danger as a result of a mental health
444 crisis or violent behavior.

445 (2) The purpose and intent of s. 790.401, Florida Statutes,
446 is to reduce deaths and injuries as a result of certain



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447 individuals' use of firearms while respecting constitutional
448 rights by providing a judicial procedure for law enforcement
449 officers to obtain a court order temporarily restricting a
450 person's access to firearms and ammunition. The process
451 established by s. 790.401, Florida Statutes, is intended to
452 apply only to situations in which the person poses a significant
453 danger of harming himself or herself or others by possessing a
454 firearm or ammunition and to include standards and safeguards to
455 protect the rights of respondents and due process of law.

456 Section 14. Section 790.401, Florida Statutes, may be cited
457 as "The Risk Protection Order Act."

458 Section 15. Section 790.401, Florida Statutes, is created
459 to read:

460 790.401 Risk protection orders.-

461 (1) DEFINITIONS.-As used in this section, the term:

462 (a) "Petitioner" means a law enforcement officer or a law
463 enforcement agency that petitions a court for a risk protection
464 order under this section.

465 (b) "Respondent" means the individual who is identified as
466 the respondent in a petition filed under this section.

467 (c) "Risk protection order" means a temporary ex parte
468 order or a final order granted under this section.

469 (2) PETITION FOR A RISK PROTECTION ORDER.-There is created
470 an action known as a petition for a risk protection order.

471 (a) A petition for a risk protection order may be filed by
472 a law enforcement officer or law enforcement agency.

473 (b) An action under this section must be filed in the
474 county where the petitioner's law enforcement office is located
475 or the county where the respondent resides.



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476 (c) Such petition for a risk protection order does not
477 require either party to be represented by an attorney.

478 (d) Notwithstanding any other law, attorney fees may not be
479 awarded in any proceeding under this section.

480 (e) A petition must:

481 1. Allege that the respondent poses a significant danger of
482 causing personal injury to himself or herself or others by
483 having a firearm or any ammunition in his or her custody or
484 control or by purchasing, possessing, or receiving a firearm or
485 any ammunition, and must be accompanied by an affidavit made
486 under oath stating the specific statements, actions, or facts
487 that give rise to a reasonable fear of significant dangerous
488 acts by the respondent;

489 2. Identify the quantities, types, and locations of all
490 firearms and ammunition the petitioner believes to be in the
491 respondent's current ownership, possession, custody, or control;
492 and

493 3. Identify whether there is a known existing protection
494 order governing the respondent under s. 741.30, s. 784.046, or
495 s. 784.0485 or under any other applicable statute.

496 (f) The petitioner must make a good faith effort to provide
497 notice to a family or household member of the respondent and to
498 any known third party who may be at risk of violence. The notice
499 must state that the petitioner intends to petition the court for
500 a risk protection order or has already done so and must include
501 referrals to appropriate resources, including mental health,
502 domestic violence, and counseling resources. The petitioner must
503 attest in the petition to having provided such notice or must
504 attest to the steps that will be taken to provide such notice.



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505 (g) The petitioner must list the address of record on the
506 petition as being where the appropriate law enforcement agency
507 is located.

508 (h) A court or a public agency may not charge fees for
509 filing or for service of process to a petitioner seeking relief
510 under this section and must provide the necessary number of
511 certified copies, forms, and instructional brochures free of
512 charge.

513 (i) A person is not required to post a bond to obtain
514 relief in any proceeding under this section.

515 (j) The circuit courts of this state have jurisdiction over
516 proceedings under this section.

517 (3) RISK PROTECTION ORDER HEARINGS AND ISSUANCE.—

518 (a) Upon receipt of a petition, the court must order a
519 hearing to be held no later than 14 days after the date of the
520 order and must issue a notice of hearing to the respondent for
521 the same.

522 1. The clerk of the court shall cause a copy of the notice
523 of hearing and petition to be forwarded on or before the next
524 business day to the appropriate law enforcement agency for
525 service upon the respondent as provided in subsection (5).

526 2. The court may, as provided in subsection (4), issue a
527 temporary ex parte risk protection order pending the hearing
528 ordered under this subsection. Such temporary ex parte order
529 must be served concurrently with the notice of hearing and
530 petition as provided in subsection (5).

531 3. The court may conduct a hearing by telephone pursuant to
532 a local court rule to reasonably accommodate a disability or
533 exceptional circumstances. The court must receive assurances of



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534 the petitioner's identity before conducting a telephonic
535 hearing.

536 (b) Upon notice and a hearing on the matter, if the court
537 finds by clear and convincing evidence that the respondent poses
538 a significant danger of causing personal injury to himself or
539 herself or others by having in his or her custody or control, or
540 by purchasing, possessing, or receiving, a firearm or any
541 ammunition, the court must issue a risk protection order for a
542 period that it deems appropriate, up to and including but not
543 exceeding 12 months.

544 (c) In determining whether grounds for a risk protection
545 order exist, the court may consider any relevant evidence,
546 including, but not limited to, any of the following:

547 1. A recent act or threat of violence by the respondent
548 against himself or herself or others, whether or not such
549 violence or threat of violence involves a firearm.

550 2. An act or threat of violence by the respondent within
551 the past 12 months, including, but not limited to, acts or
552 threats of violence by the respondent against himself or herself
553 or others.

554 3. Evidence of the respondent being seriously mentally ill
555 or having recurring mental health issues.

556 4. A violation by the respondent of a risk protection order
557 or a no contact order issued under s. 741.30, s. 784.046, or s.
558 784.0485.

559 5. A previous or existing risk protection order issued
560 against the respondent.

561 6. A violation of a previous or existing risk protection
562 order issued against the respondent.



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563 7. Whether the respondent, in this state or any other
564 state, has been convicted of, had adjudication withheld on, or
565 pled nolo contendere to a crime that constitutes domestic
566 violence as defined in s. 741.28.

567 8. The respondent's ownership of, access to, or intent to
568 possess firearms or ammunition.

569 9. The unlawful or reckless use, display, or brandishing of
570 a firearm by the respondent.

571 10. The recurring use of, or threat to use, physical force
572 by the respondent against another person or the respondent
573 stalking another person.

574 11. Whether the respondent, in this state or any other
575 state, has been arrested for, convicted of, had adjudication
576 withheld on, or pled nolo contendere to a crime involving
577 violence or a threat of violence.

578 12. Corroborated evidence of the abuse of controlled
579 substances or alcohol by the respondent.

580 13. Evidence of recent acquisition of firearms or
581 ammunition by the respondent.

582 14. Any relevant information from family and household
583 members concerning the respondent.

584 15. Witness testimony, taken while the witness is under
585 oath, relating to the matter before the court.

586 (d) A person, including an officer of the court, who offers
587 evidence or recommendations relating to the cause of action
588 either must present the evidence or recommendations in writing
589 to the court with copies to each party and his or her attorney,
590 if one is retained, or must present the evidence under oath at a
591 hearing at which all parties are present.



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592 (e) In a hearing under this section, the rules of evidence
593 apply to the same extent as in a domestic violence injunction
594 proceeding under s. 741.30.

595 (f) During the hearing, the court must consider whether a
596 mental health evaluation or chemical dependency evaluation is
597 appropriate and, if such determination is made, may order such
598 evaluations, if appropriate.

599 (g) A risk protection order must include all of the
600 following:

601 1. A statement of the grounds supporting the issuance of
602 the order;

603 2. The date the order was issued;

604 3. The date the order ends;

605 4. Whether a mental health evaluation or chemical
606 dependency evaluation of the respondent is required;

607 5. The address of the court in which any responsive
608 pleading should be filed;

609 6. A description of the requirements for the surrender of
610 firearms and ammunition under subsection (7); and

611 7. The following statement:

612
613 "To the subject of this protection order: This order will last
614 until the date noted above. If you have not done so already, you
615 must surrender immediately to the (insert name of local law
616 enforcement agency) all firearms and ammunition that you own in
617 your custody, control, or possession and any license to carry a
618 concealed weapon or firearm issued to you under s. 790.06,
619 Florida Statutes. You may not have in your custody or control,
620 or purchase, possess, receive, or attempt to purchase or



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621 receive, a firearm or ammunition while this order is in effect.
622 You have the right to request one hearing to vacate this order,
623 starting after the date of the issuance of this order, and to
624 request another hearing after every extension of the order, if
625 any. You may seek the advice of an attorney as to any matter
626 connected with this order."

627
628 (h) If the court issues a risk protection order, the court
629 must inform the respondent that he or she is entitled to request
630 a hearing to vacate the order in the manner provided by
631 subsection (6). The court shall provide the respondent with a
632 form to request a hearing to vacate.

633 (i) If the court denies the petitioner's request for a risk
634 protection order, the court must state the particular reasons
635 for the denial.

636 (4) TEMPORARY EX PARTE RISK PROTECTION ORDERS.—

637 (a) A petitioner may request that a temporary ex parte risk
638 protection order be issued before a hearing for a risk
639 protection order, without notice to the respondent, by including
640 in the petition detailed allegations based on personal knowledge
641 that the respondent poses a significant danger of causing
642 personal injury to himself or herself or others in the near
643 future by having in his or her custody or control, or by
644 purchasing, possessing, or receiving, a firearm or ammunition.

645 (b) In considering whether to issue a temporary ex parte
646 risk protection order under this section, the court shall
647 consider all relevant evidence, including the evidence described
648 in paragraph (3) (c).

649 (c) If a court finds there is reasonable cause to believe



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650 that the respondent poses a significant danger of causing
651 personal injury to himself or herself or others in the near
652 future by having in his or her custody or control, or by
653 purchasing, possessing, or receiving, a firearm or ammunition,
654 the court must issue a temporary ex parte risk protection order.

655 (d) The court must hold a temporary ex parte risk
656 protection order hearing in person or by telephone on the day
657 the petition is filed or on the business day immediately
658 following the day the petition is filed.

659 (e) A temporary ex parte risk protection order must include
660 all of the following:

661 1. A statement of the grounds asserted for the order;

662 2. The date the order was issued;

663 3. The address of the court in which any responsive
664 pleading may be filed;

665 4. The date and time of the scheduled hearing;

666 5. A description of the requirements for surrender of
667 firearms and ammunition under subsection (7); and

668 6. The following statement:

669
670 "To the subject of this protection order: This order is valid
671 until the date noted above. You are required to surrender all
672 firearms and ammunition that you own in your custody, control,
673 or possession. You may not have in your custody or control, or
674 purchase, possess, receive, or attempt to purchase or receive, a
675 firearm or ammunition while this order is in effect. You must
676 surrender immediately to the (insert name of local law
677 enforcement agency) all firearms and ammunition in your custody,
678 control, or possession and any license to carry a concealed



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679 weapon or firearm issued to you under s. 790.06, Florida
680 Statutes. A hearing will be held on the date and at the time
681 noted above to determine if a risk protection order should be
682 issued. Failure to appear at that hearing may result in a court
683 issuing an order against you which is valid for 1 year. You may
684 seek the advice of an attorney as to any matter connected with
685 this order."

686
687 (f) A temporary ex parte risk protection order ends upon
688 the hearing on the risk protection order.

689 (g) A temporary ex parte risk protection order must be
690 served by a law enforcement officer in the same manner as
691 provided for in subsection (5) for service of the notice of
692 hearing and petition and must be served concurrently with the
693 notice of hearing and petition.

694 (h) If the court denies the petitioner's request for a
695 temporary ex parte risk protection order, the court must state
696 the particular reasons for the denial.

697 (5) SERVICE.-

698 (a) The clerk of the court shall furnish a copy of the
699 notice of hearing, petition, and temporary ex parte risk
700 protection order or risk protection order, as applicable, to the
701 sheriff of the county where the respondent resides or can be
702 found, who shall serve it upon the respondent as soon thereafter
703 as possible on any day of the week and at any time of the day or
704 night. When requested by the sheriff, the clerk of the court may
705 transmit a facsimile copy of a temporary ex parte risk
706 protection order or a risk protection order that has been
707 certified by the clerk of the court, and this facsimile copy may



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708 be served in the same manner as a certified copy. Upon receiving
709 a facsimile copy, the sheriff must verify receipt with the
710 sender before attempting to serve it upon the respondent. The
711 clerk of the court shall be responsible for furnishing to the
712 sheriff information on the respondent's physical description and
713 location. Notwithstanding any other provision of law to the
714 contrary, the chief judge of each circuit, in consultation with
715 the appropriate sheriff, may authorize a law enforcement agency
716 within the jurisdiction to effect service. A law enforcement
717 agency effecting service pursuant to this section shall use
718 service and verification procedures consistent with those of the
719 sheriff. Service under this section takes precedence over the
720 service of other documents, unless the other documents are of a
721 similar emergency nature.

722 (b) All orders issued, changed, continued, extended, or
723 vacated after the original service of documents specified in
724 paragraph (a) must be certified by the clerk of the court and
725 delivered to the parties at the time of the entry of the order.
726 The parties may acknowledge receipt of such order in writing on
727 the face of the original order. If a party fails or refuses to
728 acknowledge the receipt of a certified copy of an order, the
729 clerk shall note on the original order that service was
730 effected. If delivery at the hearing is not possible, the clerk
731 shall mail certified copies of the order to the parties at the
732 last known address of each party. Service by mail is complete
733 upon mailing. When an order is served pursuant to this
734 subsection, the clerk shall prepare a written certification to
735 be placed in the court file specifying the time, date, and
736 method of service and shall notify the sheriff.



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737 (6) TERMINATION AND EXTENSION OF ORDERS.—

738 (a) The respondent may submit one written request for a
739 hearing to vacate a risk protection order issued under this
740 section, starting after the date of the issuance of the order,
741 and may request another hearing after every extension of the
742 order, if any.

