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1                   A bill to be entitled  
2           An act relating to public safety; providing a short  
3           title; providing legislative findings; amending  
4           16.555, F.S.; authorizing the awarding of grants  
5           through the Crime Stoppers Trust Fund for student  
6           crime watch programs; amending s. 20.15, F.S.;  
7           establishing the Office of Safe Schools within the  
8           Department of Education; amending s. 30.15, F.S.;  
9           providing that each sheriff may establish a school  
10          marshal program and appoint certain volunteer school  
11          employees as school marshals; providing sheriff and  
12          school marshal requirements; requiring certain  
13          documentation and records be maintained relating to  
14          such school marshals; amending s. 121.091, F.S.;  
15          authorizing certain retired law enforcement officers  
16          to be reemployed as school resource officers after  
17          meeting specified termination requirements;  
18          authorizing such retired law enforcement officers to  
19          receive compensation and retirement benefits after a  
20          specified period; providing that such retired law  
21          enforcement officers may not renew membership in the  
22          Florida Retirement System, except as otherwise  
23          provided; amending s. 394.463, F.S.; requiring when  
24          practicable that a law enforcement officer with  
25          certain training be assigned to serve and execute  
26          certain ex parte orders; authorizing a law enforcement  
27          officer to seize and hold firearms and ammunition if  
28          taking custody of a person who poses a potential  
29          danger to himself or herself or others and who has

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30 made a credible threat against another person;  
31 authorizing a law enforcement officer to seek the  
32 voluntary surrender of firearms and ammunition kept in  
33 the residence if the law enforcement officer takes  
34 custody of the person at the person's residence and  
35 certain criteria are met; authorizing such law  
36 enforcement officer to petition an appropriate court  
37 for a risk protection order under certain  
38 circumstances; requiring that firearms and ammunition  
39 seized or voluntarily surrendered be returned within a  
40 certain timeframe under specified circumstances;  
41 providing exceptions; requiring law enforcement  
42 agencies to develop policies and procedures relating  
43 to the seizure, storage, and return of firearms and  
44 ammunition; amending s. 394.495, F.S.; requiring the  
45 Department of Children and Families to contract for  
46 community action treatment teams throughout the state  
47 with the managing entities; specifying requirements  
48 for community action treatment teams; subject to  
49 legislative appropriation, requiring the department to  
50 contract for additional teams to ensure statewide  
51 availability of services; creating s. 790.064, F.S.;  
52 prohibiting a person who has been adjudicated mentally  
53 defective or been committed to a mental institution  
54 from owning or possessing a firearm until certain  
55 relief is obtained; specifying that the firearm  
56 possession and ownership disability runs concurrently  
57 with the firearm purchase disability under certain  
58 provisions; authorizing a person to petition for

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59 relief from the firearm possession and ownership  
60 disability; requiring that petitions for relief follow  
61 certain procedures; authorizing such person to  
62 petition for simultaneous relief; amending s. 790.065,  
63 F.S.; prohibiting a person younger than a certain age  
64 from purchasing a firearm; prohibiting the sale or  
65 transfer, or facilitation of a sale or transfer, of a  
66 firearm to a person younger than a certain age by a  
67 licensed importer, licensed manufacturer, or licensed  
68 dealer; providing criminal penalties; providing  
69 exceptions; amending s. 790.0655, F.S.; revising the  
70 mandatory waiting period to the later of either 3  
71 days, excluding weekends and legal holidays, or upon  
72 the completion of certain records checks; revising and  
73 redefining terms; requiring that records of firearm  
74 sales be available for inspection by any law  
75 enforcement agency during normal business hours;  
76 revising applicability of the waiting period;  
77 conforming provisions to changes made by the act;  
78 creating s. 790.222, F.S.; defining the term "bump-  
79 fire stock"; prohibiting specified acts relating to  
80 the sale and possession of bump-fire stocks; providing  
81 criminal penalties; providing legislative intent;  
82 providing a short title; creating s. 790.401, F.S.;

83 defining terms; creating an action known as a petition  
84 for a risk protection order to prevent persons who are  
85 at high risk of harming themselves or others from  
86 accessing firearms or ammunition; providing  
87 requirements for petitions for such orders; providing

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88 duties for courts and clerks of court; prohibiting  
89 fees for the filing of or service of process of such  
90 petitions; providing for jurisdiction for such  
91 petitions; requiring hearings on petitions within a  
92 specified period; providing service requirements;  
93 providing grounds that may be considered in  
94 determining whether to grant such a petition;  
95 providing requirements for proceedings; providing  
96 requirements for risk protection orders; requiring the  
97 court to inform a respondent of his or her right to  
98 request a certain hearing; authorizing temporary ex  
99 parte orders under certain circumstances; providing  
100 requirements for petitions for such ex parte orders;  
101 providing for service of orders; providing for the  
102 termination or extension of an order; providing for  
103 the surrender and storage of firearms, ammunition, and  
104 licenses to carry a concealed weapon or firearm after  
105 issuance of a risk protection order; requiring law  
106 enforcement agencies to develop certain policies and  
107 procedures; providing for return of firearms and  
108 ammunition upon the vacating or end without the  
109 extension of an order under certain circumstances;  
110 authorizing a respondent to elect to transfer all  
111 firearms and ammunition surrendered or seized by a law  
112 enforcement agency to another person under certain  
113 circumstances; requiring a clerk of the court to  
114 forward a copy of a risk protection order to the  
115 appropriate law enforcement agency within a specified  
116 timeframe; requiring the law enforcement agency to

