



848972

LEGISLATIVE ACTION

Senate

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House

Senator Braynon moved the following:

1 **Senate Amendment to Amendment (318628) (with title**
2 **amendment)**

3
4 Delete lines 35 - 82

5 and insert:

6 (k) Create the Florida Sheriff's Marshal Pilot Program
7 within the Department of Education as a voluntary program to
8 assist public schools in the school districts in Citrus, Holmes,
9 and Nassau Counties in enhancing the safety and security of
10 students, faculty, and staff of, and visitors to, public schools
11 and campuses in those counties. The program is administered by



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12 the Office of Safe Schools, created pursuant to s. 20.15.
13 1. The purpose of the program is to provide comprehensive
14 firearm safety and proficiency training for selected faculty and
15 staff strategically focused on providing security on campus
16 during an active assailant incident. Public school faculty and
17 staff who voluntarily participate in and complete the program,
18 as recommended by the school district, are designated as special
19 deputy sheriffs with all rights, responsibilities, and
20 obligations in carrying concealed firearms on campus, as
21 authorized pursuant to s. 30.09.
22 2. As used in this paragraph, the term:
23 a. "Active assailant incident" means a situation in which
24 an armed assailant is posing an immediate deadly threat to
25 persons on the premises or campus of a public school.
26 b. "Campus" means a school, as defined in s. 1003.01(2),
27 and facilities and school plants operated and controlled by a
28 public school district in accordance with s. 1003.02.
29 c. "Partnership agreement" means a jointly approved
30 contract between the sheriff operating the program and the
31 superintendent of a participating school district sponsor.
32 d. "Program" means a Florida Sheriff's Marshal Pilot
33 Program as established and administered by a sheriff in
34 accordance with this section.
35 e. "Sheriff" means the county sheriff constitutional
36 officer elected or appointed in accordance with chapter 30 of a
37 county that is authorized and elects to participate in the
38 program.
39 f. "Sheriff's marshal" means a faculty or staff member who
40 is recommended and sponsored by a school district and has been



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41 successfully screened and approved by the sheriff to participate
42 in a program.

43 g. "Special deputy sheriff" means a program participant who
44 has successfully completed the program and who is appointed as a
45 law enforcement officer in the same manner as a deputy sheriff
46 as provided in s. 30.072(2) and certified under chapter 943.

47 3. At a minimum, program eligibility and participation
48 requirements must include:

49 a. A school district authorized to participate may sponsor
50 and recommend to the sheriff public school faculty and staff
51 members as candidates for voluntary participation in the
52 program. The sheriff shall establish timelines and requirements
53 for participation through a partnership agreement with the
54 sponsoring school district superintendent. To be eligible for
55 consideration and recommendation, a candidate must be licensed
56 in accordance with s. 790.06.

57 b. After screening a candidate, including performing
58 criminal background checks, drug testing, and a psychological
59 evaluation, the sheriff may approve a candidate to participate
60 in the program as a sheriff's marshal.

61 c. Upon successful completion of the program, a sheriff's
62 marshal may be appointed by the sheriff as a special deputy
63 sheriff for the limited purpose of responding to an active
64 assailant incident on a campus of his or her school district
65 during an active assailant incident.

66 4.a. At a minimum, the partnership agreement must provide
67 that a special deputy sheriff:

68 (I) Must participate in and complete the program's
69 professional training requirements as a precondition to meeting



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70 the legal requirements of chapter 30 to be eligible to carry a
71 concealed firearm on a campus of his or her sponsoring school
72 district.

73 (II) May not act in any law enforcement capacity outside of
74 an active assailant incident on a school district campus and
75 does not have any authority in a law enforcement capacity off
76 campus in any way, except as otherwise expressly authorized by
77 law.

78 (III). May carry concealed, approved firearms on campus.
79 The firearms must be specifically purchased and issued for the
80 sole purpose of the program. Only concealed carry safety
81 holsters and firearms approved by the sheriff may be used under
82 the program.