743 1. Upon receipt of the request for a hearing to vacate a
744 risk protection order, the court shall set a date for a hearing.
745 Notice of the request must be served on the petitioner in
746 accordance with subsection (5). The hearing must occur no sooner
747 than 14 days and no later than 30 days after the date of service
748 of the request upon the petitioner.

749 2. The respondent shall have the burden of proving by clear
750 and convincing evidence that the respondent does not pose a
751 significant danger of causing personal injury to himself or
752 herself or others by having in his or her custody or control,
753 purchasing, possessing, or receiving a firearm or ammunition.
754 The court may consider any relevant evidence, including evidence
755 of the considerations listed in paragraph (3) (c).

756 3. If the court finds after the hearing that the respondent
757 has met his or her burden of proof, the court must vacate the
758 order.

759 4. The law enforcement agency holding any firearm or
760 ammunition or license to carry a concealed weapon or firearm
761 that has been surrendered pursuant to this section shall be
762 notified of the court order to vacate the risk protection order.

763 (b) The court must notify the petitioner of the impending
764 end of a risk protection order. Notice must be received by the
765 petitioner at least 30 days before the date the order ends.



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766 (c) The petitioner may, by motion, request an extension of
767 a risk protection order at any time within 30 days before the
768 end of the order.

769 1. Upon receipt of the motion to extend, the court shall
770 order that a hearing be held no later than 14 days after the
771 date the order is issued and shall schedule such hearing.

772 a. The court may schedule a hearing by telephone in the
773 manner provided by subparagraph (3) (a) 3.

774 b. The respondent must be personally served in the same
775 manner provided by subsection (5).

776 2. In determining whether to extend a risk protection order
777 issued under this section, the court may consider all relevant
778 evidence, including evidence of the considerations listed in
779 paragraph (3) (c).

780 3. If the court finds by clear and convincing evidence that
781 the requirements for issuance of a risk protection order as
782 provided in subsection (3) continue to be met, the court must
783 extend the order. However, if, after notice, the motion for
784 extension is uncontested and no modification of the order is
785 sought, the order may be extended on the basis of a motion or
786 affidavit stating that there has been no material change in
787 relevant circumstances since entry of the order and stating the
788 reason for the requested extension.

789 4. The court may extend a risk protection order for a
790 period that it deems appropriate, up to and including but not
791 exceeding 12 months, subject to an order to vacate as provided
792 in paragraph (a) or to another extension order by the court.

793 (7) SURRENDER OF FIREARMS AND AMMUNITION.—

794 (a) Upon issuance of a risk protection order under this



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795 section, including a temporary ex parte risk protection order,
796 the court shall order the respondent to surrender to the local
797 law enforcement agency all firearms and ammunition owned by the
798 respondent in the respondent's custody, control, or possession
799 except as provided in subsection (9), and any license to carry a
800 concealed weapon or firearm issued under s. 790.06.

801 (b) The law enforcement officer serving a risk protection
802 order under this section, including a temporary ex parte risk
803 protection order, shall request that the respondent immediately
804 surrender all firearms and ammunition owned by the respondent in
805 his or her custody, control, or possession and any license to
806 carry a concealed weapon or firearm issued under s. 790.06. The
807 law enforcement officer shall take possession of all firearms
808 and ammunition owned to the respondent which are surrendered.
809 Alternatively, if personal service by a law enforcement officer
810 is not possible or is not required because the respondent was
811 present at the risk protection order hearing, the respondent
812 must surrender any firearms, ammunition, and license to carry a
813 concealed weapon or firearm owned by the respondent in a safe
814 manner to the control of the local law enforcement agency
815 immediately after being served with the order by service or
816 immediately after the hearing at which the respondent was
817 present. Notwithstanding ss. 933.02 and 933.18, a law
818 enforcement officer may seek a search warrant from a court of
819 competent jurisdiction to conduct a search for firearms or
820 ammunition owned by the respondent if the officer has probable
821 cause to believe that there are firearms or ammunition owned by
822 the respondent in the respondent's custody, control, or
823 possession which have not been surrendered.



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824 (c) At the time of surrender, a law enforcement officer
825 taking possession of a firearm, any ammunition, or a license to
826 carry a concealed weapon or firearm owned by the respondent
827 shall issue a receipt identifying all firearms and the quantity
828 and type of ammunition that have been surrendered and shall
829 provide a copy of the receipt to the respondent. Within 72 hours
830 after service of the order, the law enforcement officer serving
831 the order shall file the original receipt with the court and
832 shall ensure that his or her law enforcement agency retains a
833 copy of the receipt.

834 (d) Notwithstanding ss. 933.02 and 933.18, upon the sworn
835 statement or testimony of any person alleging that the
836 respondent has failed to comply with the surrender of firearms
837 or ammunition that he or she owns as required by an order issued
838 under this section, the court shall determine whether probable
839 cause exists to believe that the respondent has failed to
840 surrender all firearms or ammunition that he or she owns in his
841 or her custody, control, or possession. If the court finds that
842 probable cause exists, the court must issue a warrant describing
843 the firearms or ammunition owned by the respondent and
844 authorizing a search of the locations where the firearms or
845 ammunition are reasonably believed to be found and the seizure
846 of any firearms or ammunition discovered pursuant to such
847 search.

848 (e) If a person other than the respondent claims title to
849 any firearms or ammunition surrendered pursuant to this section
850 and he or she is determined by the law enforcement agency to be
851 the lawful owner of the firearm or ammunition, the firearm or
852 ammunition shall be returned to him or her, if:



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853 1. The lawful owner agrees to store the firearm or
854 ammunition in a manner such that the respondent does not have
855 access to or control of the firearm or ammunition.

856 2. The firearm or ammunition is not otherwise unlawfully
857 possessed by the owner.

858 (f) Upon the issuance of a risk protection order, the court
859 shall order a new hearing date and require the respondent to
860 appear no later than 3 business days after the issuance of the
861 order. The court shall require proof that the respondent has
862 surrendered any firearms or ammunition in his or her custody,
863 control, or possession. The court may cancel the hearing upon a
864 satisfactory showing that the respondent is in compliance with
865 the order.

866 (g) All law enforcement agencies must develop policies and
867 procedures by January 1, 2019, regarding the acceptance,
868 storage, and return of firearms, ammunition, or licenses
869 required to be surrendered under this section.

870 (8) RETURN AND DISPOSAL OF FIREARMS AND AMMUNITION.—

871 (a) If a risk protection order is vacated or ends without
872 extension, a law enforcement agency holding a firearm or any
873 ammunition that has been surrendered or seized pursuant to this
874 section must return such surrendered firearm or ammunition
875 requested by a respondent only after confirming through a
876 background check that the respondent is currently eligible to
877 own or possess firearms and ammunition under federal and state
878 law and after confirming with the court that the risk protection
879 order has been vacated or has ended without extension.

880 (b) If a risk protection order is vacated or ends without
881 extension, the Department of Agriculture and Consumer Services,



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882 if it has suspended a license to carry a concealed weapon or
883 firearm pursuant to this section, must reinstate such license
884 only after confirming that the respondent is currently eligible
885 to have a license to carry a concealed weapon or firearm
886 pursuant to s. 790.06.

887 (c) A law enforcement agency must provide notice to any
888 family or household members of the respondent before the return
889 of any surrendered firearm and ammunition.

890 (d) Any firearm and ammunition surrendered by a respondent
891 pursuant to subsection (7) which remains unclaimed by the lawful
892 owner after an order to vacate the risk protection order shall
893 be disposed of in accordance with the law enforcement agency's
894 policies and procedures for the disposal of firearms in police
895 custody.

896 (9) TRANSFER OF FIREARMS AND AMMUNITION.—A respondent may
897 elect to transfer all firearms and ammunition that have been
898 surrendered to or seized by a local law enforcement agency
899 pursuant to subsection (7) to another person who is willing to
900 receive the respondent's firearms and ammunition. The law
901 enforcement agency may allow such a transfer only if it is
902 determined that the chosen recipient:

903 (a) Currently is eligible to own or possess a firearm and
904 ammunition under federal and state law after confirmation
905 through a background check;

906 (b) Attests to storing the firearms and ammunition in a
907 manner such that the respondent does not have access to or
908 control of the firearms and ammunition until the risk protection
909 order against the respondent is vacated or ends without
910 extension; and



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911 (c) Attests not to transfer the firearms or ammunition back
912 to the respondent until the risk protection order against the
913 respondent is vacated or ends without extension.

914 (10) REPORTING OF ORDERS.—

915 (a) Within 24 hours after issuance, the clerk of the court
916 shall enter any risk protection order or temporary ex parte risk
917 protection order issued under this section into the uniform case
918 reporting system.

919 (b) Within 24 hours after issuance, the clerk of the court
920 shall forward a copy of an order issued under this section to
921 the appropriate law enforcement agency specified in the order.
922 Upon receipt of the copy of the order, the law enforcement
923 agency shall enter the order into the Florida Crime Information
924 Center and National Crime Information Center. The order must
925 remain in each system for the period stated in the order, and
926 the law enforcement agency may only remove an order from the
927 systems which has ended or been vacated. Entry of the order into
928 the Florida Crime Information Center and National Crime
929 Information Center constitutes notice to all law enforcement
930 agencies of the existence of the order. The order is fully
931 enforceable in any county in this state.

932 (c) The issuing court shall, within 3 business days after
933 issuance of a risk protection order or temporary ex parte risk
934 protection order, forward all available identifying information
935 concerning the respondent, along with the date of order
936 issuance, to the Department of Agriculture and Consumer
937 Services. Upon receipt of the information, the department shall
938 determine if the respondent has a license to carry a concealed
939 weapon or firearm. If the respondent does have a license to



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940 carry a concealed weapon or firearm, the department must
941 immediately suspend the license.

942 (d) If a risk protection order is vacated before its end
943 date, the clerk of the court shall, on the day of the order to
944 vacate, forward a copy of the order to the Department of
945 Agriculture and Consumer Services and the appropriate law
946 enforcement agency specified in the order to vacate. Upon
947 receipt of the order, the law enforcement agency shall promptly
948 remove the order from any computer-based system in which it was
949 entered pursuant to paragraph (b).

950 (11) PENALTIES.—

951 (a) A person who makes a false statement, which he or she
952 does not believe to be true, under oath in a hearing under this
953 this section in regard to any material matter commits a felony
954 of the third degree, punishable as provided in s. 775.082, s.
955 775.083, or s. 775.084.

956 (b) A person who has in his or her custody or control a
957 firearm or any ammunition or who purchases, possesses, or
958 receives a firearm or any ammunition with knowledge that he or
959 she is prohibited from doing so by an order issued under this
960 section commits a felony of the third degree, punishable as
961 provided in s. 775.082, s. 775.083, or s. 775.084.

962 (12) LAW ENFORCEMENT RETAINS OTHER AUTHORITY.—This section
963 does not affect the ability of a law enforcement officer to
964 remove a firearm or ammunition or license to carry a concealed
965 weapon or concealed firearm from any person or to conduct any
966 search and seizure for firearms or ammunition pursuant to other
967 lawful authority.

968 (13) LIABILITY.—Except as provided in subsection (8) or



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969 subsection (11), this section does not impose criminal or civil
970 liability on any person or entity for acts or omissions related
971 to obtaining a risk protection order or temporary ex parte risk
972 protection order, including, but not limited to, providing
973 notice to the petitioner, a family or household member of the
974 respondent, and any known third party who may be at risk of
975 violence or failure to provide such notice, or reporting,
976 declining to report, investigating, declining to investigate,
977 filing, or declining to file, a petition under this section.

978 (14) INSTRUCTIONAL AND INFORMATIONAL MATERIAL.—

979 (a) The Office of the State Courts Administrator shall
980 develop and prepare instructions and informational brochures,
981 standard petitions and risk protection order forms, and a court
982 staff handbook on the risk protection order process. The
983 standard petition and order forms must be used after January 1,
984 2019, for all petitions filed and orders issued pursuant to this
985 section. The office shall determine the significant non-English-
986 speaking or limited English-speaking populations in the state
987 and prepare the instructions and informational brochures and
988 standard petitions and risk protection order forms in such
989 languages. The instructions, brochures, forms, and handbook must
990 be prepared in consultation with interested persons, including
991 representatives of gun violence prevention groups, judges, and
992 law enforcement personnel. Materials must be based on best
993 practices and must be available online to the public.

994 1. The instructions must be designed to assist petitioners
995 in completing the petition and must include a sample of a
996 standard petition and order for protection forms.

997 2. The instructions and standard petition must include a



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998 means for the petitioner to identify, with only layman's
999 knowledge, the firearms or ammunition the respondent may own,
1000 possess, receive, or have in his or her custody or control. The
1001 instructions must provide pictures of types of firearms and
1002 ammunition that the petitioner may choose from to identify the
1003 relevant firearms or ammunition, or must provide an equivalent
1004 means to allow petitioners to identify firearms or ammunition
1005 without requiring specific or technical knowledge regarding the
1006 firearms or ammunition.

1007 3. The informational brochure must describe the use of and
1008 the process for obtaining, extending, and vacating a risk
1009 protection order under this section and must provide relevant
1010 forms.

1011 4. The risk protection order form must include, in a
1012 conspicuous location, notice of criminal penalties resulting
1013 from violation of the order and the following statement: "You
1014 have the sole responsibility to avoid or refrain from violating
1015 this order's provisions. Only the court can change the order and
1016 only upon written request."

1017 5. The court staff handbook must allow for the addition of
1018 a community resource list by the clerk of the court.