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117 enter the order into the Florida Crime Information  
118 Center and the National Crime Information Center  
119 systems; requiring that the order be maintained in the  
120 systems for a specified period and prohibiting a law  
121 enforcement from removing an order from the systems  
122 which has not ended or been vacated; providing that  
123 entry of an order into the systems constitutes notice  
124 to law enforcement agencies; requiring an issuing  
125 court to forward specified information concerning a  
126 respondent to the Department of Agriculture and  
127 Consumer Services within a specified timeframe;  
128 requiring the department to suspend a license to carry  
129 a concealed weapon or firearm which is held by a  
130 person subject to such an order; prohibiting a person  
131 from making a false statement under oath; providing  
132 criminal penalties; prohibiting violations of such an  
133 order; providing criminal penalties; providing  
134 construction; providing that the risk protection order  
135 provisions do not create liability for certain acts or  
136 omissions; requiring the Office of the State Courts  
137 Administrator to develop and distribute certain  
138 instructional and informational material; amending s.  
139 836.10, F.S.; prohibiting a person from making,  
140 posting, or transmitting a threat to conduct a mass  
141 shooting or an act of terrorism in a writing or other  
142 record in any manner that would allow another person  
143 to view the threat; providing criminal penalties;  
144 amending s. 921.0022, F.S.; conforming a provision to  
145 changes made by the act; creating s. 943.082, F.S.;

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146 requiring the Department of Law Enforcement, in  
147 collaboration with the Department of Legal Affairs, to  
148 competitively procure a mobile suspicious activity  
149 tool with certain features; requiring the department  
150 to receive certain electronic reports; requiring the  
151 reporting tool to notify the reporting party of  
152 certain information; requiring the forwarding of  
153 certain information to appropriate law enforcement  
154 agencies; requiring that certain entities be made  
155 aware of the reporting tool; requiring the department,  
156 in collaboration with certain entities, to develop and  
157 provide certain training and awareness relating to the  
158 reporting tool; creating s. 943.687, F.S.; creating  
159 the Marjory Stoneman Douglas High School Public Safety  
160 Commission within the Department of Law Enforcement;  
161 requiring the commission to convene by a certain date;  
162 specifying the composition of the commission;  
163 requiring Department of Law Enforcement staff to  
164 assist the commission; specifying meeting  
165 requirements; authorizing reimbursement for per diem  
166 and travel expenses; providing the duties and  
167 authority of the commission; requiring the commission  
168 to submit an initial report to the Governor and the  
169 Legislature within a specified time; providing for the  
170 expiration of the commission; creating s. 1001.212,  
171 F.S.; creating the Office of Safe Schools within the  
172 Department of Education; providing duties of the  
173 office; amending s. 1002.32, F.S.; conforming a cross-  
174 reference; amending s. 1006.04, F.S.; revising the

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175 purpose and duties of the educational multiagency  
176 network for students with emotional and behavioral  
177 disabilities; amending s. 1006.07, F.S.; revising  
178 district school board duties relating to student  
179 discipline and school safety; requiring students to  
180 note referrals to mental health services upon initial  
181 registration for school within a school district;  
182 authorizing a district school board to refer a student  
183 to certain mental health services under certain  
184 circumstances; revising the code of student conduct  
185 relating to the referral of certain students to  
186 certain mental health services and law enforcement;  
187 providing requirements for student crime watch  
188 programs; revising the policies and procedures for  
189 emergency drills to include drills for active shooter  
190 and hostage situations; providing requirements for  
191 such drills; revising requirements for the emergency  
192 response policy; requiring model emergency management  
193 and emergency preparedness procedures for active  
194 shooter situations; requiring school districts to  
195 establish a schedule to test emergency communication  
196 systems; requiring district school superintendents to  
197 establish certain policies and procedures relating to  
198 the prevention of violence on school grounds and  
199 designate a school safety specialist for the school  
200 district; providing requirements and duties for school  
201 safety specialists; providing school safety specialist  
202 requirements relating to the required school security  
203 risk assessments; requiring each district school board