83 (IV). Must successfully complete training with the
84 sheriff's office before his or her appointment as a special
85 deputy sheriff, including meeting the requirements of this
86 section.

87 b. The appointment of a person as a special deputy sheriff
88 does not entitle the person to the special risk category that
89 applies to law enforcement officers pursuant to s. 121.0515.

90 5. TRAINING AND INSTRUCTION.—All training must be conducted
91 by Criminal Justice Standards Training Commission (CJSTC)—
92 certified instructors.

93 a. Required instruction must include 132 total hours of
94 comprehensive firearm safety and proficiency training in the
95 following topics:

96 (I) Firearms: 80-hour block of instruction. The firearms
97 instruction must be based on the CJSTC Law Enforcement Academy
98 training model and must be enhanced to include 10 percent to 20



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99 percent more rounds fired by each program participant beyond the
100 minimum average of approximately 1,000 training rounds
101 associated with academy training. Program participants must
102 achieve an 85 percent pass rate on the firearms training.

103 (II) Firearms precision pistol: 16-hour block of
104 instruction.

105 (III) Firearms discretionary shooting: 4-hour block of
106 instruction using state-of-the-art simulator exercises.

107 (IV) Active shooter or assailant: 8-hour block of
108 instruction.

109 (V) Defensive tactics: 4-hour block of instruction.

110 (VI) Legal or high liability: 20-hour block of instruction.

111 b. Program participants may complete an optional, 16-hour
112 precision pistol course as additional training.

113 c. Ongoing and annual proficiency retraining must be
114 conducted by the sheriff, as specified in the agreement.

115 6. The sheriff or the district superintendent may deny or
116 terminate a sheriff's marshal or special deputy sheriff's
117 participation in the program for any reason, including, but not
118 limited to, any of the following circumstances:

119 a. An arrest or filing of criminal charges against a
120 program participant by a law enforcement agency.

121 b. The service of process on the program participant as the
122 respondent of an injunction for protection.

123 c. The involuntary placement of the program participant in
124 a treatment facility for a mental health examination under The
125 Baker Act.

126 d. A violation of sheriff office policies, orders, or
127 requirements by the program participant.



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128 e. A violation of the school district's code of conduct or
129 employee handbook or policy by the program participant.

130 7.a. The sheriff shall maintain documentation of weapon and
131 equipment inspections, as well as the training, certification,
132 inspection, and qualification records of each program
133 participant.

134 b. Each program participant must be distinctly and visually
135 identifiable to responding law enforcement officers, faculty,
136 staff, and students, in the case of any active assailant
137 incident on a sponsoring school district's campus.

138 c. Each sheriff's marshal must execute a volunteer
139 agreement with the sheriff's office outlining duties and
140 responsibilities.

141 d. A sponsoring school district must conduct awareness
142 training about the program for all school district faculty and
143 staff members.

144 e. Specific implementation requirements, responsibilities,
145 and other aspects of implementation must be specified in a
146 partnership agreement.

147 8. FUNDING.—The costs of program participation must be
148 established in the partnership agreement. Funding may be
149 provided by the Legislature to support school district and
150 sheriff office administration, sponsorship, participation, and
151 implementation of this section.

152
153 ===== T I T L E A M E N D M E N T =====

154 And the title is amended as follows:

155 Delete lines 2443 - 2448

156 and insert:



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157 establishing the Florida Sheriff's Marshall Pilot
158 Program within the Department of Education;
159 establishing the program as a voluntary program to
160 assist public schools in the school districts of
161 certain counties; requiring the Office of Safe Schools
162 to administer the pilot program; providing the purpose
163 of the program; defining terms; providing requirements
164 for program eligibility and participation; specifying
165 requirements for a special deputy sheriff; authorizing
166 the sheriff or district superintendent to deny or
167 terminate a sheriff's marshal or special deputy
168 sheriff under certain circumstances; providing for
169 implementation; providing for funding; amending s.
170 121.091, F.S.;