1019 (b) Any clerk of court may create a community resource list
1020 of crisis intervention, mental health, substance abuse,
1021 interpreter, counseling, and other relevant resources serving
1022 the county in which the court is located. The court may make the
1023 community resource list available as part of or in addition to
1024 the informational brochures described in paragraph (a).

1025 (c) The Office of the State Courts Administrator shall
1026 distribute a master copy of the petition and order forms,



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1027 instructions, and informational brochures to the clerks of
1028 court. Distribution of all documents shall, at a minimum, be in
1029 an electronic format or formats accessible to all courts and
1030 clerks of court in the state.

1031 (d) Within 90 days after receipt of the master copy from
1032 the Office of the State Courts Administrator, the clerk of the
1033 court shall make available the standardized forms, instructions,
1034 and informational brochures required by this subsection.

1035 (e) The Office of the State Courts Administrator shall
1036 update the instructions, brochures, standard petition and risk
1037 protection order forms, and court staff handbook as necessary,
1038 including when changes in the law make an update necessary.

1039 Section 16. Section 836.10, Florida Statutes, is amended to
1040 read:

1041 836.10 Written threats to kill, ~~or~~ do bodily injury, or
1042 conduct a mass shooting or an act of terrorism; punishment.—Any
1043 person who writes or composes and also sends or procures the
1044 sending of any letter, inscribed communication, or electronic
1045 communication, whether such letter or communication be signed or
1046 anonymous, to any person, containing a threat to kill or to do
1047 bodily injury to the person to whom such letter or communication
1048 is sent, or a threat to kill or do bodily injury to any member
1049 of the family of the person to whom such letter or communication
1050 is sent, or any person who makes, posts, or transmits a threat
1051 in a writing or other record, including an electronic record, to
1052 conduct a mass shooting or an act of terrorism, in any manner
1053 that would allow another person to view the threat, commits a
1054 felony of the second degree, punishable as provided in s.
1055 775.082, s. 775.083, or s. 775.084.



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1056 Section 17. Paragraph (f) of subsection (3) of section
1057 921.0022, Florida Statutes, is amended to read:
1058 921.0022 Criminal Punishment Code; offense severity ranking
1059 chart.—

1060 (3) OFFENSE SEVERITY RANKING CHART

1061 (f) LEVEL 6

1062

Florida Statute	Felony Degree	Description
316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
499.0051 (3)	2nd	Knowing purchase or

1063

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1068			receipt of prescription drug from unauthorized person.
	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
1069			
	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
1070			
	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
1071			
	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
1072			
	784.041	3rd	Felony battery; domestic battery by strangulation.
1073			
	784.048 (3)	3rd	Aggravated stalking; credible threat.
1074			
	784.048 (5)	3rd	Aggravated stalking of person under 16.
1075			
	784.07 (2) (c)	2nd	Aggravated assault on



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1076			law enforcement officer.
	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
1077			
	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
1078			
	784.081 (2)	2nd	Aggravated assault on specified official or employee.
1079			
	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
1080			
	784.083 (2)	2nd	Aggravated assault on code inspector.
1081			
	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
1082			
	790.115 (2) (d)	2nd	Discharging firearm or



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1083			weapon on school property.
	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
1084			
	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.
1085			
	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
1086			
	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
1087			
	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
1088			



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1089	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
1090	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
1091	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
1092	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
1093	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
1094	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.



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1095	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
1096	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
1097	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
1098	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
1099	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
1100	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
1101	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.



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1102	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
1103	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
1104	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
1105	827.03 (2) (c)	3rd	Abuse of a child.
1106	827.03 (2) (d)	3rd	Neglect of a child.
1107	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1108	836.05	2nd	Threats; extortion.
	836.10	2nd	Written threats to kill, or <u>do bodily injury, or conduct a mass shooting or an act of terrorism.</u>



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1109	843.12	3rd	Aids or assists person to escape.
1110	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
1111	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
1112	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
1113	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
1114	944.35 (3) (a) 2.	3rd	Committing malicious battery upon or



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1115			inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
	944.40	2nd	Escapes.
1116			
	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
1117			
	944.47 (1) (a) 5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
1118			
	951.22 (1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.

1119
1120
1121 Section 18. Section 943.082, Florida Statutes, is created
1122 to read:
1123 943.082 School Safety Awareness Program.—
1124 (1) In collaboration with the Department of Legal Affairs,



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1125 the department shall competitively procure a mobile suspicious
1126 activity reporting tool that allows students and the community
1127 to relay information anonymously concerning unsafe, potentially
1128 harmful, dangerous, violent, or criminal activities, or the
1129 threat of these activities, to appropriate public safety
1130 agencies and school officials. As recommended by students of
1131 Marjory Stoneman Douglas High School, the program shall be named
1132 "FortifyFL." At a minimum, the department must receive reports
1133 electronically through the mobile suspicious activity reporting
1134 tool that is available on both Android and Apple devices.

1135 (2) The reporting tool must notify the reporting party of
1136 the following information:

1137 (a) That the reporting party may provide his or her report
1138 anonymously.

1139 (b) That if the reporting party chooses to disclose his or
1140 her identity, that information shall be shared with the
1141 appropriate law enforcement agency and school officials;
1142 however, the law enforcement agency and school officials shall
1143 be required to maintain the information as confidential.

1144 (3) Information reported using the tool must be promptly
1145 forwarded to the appropriate law enforcement agency or school
1146 official.

1147 (4) Law enforcement dispatch centers, school districts,
1148 schools, and other entities identified by the department shall
1149 be made aware of the mobile suspicious activity reporting tool.

1150 (5) The department, in collaboration with the Division of
1151 Victims Services within the Office of the Attorney General and
1152 the Office of Safe Schools within the Department of Education,
1153 shall develop and provide a comprehensive training and awareness



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1154 program on the use of the mobile suspicious activity reporting
1155 tool.

1156 Section 19. Section 943.687, Florida Statutes, is created
1157 to read:

1158 943.687 Marjory Stoneman Douglas High School Public Safety
1159 Commission.—

1160 (1) There is created within the Department of Law
1161 Enforcement the Marjory Stoneman Douglas High School Public
1162 Safety Commission, a commission as defined in s. 20.03.

1163 (2) (a) The commission shall convene no later than June 1,
1164 2018, and shall be composed of 16 members. Five members shall be
1165 appointed by the President of the Senate, five members shall be
1166 appointed by the Speaker of the House of Representatives, and
1167 five members shall be appointed by the Governor. From the
1168 members of the commission, the Governor shall appoint the chair.
1169 Appointments must be made by April 30, 2018. The Commissioner of
1170 the Department of Law Enforcement shall serve on the board. The
1171 Secretary of Children and Families, the Secretary of Juvenile
1172 Justice, the Secretary of Health Care Administration, and the
1173 Commissioner of Education shall serve as ex officio, nonvoting
1174 members of the commission. Members shall serve at the pleasure
1175 of the officer who appointed the member. A vacancy on the task
1176 force shall be filled in the same manner as the original
1177 appointment.

1178 (b) The General Counsel of the Department of Law
1179 Enforcement shall serve as the general counsel for the
1180 commission.

1181 (c) The Department of Law Enforcement staff, as assigned by
1182 the chair, shall assist the commission in performing its duties.



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1183 (d) The commission shall meet as necessary to conduct its
1184 work at the call of the chair and at the time designated by him
1185 or her at locations throughout the state. The commission may
1186 conduct its meetings through teleconferences or other similar
1187 means.

1188 (e) Members of the task force are entitled to receive
1189 reimbursement for per diem and travel expenses pursuant to s.
1190 112.061.

1191 (3) The commission shall investigate system failures in the
1192 Marjory Stoneman Douglas High School shooting and prior mass
1193 violence incidents in this state and develop recommendations for
1194 system improvements. At a minimum, the commission shall analyze
1195 information and evidence from the Marjory Stoneman Douglas High
1196 School shooting and other mass violence incidents in this state.
1197 At a minimum the commission shall:

1198 (a) Develop a timeline of the incident, incident response,
1199 and all relevant events preceding the incident, with particular
1200 attention to all perpetrator contacts with local, state and
1201 national government agencies and entities and any contract
1202 providers of such agencies and entities.

1203 (b) Investigate any failures in incident responses by local
1204 law enforcement agencies and school resource officers.

1205 1. Identify existing policies and procedures for active
1206 assailant incidents on school premises and evaluate the
1207 compliance with such policies and procedures in the execution of
1208 incident responses.

1209 2. Evaluate existing policies and procedures for active
1210 assailant incidents on school premises in comparison with
1211 national best practices.



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1212 3. Evaluate the extent to which any failures in policy,
1213 procedure, or execution contributed to an inability to prevent
1214 deaths and injuries.

1215 4. Make specific recommendations for improving law
1216 enforcement and school resource officer incident response in the
1217 future.

1218 5. Make specific recommendations for determining the
1219 appropriate ratio of school resource officers per school by
1220 school type. At a minimum, the methodology for determining the
1221 ratio should include the school location, student population,
1222 and school design.

1223 (c) Investigate any failures in interactions with
1224 perpetrators preceding mass violence incidents.

1225 1. Identify the history of interactions between
1226 perpetrators and governmental entities such as schools, law
1227 enforcement agencies, courts and social service agencies, and
1228 identify any failures to adequately communicate or coordinate
1229 regarding indicators of risk or possible threats.

1230 2. Evaluate the extent to which any such failures
1231 contributed to an inability to prevent deaths and injuries.

1232 3. Make specific recommendations for improving
1233 communication and coordination among entities with knowledge of
1234 indicators of risk or possible threats of mass violence in the
1235 future.

1236 4. Identify available state and local tools and resources
1237 for enhancing communication and coordination regarding
1238 indicators of risk or possible threats, including, but not
1239 limited to, the Department of Law Enforcement Fusion Center or
1240 Judicial Inquiry System, and make specific recommendations for



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1241 using such tools and resources more effectively in the future.

1242 (4) The commission has the power to investigate. The
1243 commission may delegate to its investigators the authority to
1244 administer oaths and affirmations.

1245 (5) The Commissioner of the Department of Law Enforcement
1246 shall use his subpoena power to compel the attendance of
1247 witnesses to testify before the commission. The Commissioner
1248 shall use his subpoena power to compel the production of any
1249 books, papers, records, documentary evidence, and other items,
1250 including confidential information, relevant to the performance
1251 of the duties of the commission or to the exercise of its
1252 powers. The chair or any other member of the commission may
1253 administer all oaths and affirmations in the manner prescribed
1254 by law to witnesses who appear before the commission for the
1255 purpose of testifying in any matter of which the commission
1256 desires evidence. In the case of a refusal to obey a subpoena
1257 issued by the court to any person, the commission may make
1258 application to any circuit court of this state having
1259 jurisdiction to order the witness to appear before the
1260 commission and to produce evidence, if so ordered, or to give
1261 testimony touching on the matter in question. Failure to obey
1262 the order may be punished by the court as contempt.

1263 (6) The commission may call upon appropriate agencies of
1264 state government for such professional assistance as may be
1265 needed in the discharge of its duties, and such agencies shall
1266 provide such assistance in a timely manner.

1267 (7) Notwithstanding any other law, the commission may
1268 request and shall be provided with access to any information or
1269 records, including exempt or confidential and exempt information



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1270 or records, which pertain to the Marjory Stoneman Douglas High
1271 School shooting and prior mass violence incidents in Florida
1272 being reviewed by the commission and which are necessary for the
1273 commission to carry out its duties. Information or records
1274 obtained by the commission which are otherwise exempt or
1275 confidential and exempt shall retain such exempt or confidential
1276 and exempt status and the commission may not disclose any such
1277 information or records.

1278 (8) The commission shall submit an initial report on its
1279 findings and recommendations to the Governor, President of the
1280 Senate, and Speaker of the House of Representatives by January
1281 1, 2019, and may issue reports annually thereafter. The
1282 commission shall sunset July 1, 2023, and this section is
1283 repealed on that date.

1284 Section 20. Section 1001.212, Florida Statutes, is created
1285 to read:

1286 1001.212 Office of Safe Schools.—There is created in the
1287 Department of Education the Office of Safe Schools. The office
1288 is fully accountable to the Commissioner of Education. The
1289 office shall serve as a central repository for best practices,
1290 training standards, and compliance oversight in all matters
1291 regarding school safety and security, including prevention
1292 efforts, intervention efforts, and emergency preparedness
1293 planning. The office shall:

1294 (1) Establish and update as necessary a school security
1295 risk assessment tool for use by school districts pursuant to s.
1296 1006.07(6). The office shall make the security risk assessment
1297 tool available for use by charter schools.

1298 (2) Provide ongoing professional development opportunities



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1299 to school district personnel.

1300 (3) Provide a coordinated and interdisciplinary approach to
1301 providing technical assistance and guidance to school districts
1302 on safety and security and recommendations to address findings
1303 identified pursuant to s. 1006.07(6).

1304 (4) Develop and implement a School Safety Specialist
1305 Training Program for school safety specialists appointed
1306 pursuant to s. 1006.07(6). The office shall develop the training
1307 program which shall be based on national and state best
1308 practices on school safety and security and must include active
1309 shooter training. The office shall develop training modules in
1310 both traditional and online formats. A school safety specialist
1311 certificate of completion shall be awarded to a school safety
1312 specialist who satisfactorily completes the training required by
1313 rules of the office.

1314 (5) Review and provide recommendations on the security risk
1315 assessments. The department may contract with security
1316 personnel, consulting engineers, architects, or other safety and
1317 security experts the department deems necessary for safety and
1318 security consultant services.

1319 (6) Provide data analytic resources to school districts
1320 that facilitate the monitoring of social media activities to
1321 provide early detection information of possible threats to a
1322 student's personal health and the safety of the school.

1323 (7) Award grants to schools to improve the safety and
1324 security of school buildings based upon recommendations of the
1325 security risk assessment developed pursuant to subsection (1).

1326 (8) Develop and disseminate, in consultation with the
1327 Department of Law Enforcement, to participating schools



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1328 awareness and education materials on the School Safety Awareness
1329 Program developed pursuant to s. 943.082.

1330 Section 21. Subsection (3) is added to section 1002.221,
1331 Florida Statutes, to read:

1332 1002.221 K-12 education records; public records exemption.-

1333 (3) This section does not limit the application of
1334 exemptions from public records requirements for security system
1335 plans and public security systems, including security footage,
1336 or other information that would relate to or reveal the location
1337 or capabilities of such systems, provided under ss.

1338 119.071(3) (a) and 281.301.

1339 Section 22. Subsection (4) is added to section 1002.225,
1340 Florida Statutes, to read:

1341 1002.225 Education records of students in public
1342 postsecondary educational institutions; penalty.-

1343 (4) This section does not limit the application of
1344 exemptions from public records requirements for security system
1345 plans and public security systems, including security footage,
1346 or other information that would relate to or reveal the location
1347 or capabilities of such systems, provided under ss.

1348 119.071(3) (a) and 281.301.

1349 Section 23. Paragraph (a) of subsection (10) of section
1350 1002.32, Florida Statutes, is amended to read:

1351 1002.32 Developmental research (laboratory) schools.-

1352 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
1353 and facilitate the mission of the lab schools, in addition to
1354 the exceptions to law specified in s. 1001.23(2), the following
1355 exceptions shall be permitted for lab schools:

1356 (a) The methods and requirements of the following statutes



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1357 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
1358 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
1359 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
1360 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
1361 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
1362 1001.49; 1001.50; 1001.51; 1006.12(2) ~~1006.12(1)~~; 1006.21(3),
1363 (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;
1364 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;
1365 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3),
1366 (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;
1367 1011.72; 1011.73; and 1011.74.

1368 Section 24. Subsection (1) of section 1006.04, Florida
1369 Statutes, is amended to read:

1370 1006.04 Educational multiagency services for students with
1371 severe emotional disturbance.—

1372 (1) (a) The multiagency network for students with emotional
1373 and behavioral disabilities works with education, mental health,
1374 child welfare, and juvenile justice professionals, along with
1375 other agencies and families, to provide children with mental
1376 illness or emotional and behavioral problems and their families
1377 with access to the services and supports they need to succeed An
1378 intensive, integrated educational program; a continuum of mental
1379 health treatment services; and, when needed, residential
1380 services are necessary to enable students with severe emotional
1381 disturbance to develop appropriate behaviors and demonstrate
1382 academic and career education skills. The small incidence of
1383 severe emotional disturbance in the total school population
1384 requires multiagency programs to provide access to appropriate
1385 services for all students with severe emotional disturbance.



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1386 District school boards should provide educational programs, and
1387 state departments and agencies administering children's mental
1388 health funds should provide mental health treatment and
1389 residential services when needed, as part of the forming a
1390 ~~multiagency network to provide support for students with severe~~
1391 ~~emotional disturbance.~~

1392 (b) The purpose of the multiagency network is to: ~~The~~
1393 ~~program goals for each component of the multiagency network are~~
1394 ~~to~~

1395 1. Enable students with severe emotional disturbance to
1396 learn appropriate behaviors, reduce dependency, and fully
1397 participate in all aspects of school and community living. ~~;~~ ~~to~~

1398 2. Develop individual programs for students with severe
1399 emotional disturbance, including necessary educational,
1400 residential, and mental health treatment services. ~~;~~ ~~to~~

1401 3. Provide programs and services as close as possible to
1402 the student's home in the least restrictive manner consistent
1403 with the student's needs. ~~;~~ ~~and to~~

1404 4. Integrate a wide range of services necessary to support
1405 students with severe emotional disturbance and their families.

1406 (c) The multiagency network shall:

1407 1. Support and represent the needs of students in each
1408 school district in joint planning with fiscal agents of
1409 children's mental health funds, including the expansion of
1410 school-based mental health services, transition services, and
1411 integrated education and treatment programs.

1412 2. Improve coordination of services for children with or at
1413 risk of emotional or behavioral disabilities and their families
1414 by assisting multi-agency collaborative initiatives to identify



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1415 critical issues and barriers of mutual concern and develop local
1416 response systems that increase home and school connections and
1417 family engagement.

1418 3. Increase parent and youth involvement and development
1419 with local systems of care.

1420 4. Facilitate student and family access to effective
1421 services and programs for students with and at risk of emotional
1422 or behavioral disabilities that include necessary educational,
1423 residential, and mental health treatment services, enabling
1424 these students to learn appropriate behaviors, reduce
1425 dependency, and fully participate in all aspects of school and
1426 community living.

1427 Section 25. Paragraph (b) of subsection (1), paragraphs (k)
1428 through (m) of subsection (2), and subsections (3), (4), and (6)
1429 of section 1006.07, Florida Statutes, are amended, and
1430 subsection (7) is added to that section to read:

1431 1006.07 District school board duties relating to student
1432 discipline and school safety.—The district school board shall
1433 provide for the proper accounting for all students, for the
1434 attendance and control of students at school, and for proper
1435 attention to health, safety, and other matters relating to the
1436 welfare of students, including:

1437 (1) CONTROL OF STUDENTS.—

1438 (b) Require each student at the time of initial
1439 registration for school in the school district to note previous
1440 school expulsions, arrests resulting in a charge, ~~and~~ juvenile
1441 justice actions, and referrals to mental health services the
1442 student has had, and have the authority as the district school
1443 board of a receiving school district to honor the final order of



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1444 expulsion or dismissal of a student by any in-state or out-of-
1445 state public district school board or private school, or lab
1446 school, for an act which would have been grounds for expulsion
1447 according to the receiving district school board's code of
1448 student conduct, in accordance with the following procedures:

1449 1. A final order of expulsion shall be recorded in the
1450 records of the receiving school district.

1451 2. The expelled student applying for admission to the
1452 receiving school district shall be advised of the final order of
1453 expulsion.

1454 3. The district school superintendent of the receiving
1455 school district may recommend to the district school board that
1456 the final order of expulsion be waived and the student be
1457 admitted to the school district, or that the final order of
1458 expulsion be honored and the student not be admitted to the
1459 school district. If the student is admitted by the district
1460 school board, with or without the recommendation of the district
1461 school superintendent, the student may be placed in an
1462 appropriate educational program and referred to mental health
1463 services identified by the school district pursuant to s.
1464 1012.584(4), when appropriate, at the direction of the district
1465 school board.

1466 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
1467 conduct for elementary schools and a code of student conduct for
1468 middle and high schools and distribute the appropriate code to
1469 all teachers, school personnel, students, and parents, at the
1470 beginning of every school year. Each code shall be organized and
1471 written in language that is understandable to students and
1472 parents and shall be discussed at the beginning of every school



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1473 year in student classes, school advisory council meetings, and
1474 parent and teacher association or organization meetings. Each
1475 code shall be based on the rules governing student conduct and
1476 discipline adopted by the district school board and shall be
1477 made available in the student handbook or similar publication.
1478 Each code shall include, but is not limited to:

1479 (k) Policies to be followed for the assignment of violent
1480 or disruptive students to an alternative educational program or
1481 referral of such students to mental health services identified
1482 by the school district pursuant to s. 1012.584(4).

1483 (l) Notice that any student who is determined to have
1484 brought a firearm or weapon, as defined in chapter 790, to
1485 school, to any school function, or onto any school-sponsored
1486 transportation, or to have possessed a firearm at school, will
1487 be expelled, with or without continuing educational services,
1488 from the student's regular school for a period of not less than
1489 1 full year and referred to mental health services identified by
1490 the school district pursuant to s. 1012.584(4) and the criminal
1491 justice or juvenile justice system. District school boards may
1492 assign the student to a disciplinary program or second chance
1493 school for the purpose of continuing educational services during
1494 the period of expulsion. District school superintendents may
1495 consider the 1-year expulsion requirement on a case-by-case
1496 basis and request the district school board to modify the
1497 requirement by assigning the student to a disciplinary program
1498 or second chance school if the request for modification is in
1499 writing and it is determined to be in the best interest of the
1500 student and the school system.

1501 (m) Notice that any student who is determined to have made



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1502 a threat or false report, as defined by ss. 790.162 and 790.163,
1503 respectively, involving school or school personnel's property,
1504 school transportation, or a school-sponsored activity will be
1505 expelled, with or without continuing educational services, from
1506 the student's regular school for a period of not less than 1
1507 full year and referred for criminal prosecution and mental
1508 health services identified by the school district pursuant to s.
1509 1012.584(4) for evaluation or treatment, when appropriate.

1510 District school boards may assign the student to a disciplinary
1511 program or second chance school for the purpose of continuing
1512 educational services during the period of expulsion. District
1513 school superintendents may consider the 1-year expulsion
1514 requirement on a case-by-case basis and request the district
1515 school board to modify the requirement by assigning the student
1516 to a disciplinary program or second chance school if it is
1517 determined to be in the best interest of the student and the
1518 school system.

1519 (3) STUDENT CRIME WATCH PROGRAM.—By resolution of the
1520 district school board, implement a student crime watch program
1521 to promote responsibility among students and improve school
1522 safety. The student crime watch program shall allow students and
1523 the community to anonymously relay information concerning unsafe
1524 and potentially harmful, dangerous, violent, or criminal
1525 activities, or the threat of these activities, to appropriate
1526 public safety agencies and school officials ~~to assist in the~~
1527 ~~control of criminal behavior within the schools.~~

1528 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

1529 (a) Formulate and prescribe policies and procedures, in
1530 consultation with the appropriate public safety agencies, for



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1531 emergency drills and for actual emergencies, including, but not
1532 limited to, fires, natural disasters, active shooter and hostage
1533 situations, and bomb threats, for all students and faculty at
1534 all the public schools of the district comprised of which
1535 comprise grades K-12. Drills for active shooter and hostage
1536 situations shall be conducted at least as often as other
1537 emergency drills. District school board policies shall include
1538 commonly used alarm system responses for specific types of
1539 emergencies and verification by each school that drills have
1540 been provided as required by law and fire protection codes. The
1541 emergency response policy shall identify the individuals
1542 responsible for contacting the primary emergency response agency
1543 and the emergency response agency that is responsible for
1544 notifying the school district for each type of emergency ~~must be~~
1545 ~~listed in the district's emergency response policy.~~

1546 (b) Establish model emergency management and emergency
1547 preparedness procedures, including emergency notification
1548 procedures pursuant to paragraph (a), for the following life-
1549 threatening emergencies:

1550 1. Weapon-use, and hostage, and active shooter situations.
1551 The active shooter situation training for each school must
1552 engage the participation of the district school safety
1553 specialist, threat assessment team members, faculty, staff, and
1554 students and must be conducted by the law enforcement agency or
1555 agencies that are designated as first responders to the school's
1556 campus.

1557 2. Hazardous materials or toxic chemical spills.

1558 3. Weather emergencies, including hurricanes, tornadoes,
1559 and severe storms.



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1560 4. Exposure as a result of a manmade emergency.

1561 (c) Establish a schedule to test the functionality and
1562 coverage capacity of all emergency communication systems and
1563 determine if adequate signal strength is available in all areas
1564 of the school's campus.

1565 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district
1566 school superintendent shall establish policies and procedures
1567 for the prevention of violence on school grounds, including the
1568 assessment of and intervention with individuals whose behavior
1569 poses a threat to the safety of the school community.

1570 (a) Each district school superintendent shall designate a
1571 school administrator as a school safety specialist for the
1572 district. The school safety specialist must earn a certificate
1573 of completion of the school safety specialist training provided
1574 by the Office of Safe Schools within 1 year after appointment
1575 and is responsible for the supervision and oversight for all
1576 school safety and security personnel, policies, and procedures
1577 in the school district. The school safety specialist shall:

1578 1. Review policies and procedures for compliance with state
1579 law and rules.

1580 2. Provide the necessary training and resources to students
1581 and school district staff in matters relating to youth mental
1582 health first aid; emergency procedures, including active shooter
1583 training; and school safety and security.

1584 3. Serve as the school district liaison with local public
1585 safety agencies and national, state, and community agencies and
1586 organizations in matters of school safety and security.

1587 4. Conduct a school security risk assessment in accordance
1588 with s. 1006.1493 at each public school using the school



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1589 security risk assessment tool developed by the Office of Safe
1590 Schools Use the Safety and Security Best Practices developed by
1591 the Office of Program Policy Analysis and Government
1592 Accountability to conduct a self-assessment of the school
1593 districts' current safety and security practices. Based on the
1594 assessment these self-assessment findings, the district's school
1595 safety specialist district school superintendent shall provide
1596 recommendations to the district school board which identify
1597 strategies and activities that the district school board should
1598 implement in order to improve school safety and security.
1599 Annually, each district school board must receive such findings
1600 and the school safety specialist's recommendations the self-
1601 assessment results at a publicly noticed district school board
1602 meeting to provide the public an opportunity to hear the
1603 district school board members discuss and take action on the
1604 report findings and recommendations. Each school safety
1605 specialist district school superintendent shall report such
1606 findings the self-assessment results and school board action to
1607 the Office of Safe Schools commissioner within 30 days after the
1608 district school board meeting.

1609 (b) Each school safety specialist shall coordinate with the
1610 appropriate public safety agencies, as defined in s. 365.171,
1611 that are designated as first responders to a school's campus to
1612 conduct a tour of such campus once every 3 years and provide
1613 recommendations related to school safety. The recommendations by
1614 the public safety agencies must be considered as part of the
1615 recommendations by the school safety specialist pursuant to
1616 paragraph (a).

1617 (7) THREAT ASSESSMENT TEAMS.—Each district school board



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1618 shall adopt policies for the establishment of threat assessment
1619 teams at each school whose duties include the coordination of
1620 resources and assessment and intervention with individuals whose
1621 behavior may pose a threat to the safety of school staff or
1622 students consistent with the model policies developed by the
1623 Office of Safe Schools. Such policies shall include procedures
1624 for referrals to mental health services identified by the school
1625 district pursuant to s. 1012.584(4), when appropriate.

1626 (a) A threat assessment team shall include persons with
1627 expertise in counseling, instruction, school administration, and
1628 law enforcement. The threat assessment teams shall identify
1629 members of the school community to whom threatening behavior
1630 should be reported and provide guidance to students, faculty,
1631 and staff regarding recognition of threatening or aberrant
1632 behavior that may represent a threat to the community, school,
1633 or self.

1634 (b) Upon a preliminary determination that a student poses a
1635 threat of violence or physical harm to himself or herself or
1636 others, a threat assessment team shall immediately report its
1637 determination to the superintendent or his or her designee. The
1638 superintendent or his or her designee shall immediately attempt
1639 to notify the student's parent or legal guardian. Nothing in
1640 this subsection shall preclude school district personnel from
1641 acting immediately to address an imminent threat.

1642 (c) Upon a preliminary determination by the threat
1643 assessment team that a student poses a threat of violence to
1644 himself or herself or others or exhibits significantly
1645 disruptive behavior or need for assistance, the threat
1646 assessment team may obtain criminal history record information,



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1647 as provided in s. 985.047. A member of a threat assessment team
1648 may not disclose any criminal history record information
1649 obtained pursuant to this section or otherwise use any record of
1650 an individual beyond the purpose for which such disclosure was
1651 made to the threat assessment team.

1652 (d) Notwithstanding any other provision of law, all state
1653 and local agencies and programs that provide services to
1654 students experiencing or at risk of an emotional disturbance or
1655 a mental illness, including the school districts, school
1656 personnel, state and local law enforcement agencies, the
1657 Department of Juvenile Justice, the Department of Children and
1658 Families, the Department of Health, the Agency for Health Care
1659 Administration, the Agency for Persons with Disabilities, the
1660 Department of Education, the Statewide Guardian Ad Litem Office,
1661 and any service or support provider contracting with such
1662 agencies, may share with each other records or information that
1663 are confidential or exempt from disclosure under chapter 119 if
1664 the records or information are reasonably necessary to ensure
1665 access to appropriate services for the student or to ensure the
1666 safety of the student or others. All such state and local
1667 agencies and programs shall communicate, collaborate, and
1668 coordinate efforts to serve such students.

1669 (e) If an immediate mental health or substance abuse crisis
1670 is suspected, school personnel shall follow policies established
1671 by the threat assessment team to engage behavioral health crisis
1672 resources. Behavioral health crisis resources, including, but
1673 not limited to, mobile crisis teams and school resource officers
1674 trained in crisis intervention, shall provide emergency
1675 intervention and assessment, make recommendations, and refer the



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1676 student for appropriate services. Onsite school personnel shall
1677 report all such situations and actions taken to the threat
1678 assessment team, which shall contact the other agencies involved
1679 with the student and any known service providers to share
1680 information and coordinate any necessary followup actions.

1681 (f) Each threat assessment team established pursuant to
1682 this subsection shall report quantitative data on its activities
1683 to the Office of Safe Schools in accordance with guidance from
1684 the office.

1685 (8) SAFETY IN CONSTRUCTION PLANNING.—A district school
1686 board must allow the law enforcement agency or agencies that are
1687 designated as first responders to the district's campus and
1688 school's campuses to tour such campuses once every 3 years. Any
1689 changes related to school safety and emergency issues
1690 recommended by a law enforcement agency based on a campus tour
1691 must be documented by the district school board.

1692 Section 26. Subsection (2) of section 1006.08, Florida
1693 Statutes, is amended to read:

1694 1006.08 District school superintendent duties relating to
1695 student discipline and school safety.—

1696 (2) Notwithstanding the provisions of s. 985.04(7) or any
1697 other provision of law to the contrary, the court shall, within
1698 48 hours of the finding, notify the appropriate district school
1699 superintendent of the name and address of any student found to
1700 have committed a delinquent act, or who has had adjudication of
1701 a delinquent act withheld which, if committed by an adult, would
1702 be a felony, ~~or~~ the name and address of any student found guilty
1703 of a felony, or the name and address of any student the court
1704 refers to mental health services. Notification shall include the



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1705 specific delinquent act found to have been committed or for
1706 which adjudication was withheld, or the specific felony for
1707 which the student was found guilty.

1708 Section 27. Section 1006.12, Florida Statutes, is amended
1709 to read:

1710 1006.12 Safe-school resource officers at each public school
1711 and school safety officers.—For the protection and safety of
1712 school personnel, property, students, and visitors, each
1713 district school board and school district superintendent shall
1714 cooperate with law enforcement agencies to establish or assign
1715 one or more safe-school officers at each school facility within
1716 the district, by implementing any combination of the following
1717 options which best meets the needs of the school district:

1718 (1) ~~District school boards may~~ Establish school resource
1719 officer programs, through a cooperative agreement with law
1720 enforcement agencies ~~or in accordance with subsection (2).~~

1721 (a) School resource officers shall undergo criminal
1722 background checks, drug testing, and a psychological evaluation
1723 and be certified law enforcement officers, as defined in s.
1724 943.10(1), who are employed by a law enforcement agency as
1725 defined in s. 943.10(4). The powers and duties of a law
1726 enforcement officer shall continue throughout the employee's
1727 tenure as a school resource officer.

1728 (b) School resource officers shall abide by district school
1729 board policies and shall consult with and coordinate activities
1730 through the school principal, but shall be responsible to the
1731 law enforcement agency in all matters relating to employment,
1732 subject to agreements between a district school board and a law
1733 enforcement agency. Activities conducted by the school resource



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1734 officer which are part of the regular instructional program of
1735 the school shall be under the direction of the school principal.

1736 (2) Commission one or more school safety officers for the
1737 protection and safety of school personnel, property, and
1738 students within the school district. The district school
1739 superintendent may recommend, and the district school board may
1740 appoint, one or more school safety officers.

1741 ~~(2)~~(a) School safety officers shall undergo criminal
1742 background checks, drug testing, and a psychological evaluation
1743 and be law enforcement officers, as defined in s. 943.10(1),
1744 certified under the provisions of chapter 943 and employed by
1745 either a law enforcement agency or by the district school board.
1746 If the officer is employed by the district school board, the
1747 district school board is the employing agency for purposes of
1748 chapter 943, and must comply with the provisions of that
1749 chapter.

1750 ~~(b) A district school board may commission one or more~~
1751 ~~school safety officers for the protection and safety of school~~
1752 ~~personnel, property, and students within the school district.~~
1753 ~~The district school superintendent may recommend and the~~
1754 ~~district school board may appoint one or more school safety~~
1755 ~~officers.~~

1756 (b)(e) A school safety officer has and shall exercise the
1757 power to make arrests for violations of law on district school
1758 board property and to arrest persons, whether on or off such
1759 property, who violate any law on such property under the same
1760 conditions that deputy sheriffs are authorized to make arrests.
1761 A school safety officer has the authority to carry weapons when
1762 performing his or her official duties.



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1763 ~~(c)-(d)~~ A district school board may enter into mutual aid
1764 agreements with one or more law enforcement agencies as provided
1765 in chapter 23. A school safety officer's salary may be paid
1766 jointly by the district school board and the law enforcement
1767 agency, as mutually agreed to.

1768 (3) At the school district's discretion, participate in the
1769 school marshal program if such program is established pursuant
1770 to s. 30.15, to meet the requirement of establishing a safe
1771 school officer.

1772 Section 28. Subsection (1), paragraph (c) of subsection
1773 (4), and subsection (8) of section 1006.13, Florida Statutes,
1774 are amended, and paragraph (f) is added to subsection (2) of
1775 that section, to read:

1776 1006.13 Policy of zero tolerance for crime and
1777 victimization.—

1778 (1) District school boards shall ~~It is the intent of the~~
1779 ~~Legislature to~~ promote a safe and supportive learning
1780 environment in schools by protecting, ~~to protect~~ students and
1781 staff from conduct that poses a serious threat to school safety.
1782 A threat assessment team may, ~~and to encourage schools to~~ use
1783 alternatives to expulsion or referral to law enforcement
1784 agencies to address ~~by addressing~~ disruptive behavior through
1785 restitution, civil citation, teen court, neighborhood
1786 restorative justice, or similar programs. Zero-tolerance ~~The~~
1787 ~~Legislature finds that zero-tolerance~~ policies may are not
1788 ~~intended to~~ be rigorously applied to petty acts of misconduct
1789 and misdemeanors, including, but not limited to, minor fights or
1790 disturbances. Zero-tolerance policies ~~The Legislature finds that~~
1791 ~~zero-tolerance policies~~ must apply equally to all students



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1792 regardless of their economic status, race, or disability.

1793 (2) Each district school board shall adopt a policy of zero
1794 tolerance that:

1795 (f) Requires the threat assessment team to consult with law
1796 enforcement when a student exhibits a pattern of behavior, based
1797 upon previous acts or the severity of an act, that would pose a
1798 threat to school safety.

1799 (4)

1800 (c) Zero-tolerance policies do not require the reporting of
1801 petty acts of misconduct and misdemeanors to a law enforcement
1802 agency, including, but not limited to, disorderly conduct,
1803 ~~disrupting a school function,~~ simple assault or battery, affray,
1804 theft of less than \$300, trespassing, and vandalism of less than
1805 \$1,000. However, if a student commits more than one misdemeanor,
1806 the threat assessment team must consult with law enforcement to
1807 determine if the act should be reported to law enforcement.

1808 (8) A threat assessment team may ~~School districts are~~
1809 ~~encouraged to~~ use alternatives to expulsion or referral to law
1810 enforcement agencies unless the use of such alternatives will
1811 pose a threat to school safety.

1812 Section 29. Section 1006.1493, Florida Statutes, is created
1813 to read:

1814 1006.1493 Florida Safe Schools Assessment Tool.-

1815 (1) The department shall contract with a security
1816 consulting firm that specializes in the development of risk
1817 assessment software solutions and has experience in conducting
1818 security assessments of public facilities to develop, update,
1819 and implement a risk assessment tool, which shall be known as
1820 the Florida Safe Schools Assessment Tool (FSSAT). The FSSAT must



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1821 be used by school officials at each school district and public
1822 school site in the state in conducting security assessments for
1823 use by school officials at each school district and public
1824 school site in the state.

1825 (2) The FSSAT must help school officials identify threats,
1826 vulnerabilities, and appropriate safety controls for the schools
1827 that they supervise, pursuant to the security risk assessment
1828 requirements of s. 1006.07(6).

1829 (a) At a minimum, the FSSAT must address all of the
1830 following components:

1831 1. School emergency and crisis preparedness planning;

1832 2. Security, crime, and violence prevention policies and
1833 procedures;

1834 3. Physical security measures;

1835 4. Professional development training needs;

1836 5. An examination of support service roles in school
1837 safety, security, and emergency planning;

1838 6. School security and school police staffing, operational
1839 practices, and related services;

1840 7. School and community collaboration on school safety; and

1841 8. A return on investment analysis of the recommended
1842 physical security controls.

1843 (b) The department shall require by contract that the
1844 security consulting firm:

1845 1. Generate written automated reports on assessment
1846 findings for review by the department and school and district
1847 officials;

1848 2. Provide training to the department and school officials
1849 in the use of the FSSAT and other areas of importance identified



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1850 by the department; and

1851 3. Advise in the development and implementation of
1852 templates, formats, guidance, and other resources necessary to
1853 facilitate the implementation of this section at state,
1854 district, school, and local levels.

1855 (3) By December 1, 2018, and annually by that date
1856 thereafter, the department must report to the Governor, the
1857 President of the Senate, and the Speaker of the House of
1858 Representatives on the status of implementation across school
1859 districts and schools. The report must include a summary of the
1860 positive school safety measures in place at the time of the
1861 assessment and any recommendations for policy changes or funding
1862 needed to facilitate continued school safety planning,
1863 improvement, and response at the state, district, or school
1864 levels.

1865 (4) In accordance with ss. 119.071(3)(a) and 281.301, data
1866 and information related to security risk assessments
1867 administered pursuant to this section and s. 1006.07(6) and the
1868 security information contained in the annual report required
1869 pursuant to subsection (3) are confidential and exempt from
1870 public records requirements.

1871 Section 30. Subsection (16) and (17) of section 1011.62,
1872 Florida Statutes, are redesignated as subsections (17) and (18),
1873 respectively, paragraph (a) of subsection (4), paragraph (b) of
1874 subsection (6), subsection (14), and subsection (15) of that
1875 section are amended, and a new subsection (16) is added to that
1876 section, to read:

1877 1011.62 Funds for operation of schools.—If the annual
1878 allocation from the Florida Education Finance Program to each



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1879 district for operation of schools is not determined in the
1880 annual appropriations act or the substantive bill implementing
1881 the annual appropriations act, it shall be determined as
1882 follows:

1883 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
1884 Legislature shall prescribe the aggregate required local effort
1885 for all school districts collectively as an item in the General
1886 Appropriations Act for each fiscal year. The amount that each
1887 district shall provide annually toward the cost of the Florida
1888 Education Finance Program for kindergarten through grade 12
1889 programs shall be calculated as follows:

1890 (a) *Estimated taxable value calculations.*—

1891 1.a. Not later than 2 working days before July 19, the
1892 Department of Revenue shall certify to the Commissioner of
1893 Education its most recent estimate of the taxable value for
1894 school purposes in each school district and the total for all
1895 school districts in the state for the current calendar year
1896 based on the latest available data obtained from the local
1897 property appraisers. The value certified shall be the taxable
1898 value for school purposes for that year, and no further
1899 adjustments shall be made, except those made pursuant to
1900 paragraphs (c) and (d), or an assessment roll change required by
1901 final judicial decisions as specified in paragraph (17) (b)
1902 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
1903 shall compute a millage rate, rounded to the next highest one
1904 one-thousandth of a mill, which, when applied to 96 percent of
1905 the estimated state total taxable value for school purposes,
1906 would generate the prescribed aggregate required local effort
1907 for that year for all districts. The Commissioner of Education



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1908 shall certify to each district school board the millage rate,
1909 computed as prescribed in this subparagraph, as the minimum
1910 millage rate necessary to provide the district required local
1911 effort for that year.

1912 b. The General Appropriations Act shall direct the
1913 computation of the statewide adjusted aggregate amount for
1914 required local effort for all school districts collectively from
1915 ad valorem taxes to ensure that no school district's revenue
1916 from required local effort millage will produce more than 90
1917 percent of the district's total Florida Education Finance
1918 Program calculation as calculated and adopted by the
1919 Legislature, and the adjustment of the required local effort
1920 millage rate of each district that produces more than 90 percent
1921 of its total Florida Education Finance Program entitlement to a
1922 level that will produce only 90 percent of its total Florida
1923 Education Finance Program entitlement in the July calculation.

1924 2. On the same date as the certification in sub-
1925 subparagraph 1.a., the Department of Revenue shall certify to
1926 the Commissioner of Education for each district:

1927 a. Each year for which the property appraiser has certified
1928 the taxable value pursuant to s. 193.122(2) or (3), if
1929 applicable, since the prior certification under sub-subparagraph
1930 1.a.

1931 b. For each year identified in sub-subparagraph a., the
1932 taxable value certified by the appraiser pursuant to s.
1933 193.122(2) or (3), if applicable, since the prior certification
1934 under sub-subparagraph 1.a. This is the certification that
1935 reflects all final administrative actions of the value
1936 adjustment board.



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1937 (6) CATEGORICAL FUNDS.—
1938 (b) If a district school board finds and declares in a
1939 resolution adopted at a regular meeting of the school board that
1940 the funds received for any of the following categorical
1941 appropriations are urgently needed to maintain school board
1942 specified academic classroom instruction or improve school
1943 safety, the school board may consider and approve an amendment
1944 to the school district operating budget transferring the
1945 identified amount of the categorical funds to the appropriate
1946 account for expenditure:
1947 1. Funds for student transportation.
1948 ~~2. Funds for safe schools.~~
1949 ~~2.3.~~ Funds for supplemental academic instruction if the
1950 required additional hour of instruction beyond the normal school
1951 day for each day of the entire school year has been provided for
1952 the students in each low-performing elementary school in the
1953 district pursuant to paragraph (1) (f).
1954 ~~3.4.~~ Funds for research-based reading instruction if the
1955 required additional hour of instruction beyond the normal school
1956 day for each day of the entire school year has been provided for
1957 the students in each low-performing elementary school in the
1958 district pursuant to paragraph (9) (a).
1959 ~~4.5.~~ Funds for instructional materials if all instructional
1960 material purchases necessary to provide updated materials that
1961 are aligned with applicable state standards and course
1962 descriptions and that meet statutory requirements of content and
1963 learning have been completed for that fiscal year, but no sooner
1964 than March 1. Funds available after March 1 may be used to
1965 purchase hardware for student instruction.



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1966 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
1967 annually in the General Appropriations Act determine a
1968 percentage increase in funds per K-12 unweighted FTE as a
1969 minimum guarantee to each school district. The guarantee shall
1970 be calculated from prior year base funding per unweighted FTE
1971 student which shall include the adjusted FTE dollars as provided
1972 in subsection (17) ~~(16)~~, quality guarantee funds, and actual
1973 nonvoted discretionary local effort from taxes. From the base
1974 funding per unweighted FTE, the increase shall be calculated for
1975 the current year. The current year funds from which the
1976 guarantee shall be determined shall include the adjusted FTE
1977 dollars as provided in subsection (17) ~~(16)~~ and potential
1978 nonvoted discretionary local effort from taxes. A comparison of
1979 current year funds per unweighted FTE to prior year funds per
1980 unweighted FTE shall be computed. For those school districts
1981 which have less than the legislatively assigned percentage
1982 increase, funds shall be provided to guarantee the assigned
1983 percentage increase in funds per unweighted FTE student. Should
1984 appropriated funds be less than the sum of this calculated
1985 amount for all districts, the commissioner shall prorate each
1986 district's allocation. This provision shall be implemented to
1987 the extent specifically funded.

1988 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
1989 created to provide funding to assist school districts in their
1990 compliance with s. 1006.07 ~~ss. 1006.07-1006.148~~, with priority
1991 given to implementing the district's ~~establishing a school~~
1992 resource officer program pursuant to s. 1006.12. Each school
1993 district shall receive a minimum safe schools allocation in an
1994 amount provided in the General Appropriations Act. Of the



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1995 remaining balance of the safe schools allocation, two-thirds
1996 shall be allocated to school districts based on the most recent
1997 official Florida Crime Index provided by the Department of Law
1998 Enforcement and one-third shall be allocated based on each
1999 school district's proportionate share of the state's total
2000 unweighted full-time equivalent student enrollment. Any
2001 additional funds appropriated to this allocation in the 2018-
2002 2019 fiscal year to the school resource officer program
2003 established pursuant to s. 1006.12 shall be used exclusively for
2004 employing or contracting for school resource officers, which
2005 shall be in addition to the number of officers employed or
2006 contracted for in the 2017-2018 fiscal year.

2007 (16) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
2008 assistance allocation is created to provide funding to assist
2009 school districts in establishing or expanding school-based
2010 mental health care. These funds shall be allocated annually in
2011 the General Appropriations Act or other law to each eligible
2012 school district. Each school district shall receive a minimum of
2013 \$100,000 with the remaining balance allocated based on each
2014 school district's proportionate share of the state's total
2015 unweighted full-time equivalent student enrollment. Eligible
2016 charter schools are entitled to a proportionate share of
2017 district funding. At least 90 percent of a district's allocation
2018 must be expended on the elements specified in subparagraphs
2019 (b)1. and 2. The allocated funds may not supplant funds that are
2020 provided for this purpose from other operating funds and may not
2021 be used to increase salaries or provide bonuses. School
2022 districts are encouraged to maximize third party health
2023 insurance benefits and Medicaid claiming for services, where



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2024 appropriate.

2025 (a) Before the distribution of the allocation:

2026 1. The school district must develop and submit a detailed
2027 plan outlining the local program and planned expenditures to the
2028 district school board for approval.

2029 2. A charter school must develop and submit a detailed plan
2030 outlining the local program and planned expenditures to its
2031 governing body for approval. After the plan is approved by the
2032 governing body, it must be provided to the charter school's
2033 sponsor.

2034 (b) The plans required under paragraph (a) must be focused
2035 on delivering evidence-based mental health care treatment to
2036 children and include the following elements:

2037 1. Provision of mental health assessment, diagnosis,
2038 intervention, treatment, and recovery services to students with
2039 one or more mental health or co-occurring substance abuse
2040 diagnoses and students at high risk of such diagnoses.

2041 2. Coordination of such services with a student's primary
2042 care provider and with other mental health providers involved in
2043 the student's care.

2044 3. Direct employment of such service providers, or a
2045 contract-based collaborative effort or partnership with one or
2046 more local community mental health programs, agencies, or
2047 providers.

2048 (c) School districts shall submit approved plans, including
2049 approved plans of each charter school in the district, to the
2050 commissioner by August 1 of each fiscal year.

2051 (d) Beginning September 30, 2019, and annually by September
2052 30 thereafter, each school district shall submit to the



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2053 Department of Education a report on its program outcomes and
2054 expenditures for the previous fiscal year that, at a minimum,
2055 must include the number of each of the following:

- 2056 1. Students who receive screenings or assessments.
2057 2. Students who are referred for services or assistance.
2058 3. Students who receive services or assistance.
2059 4. Direct employment service providers employed by each
2060 school district.
2061 5. Contract-based collaborative efforts or partnerships
2062 with community mental health programs, agencies, or providers.

2063 Section 20. Subsection (17) of section 1011.62, Florida
2064 Statutes, is renumbered as subsection (18), paragraph (b) of
2065 subsection (6) and subsection (15) are amended, and a new
2066 subsection (17) is added to that section to read:

2067 1011.62 Funds for operation of schools.—If the annual
2068 allocation from the Florida Education Finance Program to each
2069 district for operation of schools is not determined in the
2070 annual appropriations act or the substantive bill implementing
2071 the annual appropriations act, it shall be determined as
2072 follows:

2073 (6) CATEGORICAL FUNDS.—

2074 (b) If a district school board finds and declares in a
2075 resolution adopted at a regular meeting of the school board that
2076 the funds received for any of the following categorical
2077 appropriations are urgently needed to maintain school board
2078 specified academic classroom instruction or improve school
2079 safety, the school board may consider and approve an amendment
2080 to the school district operating budget transferring the
2081 identified amount of the categorical funds to the appropriate



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2082 account for expenditure:

2083 1. Funds for student transportation.

2084 2. Funds for safe schools.

2085 2.3. Funds for supplemental academic instruction if the
2086 required additional hour of instruction beyond the normal school
2087 day for each day of the entire school year has been provided for
2088 the students in each low-performing elementary school in the
2089 district pursuant to paragraph (1)(f).

2090 3.4. Funds for research-based reading instruction if the
2091 required additional hour of instruction beyond the normal school
2092 day for each day of the entire school year has been provided for
2093 the students in each low-performing elementary school in the
2094 district pursuant to paragraph (9)(a).

2095 4.5. Funds for instructional materials if all
2096 instructional material purchases necessary to provide updated
2097 materials that are aligned with applicable state standards and
2098 course descriptions and that meet statutory requirements of
2099 content and learning have been completed for that fiscal year,
2100 but no sooner than March 1. Funds available after March 1 may be
2101 used to purchase hardware for student instruction.

2102 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
2103 created to provide funding to assist school districts in their
2104 compliance with s. 1006.07 ss. 1006.07-1006.148, with priority
2105 given to implementing the district's establishing a school
2106 resource officer program pursuant to s. 1006.12. Each school
2107 district shall receive a minimum safe schools allocation in an
2108 amount provided in the General Appropriations Act. Of the
2109 remaining balance of the safe schools allocation, two-thirds
2110 shall be allocated to school districts based on the most recent



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2111 official Florida Crime Index provided by the Department of Law
2112 Enforcement and one-third shall be allocated based on each
2113 school district's proportionate share of the state's total
2114 unweighted full-time equivalent student enrollment. Any
2115 additional funds appropriated to this allocation in the 2018-
2116 2019 fiscal year to the school resource officer program
2117 established pursuant to s. 1006.12 shall be used exclusively for
2118 employing or contracting for school resource officers, which
2119 shall be in addition to the number of officers employed or
2120 contracted for in the 2017-2018 fiscal year. Such funds shall be
2121 allocated to school districts based on each district's
2122 proportionate share of the state's total unweighted full-time
2123 equivalent student enrollment.

2124 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
2125 assistance allocation is created to provide funding to assist
2126 school districts in establishing or expanding school-based
2127 mental health care. These funds shall be allocated annually in
2128 the General Appropriations Act or other law to each eligible
2129 school district. Each school district shall receive a minimum of
2130 \$100,000 with the remaining balance allocated based on each
2131 school district's proportionate share of the state's total
2132 unweighted full-time equivalent student enrollment. Eligible
2133 charter schools are entitled to a proportionate share of
2134 district funding. At least 90 percent of a district's allocation
2135 must be expended on the elements specified in subparagraphs
2136 (b)1. and 2. The allocated funds may not supplant funds that are
2137 provided for this purpose from other operating funds and may not
2138 be used to increase salaries or provide bonuses. School
2139 districts are encouraged to maximize third party health



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2140 insurance benefits and Medicaid claiming for services, where
2141 appropriate.

2142 (a) Before the distribution of the allocation:

2143 1. The school district must develop and submit a detailed
2144 plan outlining the local program and planned expenditures to the
2145 district school board for approval.

2146 2. A charter school must develop and submit a detailed plan
2147 outlining the local program and planned expenditures to its
2148 governing body for approval. After the plan is approved by the
2149 governing body, it must be provided to the charter school's
2150 sponsor.

2151 (b) The plans required under paragraph (a) must be focused
2152 on delivering evidence-based mental health care treatment to
2153 children and include the following elements:

2154 1. Provision of mental health assessment, diagnosis,
2155 intervention, treatment, and recovery services to students with
2156 one or more mental health or co-occurring substance abuse
2157 diagnoses and students at high risk of such diagnoses.

2158 2. Coordination of such services with a student's primary
2159 care provider and with other mental health providers involved in
2160 the student's care.

2161 3. Direct employment of such service providers, or a
2162 contract-based collaborative effort or partnership with one or
2163 more local community mental health programs, agencies, or
2164 providers.

2165 (c) School districts shall submit approved plans, including
2166 approved plans of each charter school in the district, to the
2167 commissioner by August 1 of each fiscal year.

2168 (d) Beginning September 30, 2019, and annually by September



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2169 30 thereafter, each school district shall submit to the
2170 Department of Education a report on its program outcomes and
2171 expenditures for the previous fiscal year that, at a minimum,
2172 must include the number of each of the following:

- 2173 1. Students who receive screenings or assessments.
- 2174 2. Students who are referred for services or assistance.
- 2175 3. Students who receive services or assistance.
- 2176 4. Direct employment service providers employed by each
2177 school district.
- 2178 5. Contract-based collaborative efforts or partnerships
2179 with community mental health programs, agencies, or providers.

2180 Section 31. Section 1012.584, Florida Statutes, is created
2181 to read:

2182 1012.584 Continuing education and inservice training for
2183 youth mental health first aid.—

2184 (1) Beginning with the 2018-2019 school year, the
2185 Department of Education shall establish an evidence-based youth
2186 mental health first aid training program to help school
2187 personnel identify and understand the signs of emotional
2188 disturbance, mental illness, and substance use disorders and
2189 provide such personnel with the skills to help a person who is
2190 developing or experiencing an emotional disturbance, mental
2191 health, or substance use problem.

2192 (2) The Department of Education shall select a national
2193 authority on youth mental health first aid to facilitate
2194 providing youth mental health first aid training, using a
2195 trainer certification model, to all school personnel in
2196 elementary, middle, and high schools. Each school safety
2197 specialist shall earn, or designate one or more individuals to



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2198 earn, certification as a youth mental health first aid trainer.
2199 The school safety specialist shall ensure that all school
2200 personnel within his or her school district receive youth mental
2201 health first aid training.

2202 (3) The training program shall include, but is not limited
2203 to:

2204 (a) An overview of mental illnesses and substance use
2205 disorders and the need to reduce the stigma of mental illness.

2206 (b) Information on the potential risk factors and warning
2207 signs of emotional disturbance, mental illness, or substance use
2208 disorders, including, but not limited to, depression, anxiety,
2209 psychosis, eating disorders, and self-injury, as well as common
2210 treatments for those conditions and how to assess those risks.

2211 (c) Information on how to engage at-risk students with the
2212 skills, resources, and knowledge required to assess the
2213 situation, and how to identify and encourage the student to use
2214 appropriate professional help and other support strategies,
2215 including, but not limited to, peer, social, or self-help care.

2216 (4) Each school district shall notify all school personnel
2217 who have received training pursuant to this section of mental
2218 health services that are available in the school district, and
2219 the individual to contact if a student needs services. The term
2220 "mental health services" includes, but is not limited to,
2221 community mental health services, health care providers, and
2222 services provided under ss. 1006.04 and 1011.62(17).

2223 Section 32. For the purpose of incorporating the amendment
2224 made by this act to section 790.065, Florida Statutes, in a
2225 reference thereto, subsection (2) of section 397.6760, Florida
2226 Statutes, is reenacted to read:



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2227 397.6760 Court records; confidentiality.—

2228 (2) This section does not preclude the clerk of the court
2229 from submitting the information required by s. 790.065 to the
2230 Department of Law Enforcement.

2231 Section 33. For the purpose of incorporating the amendment
2232 made by this act to section 790.065, Florida Statutes, in a
2233 reference thereto, paragraph (e) of subsection (3) of section
2234 790.335, Florida Statutes, is reenacted to read:

2235 790.335 Prohibition of registration of firearms; electronic
2236 records.—

2237 (3) EXCEPTIONS.—The provisions of this section shall not
2238 apply to:

2239 (e)1. Records kept pursuant to the recordkeeping provisions
2240 of s. 790.065; however, nothing in this section shall be
2241 construed to authorize the public release or inspection of
2242 records that are made confidential and exempt from the
2243 provisions of s. 119.07(1) by s. 790.065(4) (a).

2244 2. Nothing in this paragraph shall be construed to allow
2245 the maintaining of records containing the names of purchasers or
2246 transferees who receive unique approval numbers or the
2247 maintaining of records of firearm transactions.

2248 Section 34. For the purpose of incorporating the amendment
2249 made by this act to section 836.10, Florida Statutes, in a
2250 reference thereto, subsection (1) of section 794.056, Florida
2251 Statutes, is reenacted to read:

2252 794.056 Rape Crisis Program Trust Fund.—

2253 (1) The Rape Crisis Program Trust Fund is created within
2254 the Department of Health for the purpose of providing funds for
2255 rape crisis centers in this state. Trust fund moneys shall be



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2256 used exclusively for the purpose of providing services for
2257 victims of sexual assault. Funds credited to the trust fund
2258 consist of those funds collected as an additional court
2259 assessment in each case in which a defendant pleads guilty or
2260 nolo contendere to, or is found guilty of, regardless of
2261 adjudication, an offense provided in s. 775.21(6) and (10)(a),
2262 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
2263 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
2264 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
2265 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
2266 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
2267 796.06; s. 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s.
2268 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
2269 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
2270 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),
2271 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust
2272 fund also shall include revenues provided by law, moneys
2273 appropriated by the Legislature, and grants from public or
2274 private entities.

2275 Section 35. For the purpose of incorporating the amendment
2276 made by this act to section 836.10, Florida Statutes, in a
2277 reference thereto, section 938.085, Florida Statutes, is
2278 reenacted to read:

2279 938.085 Additional cost to fund rape crisis centers.—In
2280 addition to any sanction imposed when a person pleads guilty or
2281 nolo contendere to, or is found guilty of, regardless of
2282 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and
2283 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
2284 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.



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2285 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
2286 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
2287 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
2288 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
2289 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
2290 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
2291 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and
2292 (14)(c); or s. 985.701(1), the court shall impose a surcharge of
2293 \$151. Payment of the surcharge shall be a condition of
2294 probation, community control, or any other court-ordered
2295 supervision. The sum of \$150 of the surcharge shall be deposited
2296 into the Rape Crisis Program Trust Fund established within the
2297 Department of Health by chapter 2003-140, Laws of Florida. The
2298 clerk of the court shall retain \$1 of each surcharge that the
2299 clerk of the court collects as a service charge of the clerk's
2300 office.

2301 Section 36. For the 2018-2019 fiscal year, the sum of
2302 \$77,500,000 in recurring funds is appropriated from the General
2303 Revenue Fund to the Department of Education in the Aid to Local
2304 Governments Grants and Aids - Florida Education Finance Program
2305 to fund the mental health assistance allocation created pursuant
2306 to s. 1011.62(16), Florida Statutes.

2307 Section 37. For the 2018-2019 fiscal year, the sums of
2308 \$500,000 in recurring funds and \$6,200,000 in nonrecurring funds
2309 are appropriated from the General Revenue Fund to the Department
2310 of Education to implement the youth mental health first aid
2311 training as directed pursuant to s. 1012.584, Florida Statutes.

2312 Section 38. For the 2018-2019 fiscal year, the sum of \$1
2313 million in nonrecurring funds is appropriated from the General



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2314 Revenue Fund to the Department of Education for the design and
2315 construction of a memorial honoring those who lost their lives
2316 on February 14, 2018, at Marjory Stoneman Douglas High School in
2317 Broward County. The department shall collaborate with the
2318 students and faculty of Marjory Stoneman Douglas High School,
2319 the families of the victims, the Broward County School District,
2320 and other relevant entities of the Parkland community on the
2321 design and placement of the memorial.

2322 Section 39. For the 2018-2019 fiscal year, the sum of \$15
2323 million in nonrecurring funds is appropriated from the General
2324 Revenue Fund to the Department of Education combined with an
2325 equal amount of local matching funds for the purpose of
2326 replacing Building 12, as listed in the Florida Inventory of
2327 School Houses, at Marjory Stoneman Douglas High School in
2328 Broward County.

2329 Section 40. For the 2018-2019 fiscal year, the sums of
2330 \$500,000 in recurring funds and \$67 million in nonrecurring
2331 funds are appropriated from the General Revenue Fund to the
2332 Department of Education to allocate to sheriff offices who
2333 establish a school marshal program pursuant to s. 30.15. The
2334 funds shall be allocated for the school marshal training costs
2335 in an amount determined by the department.

2336 Section 41. For the 2018-2019 fiscal year, three full-time
2337 equivalent positions, with associated salary rate of 150,000,
2338 are authorized, and the sum of \$344,393 in recurring funds is
2339 appropriated from the General Revenue Fund to the Department of
2340 Education to fund the Office of Safe Schools created pursuant to
2341 s. 1001.212, Florida Statutes.

2342 Section 42. For the 2018-2019 fiscal year, the sum of



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2343 \$97,500,000 in recurring funds is appropriated from the General
2344 Revenue Fund to the Department of Education in the Aid to Local
2345 Governments Grants and Aids - Florida Education Finance Program
2346 category for the safe schools allocation. These funds are in
2347 addition to the safe schools allocation funds appropriated in
2348 the Florida Education Finance Program in the Fiscal Year 2018-
2349 2019 General Appropriations Act. From these funds, \$13,675,820
2350 shall be added equally to each school district and developmental
2351 research school to provide a district minimum amount of
2352 \$250,000. Notwithstanding s. 1011.62(15), Florida Statutes, the
2353 balance of the funds shall be allocated to school districts
2354 based on each district's proportionate share of the state's
2355 total unweighted full-time equivalent student enrollment. Each
2356 school district must use these funds exclusively for hiring or
2357 contracting for safe-school officers pursuant to s. 1006.12,
2358 Florida Statutes.

2359 Section 43. For the 2018-2019 fiscal year, the sum of
2360 \$100,000 in recurring funds is appropriated from the General
2361 Revenue Fund to the Department of Education to competitively
2362 procure the active shooter training component of the school
2363 safety specialist training program pursuant to s. 1001.212,
2364 Florida Statutes.

2365 Section 44. For the 2018-2019 fiscal year, the sum of
2366 \$101,962,286 in nonrecurring funds is appropriated from the
2367 General Revenue Fund to the Department of Education to implement
2368 a grant program that will provide awards to schools to fund, in
2369 whole or in part, the fixed capital outlay costs associated with
2370 improving the physical security of school buildings as
2371 identified by a security risk assessment completed before August



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2372 1, 2018, by a school district or charter school. By August 31,
2373 2018, the department shall submit the grant guidelines, which
2374 must include an application submission deadline of no later than
2375 December 1, 2018, and the specific evaluation criteria, to all
2376 school districts and charter schools. The department shall award
2377 grants no later than January 15, 2019, based upon the evaluation
2378 criteria set forth in the application guidelines.

2379 Section 45. For the 2018-2019 fiscal year, the sums of
2380 \$300,000 in nonrecurring funds and \$100,000 in recurring funds
2381 are appropriated from the General Revenue Fund to the Department
2382 of Law Enforcement to competitively procure proposals for the
2383 development or acquisition of the mobile suspicious activity
2384 reporting tool pursuant to s. 943.082. The tool shall be
2385 implemented no later than January 31, 2019.

2386 Section 46. For the 2018-2019 fiscal year, five full-time
2387 equivalent positions, with associated salary rate of 345,000,
2388 are authorized and the recurring sum of \$600,000 and the
2389 nonrecurring sum of \$50,000 are appropriated from the General
2390 Revenue Fund to the Department of Law Enforcement to fund the
2391 operations of the Marjory Stoneman Douglas High School Public
2392 Safety Commission.

2393 Section 47. For the 2018-2019 fiscal year, the sum of
2394 \$9,800,000 in recurring funds is appropriated from the General
2395 Revenue Fund to the Department of Children and Families to
2396 competitively procure for additional community action teams to
2397 ensure reasonable access among all counties. The department
2398 shall consider the geographic location of existing community
2399 action teams and select providers to serve the areas of greatest
2400 need.



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2401 Section 48. For the 2018-2019 fiscal year, the sums of
2402 \$8,262,714 in nonrecurring funds, and \$10,037,286 in recurring
2403 funds are appropriated from the General Revenue Fund to the
2404 Department of Children and Families to competitively procure
2405 proposals for additional mobile crisis teams to ensure
2406 reasonable access among all counties. The department shall
2407 consider the geographic location of existing mobile crisis teams
2408 and select providers to serve the areas of greatest need.

2409 Section 49. For the 2018-2019 fiscal year, the sums of
2410 \$18,321 in recurring funds and \$225,000 in nonrecurring funds
2411 are appropriated from the General Revenue Fund to the Department
2412 of Education in the Special Categories - Teacher and School
2413 Administrator Death Benefits category to provide for the
2414 benefits awarded pursuant to s. 112.1915, Florida Statutes, to
2415 the eligible recipients of the three Marjory Stoneman Douglas
2416 High School staff members who lost their lives on February 14,
2417 2018.

2418 Section 50. For the 2018-2019 fiscal year, the sum of \$3
2419 million in recurring funds is appropriated from the General
2420 Revenue Fund to the Department of Education to competitively
2421 procure for the development or acquisition of the centralized
2422 data repository and analytics resources pursuant to s. 1001.212.
2423 The department shall collaborate with the Department of Law
2424 Enforcement and school districts to identify the requirements
2425 and functionality of the data repository and analytics resources
2426 and shall make such resources available to the school districts
2427 no later than December 1, 2018.

2428 Section 51. Except as otherwise expressly provided in this
2429 act, this act shall take effect upon becoming a law.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to public safety; providing a short
title; providing legislative findings; amending
16.555, F.S.; authorizing the awarding of grants
through the Crime Stoppers Trust Fund for student
crime watch programs; amending s. 20.15, F.S.;
establishing the Office of Safe Schools within the
Department of Education; amending s. 30.15, F.S.;
providing that each sheriff may establish a school
marshal program and appoint certain volunteer school
employees as school marshals; providing sheriff and
school marshal requirements; requiring certain
documentation and records be maintained relating to
such school marshals; amending s. 121.091, F.S.;
authorizing certain retired law enforcement officers
to be reemployed as school resource officers after
meeting specified termination requirements;
authorizing such retired law enforcement officers to
receive compensation and retirement benefits after a
specified period; providing that such retired law
enforcement officers may not renew membership in the
Florida Retirement System, except as otherwise
provided; amending s. 394.463, F.S.; requiring when
practicable that a law enforcement officer with



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2459 certain training be assigned to serve and execute
2460 certain ex parte orders; authorizing a law enforcement
2461 officer to seize and hold firearms and ammunition if
2462 taking custody of a person who poses a potential
2463 danger to himself or herself or others and who has
2464 made a credible threat against another person;
2465 authorizing a law enforcement officer to seek the
2466 voluntary surrender of firearms and ammunition kept in
2467 the residence if the law enforcement officer takes
2468 custody of the person at the person's residence and
2469 certain criteria are met; authorizing such law
2470 enforcement officer to petition an appropriate court
2471 for a risk protection order under certain
2472 circumstances; requiring that firearms and ammunition
2473 seized or voluntarily surrendered be returned within a
2474 certain timeframe under specified circumstances;
2475 providing exceptions; requiring law enforcement
2476 agencies to develop policies and procedures relating
2477 to the seizure, storage, and return of firearms and
2478 ammunition; amending s. 394.495, F.S.; requiring the
2479 Department of Children and Families to contract for
2480 community action treatment teams throughout the state
2481 with the managing entities; specifying requirements
2482 for community action treatment teams; subject to
2483 legislative appropriation, requiring the department to
2484 contract for additional teams to ensure statewide
2485 availability of services; creating s. 790.064, F.S.;
2486 prohibiting a person who has been adjudicated mentally
2487 defective or been committed to a mental institution



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2488 from owning or possessing a firearm until certain
2489 relief is obtained; specifying that the firearm
2490 possession and ownership disability runs concurrently
2491 with the firearm purchase disability under certain
2492 provisions; authorizing a person to petition for
2493 relief from the firearm possession and ownership
2494 disability; requiring that petitions for relief follow
2495 certain procedures; authorizing such person to
2496 petition for simultaneous relief; amending s. 790.065,
2497 F.S.; prohibiting a person younger than a certain age
2498 from purchasing a firearm; prohibiting the sale or
2499 transfer, or facilitation of a sale or transfer, of a
2500 firearm to a person younger than a certain age by a
2501 licensed importer, licensed manufacturer, or licensed
2502 dealer; providing criminal penalties; providing
2503 exceptions; amending s. 790.0655, F.S.; revising the
2504 mandatory waiting period to the later of either 3
2505 days, excluding weekends and legal holidays, or upon
2506 the completion of certain records checks; revising and
2507 redefining terms; requiring that records of firearm
2508 sales be available for inspection by any law
2509 enforcement agency during normal business hours;
2510 revising applicability of the waiting period;
2511 conforming provisions to changes made by the act;
2512 creating s. 790.222, F.S.; defining the term "bump-
2513 fire stock"; prohibiting specified acts relating to
2514 the sale and possession of bump-fire stocks; providing
2515 criminal penalties; providing legislative intent;
2516 providing a short title; creating s. 790.401, F.S.;



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2517 defining terms; creating an action known as a petition
2518 for a risk protection order to prevent persons who are
2519 at high risk of harming themselves or others from
2520 accessing firearms or ammunition; providing
2521 requirements for petitions for such orders; providing
2522 duties for courts and clerks of court; prohibiting
2523 fees for the filing of or service of process of such
2524 petitions; providing for jurisdiction for such
2525 petitions; requiring hearings on petitions within a
2526 specified period; providing service requirements;
2527 providing grounds that may be considered in
2528 determining whether to grant such a petition;
2529 providing requirements for proceedings; providing
2530 requirements for risk protection orders; requiring the
2531 court to inform a respondent of his or her right to
2532 request a certain hearing; authorizing temporary ex
2533 parte orders under certain circumstances; providing
2534 requirements for petitions for such ex parte orders;
2535 providing for service of orders; providing for the
2536 termination or extension of an order; providing for
2537 the surrender and storage of firearms, ammunition, and
2538 licenses to carry a concealed weapon or firearm after
2539 issuance of a risk protection order; requiring law
2540 enforcement agencies to develop certain policies and
2541 procedures by a certain date; providing for return of
2542 firearms and ammunition upon the vacating or end
2543 without the extension of an order under certain
2544 circumstances; authorizing a respondent to elect to
2545 transfer all firearms and ammunition surrendered or



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2546 seized by a law enforcement agency to another person
2547 under certain circumstances; requiring a clerk of the
2548 court to forward a copy of a risk protection order to
2549 the appropriate law enforcement agency within a
2550 specified timeframe; requiring the law enforcement
2551 agency to enter the order into the Florida Crime
2552 Information Center and the National Crime Information
2553 Center systems; requiring that the order be maintained
2554 in the systems for a specified period and prohibiting
2555 a law enforcement from removing an order from the
2556 systems which has not ended or been vacated; providing
2557 that entry of an order into the systems constitutes
2558 notice to law enforcement agencies; requiring an
2559 issuing court to forward specified information
2560 concerning a respondent to the Department of
2561 Agriculture and Consumer Services within a specified
2562 timeframe; requiring the department to suspend a
2563 license to carry a concealed weapon or firearm which
2564 is held by a person subject to such an order;
2565 prohibiting a person from making a false statement
2566 under oath; providing criminal penalties; prohibiting
2567 violations of such an order; providing criminal
2568 penalties; providing construction; providing that the
2569 risk protection order provisions do not create
2570 liability for certain acts or omissions; requiring the
2571 Office of the State Courts Administrator to develop
2572 and distribute certain instructional and informational
2573 material; amending 836.10, F.S.; prohibiting a person
2574 from making, posting, or transmitting a threat to



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2575 conduct a mass shooting or an act of terrorism in a
2576 writing or other record in any manner that would allow
2577 another person to view the threat; providing criminal
2578 penalties; amending 921.0022, F.S.; conforming a
2579 provision to changes made by the act; creating s.
2580 943.082, F.S.; requiring the Department of Law
2581 Enforcement, in collaboration with the Department of
2582 Legal Affairs, to competitively procure a mobile
2583 suspicious activity tool with certain features;
2584 requiring the department to receive certain electronic
2585 reports; requiring the reporting tool to notify the
2586 reporting party of certain information; requiring the
2587 forwarding of certain information to appropriate law
2588 enforcement agencies; requiring that certain entities
2589 be made aware of the reporting tool; requiring the
2590 department, in collaboration with certain entities, to
2591 develop and provide certain training and awareness
2592 relating to the reporting tool; creating s. 943.687,
2593 F.S.; creating the Marjory Stoneman Douglas High
2594 School Public Safety Commission within the Department
2595 of Law Enforcement; requiring the commission to
2596 convene by a certain date; specifying the composition
2597 of the commission; requiring Department of Law
2598 Enforcement staff to assist the commission; specifying
2599 meeting requirements; authorizing reimbursement for
2600 per diem and travel expenses; providing the duties and
2601 authority of the commission; requiring the commission
2602 to submit an initial report to the Governor and the
2603 Legislature within a specified time; providing for the



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2604 expiration of the commission; creating s. 1001.212,
2605 F.S.; creating the Office of Safe Schools within the
2606 Department of Education; providing duties of the
2607 office; amending ss. 1002.221 and 1002.225, F.S.;
2608 providing for construction regarding the applicability
2609 of public records exemptions for security system plans
2610 and security systems; amending s. 1002.32, F.S.;
2611 conforming a cross-reference; amending s. 1006.04,
2612 F.S.; revising the purpose and duties of the
2613 educational multiagency network for students with
2614 emotional and behavioral disabilities; amending s.
2615 1006.07, F.S.; revising district school board duties
2616 relating to student discipline and school safety;
2617 requiring students to note referrals to mental health
2618 services upon initial registration for school within a
2619 school district; authorizing a district school board
2620 to refer a student to certain mental health services
2621 under certain circumstances; revising the code of
2622 student conduct relating to the referral of certain
2623 students to certain mental health services and law
2624 enforcement; providing requirements for student crime
2625 watch programs; revising the policies and procedures
2626 for emergency drills to include drills for active
2627 shooter and hostage situations; providing requirements
2628 for such drills; revising requirements for the
2629 emergency response policy; requiring model emergency
2630 management and emergency preparedness procedures for
2631 active shooter situations; requiring school districts
2632 to establish a schedule to test emergency



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2633 communication systems; requiring district school
2634 superintendents to establish certain policies and
2635 procedures relating to the prevention of violence on
2636 school grounds and designate a school safety
2637 specialist for the school district; providing
2638 requirements and duties for school safety specialists;
2639 providing school safety specialist requirements
2640 relating to the required school security risk
2641 assessments; requiring each district school board to
2642 establish a threat assessment team at each school
2643 within the district; providing requirements and duties
2644 for threat assessment teams; authorizing a threat
2645 assessment team to obtain certain criminal history
2646 record information under certain circumstances;
2647 prohibiting a member of a threat assessment team from
2648 disclosing or using such information except for a
2649 specified purpose; authorizing certain entities to
2650 share specified confidential information and records
2651 relating to students for specified purposes;
2652 authorizing school personnel to address an immediate
2653 mental health or substance abuse crisis; providing
2654 requirements for addressing such situations; providing
2655 threat assessment team reporting requirements;
2656 amending s. 1006.08, F.S.; requiring a district school
2657 superintendent to be notified by the court of a
2658 student referred to mental health services; amending
2659 s. 1006.12, F.S.; requiring district school boards to
2660 establish or assign safe-school officers at each
2661 district school facility within the district;



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2662 requiring school resource officers and school safety
2663 officers to undergo specified evaluations; specifying
2664 that participation in the school marshal program meets
2665 the requirement, if such a program is available;
2666 amending s. 1006.13, F.S.; revising the policy of zero
2667 tolerance for crime and victimization; providing
2668 district school board responsibilities; authorizing a
2669 threat assessment team to use specified alternatives
2670 to expulsion or referral to law enforcement to address
2671 disruptive behavior; providing requirements for zero-
2672 tolerance policies; requiring a threat assessment team
2673 to consult with law enforcement under certain
2674 circumstances; creating s. 1006.1493, F.S.; requiring
2675 the department to contract with a security consulting
2676 firm to develop, update, and implement a risk
2677 assessment tool; providing requirements for the
2678 Florida Safe Schools Assessment Tool; requiring
2679 reports, training, and advice in the security
2680 consulting firm contract; requiring a specified annual
2681 report to the Governor and Legislature by a specified
2682 date; providing for construction regarding the
2683 applicability of public records exemptions for certain
2684 security data and information; amending s. 1011.62,
2685 F.S.; authorizing a district school board to use
2686 certain categorical appropriations to improve school
2687 safety; revising the safe schools allocation; creating
2688 the mental health assistance allocation; providing the
2689 purpose of the allocation; requiring that funds be
2690 allocated annually in the General Appropriations Act;



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2691 providing for the annual allocation of such funds on a
2692 specified basis; providing that eligible charter
2693 schools are entitled to a proportionate share;
2694 prohibiting the use of allocated funds to supplant
2695 funds provided from other operating funds, to increase
2696 salaries, or to provide bonuses, except in certain
2697 circumstances; requiring that school districts and
2698 schools maximize certain third-party funding;
2699 requiring that school districts and charter schools
2700 annually develop and submit certain detailed plans;
2701 requiring that approved charter school plans be
2702 provided to the district for submission to the
2703 commissioner; providing that required plans must
2704 include certain elements; requiring school districts
2705 to annually submit approved plans to the Commissioner
2706 of Education by a specified date; requiring that
2707 entities receiving such allocations annually submit a
2708 final report on program outcomes and specific
2709 expenditures to the commissioner by a specified date;
2710 amending s. 1011.62, F.S.; creating s. 1012.584, F.S.;
2711 requiring the department to establish a youth mental
2712 health first aid training program for specified
2713 purposes; providing department and program
2714 requirements; requiring certain school personnel to
2715 receive such training; requiring the school safety
2716 specialist to ensure certain personnel receive such
2717 training; requiring school districts to inform such
2718 personnel of the mental health services available in
2719 the district; providing appropriations for specified



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2720 purposes; reenacting ss. 397.6760(2) and
2721 790.335(3)(e), F.S.; relating to the confidentiality
2722 of court records and exceptions to the prohibition of
2723 registration of firearms, respectively, to incorporate
2724 the amendment made to s. 790.065, F.S., in references
2725 thereto; requiring the Department of Agriculture and
2726 Consumer Services to transfer, annually and by a
2727 specified date, a percentage of the fees collected for
2728 new and renewal concealed weapon or firearm licenses
2729 from the Division of Licensing Trust Fund to the
2730 Department of Legal Affairs to reimburse the trauma
2731 centers; providing appropriations; reenacting ss.
2732 794.056 and 938.085, F.S.; relating to the Rape Crises
2733 Program Trust Fund and additional cost to fund rape
2734 crises centers, respectively, to incorporate the
2735 amendment made to s. 836.10, F.S.; providing effective
2736 dates.