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204 to establish a threat assessment team at each school  
205 within the district; providing requirements and duties  
206 for threat assessment teams; authorizing a threat  
207 assessment team to obtain certain criminal history  
208 record information under certain circumstances;  
209 prohibiting a member of a threat assessment team from  
210 disclosing or using such information except for a  
211 specified purpose; authorizing certain entities to  
212 share specified confidential information and records  
213 relating to students for specified purposes;  
214 authorizing school personnel to address an immediate  
215 mental health or substance abuse crisis; providing  
216 requirements for addressing such situations; providing  
217 threat assessment team reporting requirements;  
218 amending s. 1006.08, F.S.; requiring a district school  
219 superintendent to be notified by the court of a  
220 student referred to mental health services; amending  
221 s. 1006.12, F.S.; requiring district school boards to  
222 establish or assign safe-school officers at each  
223 district school facility within the district;  
224 requiring school resource officers and school safety  
225 officers to undergo specified evaluations; specifying  
226 that participation in the school marshal program meets  
227 the requirement, if such a program is available;  
228 amending s. 1006.13, F.S.; revising the policy of zero  
229 tolerance for crime and victimization; providing  
230 district school board responsibilities; authorizing a  
231 threat assessment team to use specified alternatives  
232 to expulsion or referral to law enforcement to address



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233 disruptive behavior; providing requirements for zero-  
234 tolerance policies; requiring a threat assessment team  
235 to consult with law enforcement under certain  
236 circumstances; creating s. 1006.1493, F.S.; requiring  
237 the department to contract with a security consulting  
238 firm to develop, update, and implement a risk  
239 assessment tool; providing requirements for the  
240 Florida Safe Schools Assessment Tool; requiring  
241 reports, training, and advice in the security  
242 consulting firm contract; requiring a specified annual  
243 report to the Governor and Legislature by a specified  
244 date; providing for construction regarding the  
245 applicability of public records exemptions for certain  
246 security data and information; amending s. 1011.62,  
247 F.S.; authorizing a district school board to use  
248 certain categorical appropriations to improve school  
249 safety; revising the safe schools allocation; creating  
250 the mental health assistance allocation; providing the  
251 purpose of the allocation; requiring that funds be  
252 allocated annually in the General Appropriations Act;  
253 providing for the annual allocation of such funds on a  
254 specified basis; providing that eligible charter  
255 schools are entitled to a proportionate share;  
256 prohibiting the use of allocated funds to supplant  
257 funds provided from other operating funds, to increase  
258 salaries, or to provide bonuses, except in certain  
259 circumstances; requiring that school districts and  
260 schools maximize certain third-party funding;  
261 requiring that school districts and charter schools

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262 annually develop and submit certain detailed plans;  
263 requiring that approved charter school plans be  
264 provided to the district for submission to the  
265 commissioner; providing that required plans must  
266 include certain elements; requiring school districts  
267 to annually submit approved plans to the Commissioner  
268 of Education by a specified date; requiring that  
269 entities receiving such allocations annually submit a  
270 final report on program outcomes and specific  
271 expenditures to the commissioner by a specified date;  
272 creating s. 1012.584, F.S.; requiring the department  
273 to establish a youth mental health awareness and  
274 assistance training program for specified purposes;  
275 providing department and program requirements;  
276 requiring certain school personnel to receive such  
277 training; requiring the school safety specialist to  
278 ensure certain personnel receive such training;  
279 requiring school districts to inform such personnel of  
280 the mental health services available in the district;  
281 providing appropriations for specified purposes;  
282 amending s. 1013.64, F.S.; specifying that the cost  
283 per student station does not include certain  
284 improvements related to enhanced safety and security;  
285 reenacting ss. 397.6760(2) and 790.335(3)(e), F.S.;  
286 relating to the confidentiality of court records and  
287 exceptions to the prohibition of registration of  
288 firearms, respectively, to incorporate the amendment  
289 made to s. 790.065, F.S., in references thereto;  
290 providing appropriations; reenacting ss. 794.056 and

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291 938.085, F.S.; relating to the Rape Crises Program  
292 Trust Fund and additional cost to fund rape crises  
293 centers, respectively, to incorporate the amendment  
294 made to s. 836.10, F.S.; providing appropriations;  
295 providing effective dates.  
296

297 Be It Enacted by the Legislature of the State of Florida:  
298

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

301 Section 2. The Legislature finds there is a need to  
302 comprehensively address the crisis of gun violence, including  
303 but not limited to, gun violence on school campuses. The  
304 Legislature intends to address this crisis by providing law  
305 enforcement and the courts with the tools to enhance public  
306 safety by temporarily restricting firearm possession by a person  
307 who is undergoing a mental health crisis and when there is  
308 evidence of a threat of violence, and by promoting school safety  
309 and enhanced coordination between education and law enforcement  
310 entities at the state and local level.

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

313 16.555 Crime Stoppers Trust Fund; rulemaking.—

314 (5)

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

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

319 20.15 Department of Education.—There is created a

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320 Department of Education.

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

323 (j) The Office of Safe Schools.

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

326 30.15 Powers, duties, and obligations.—

327 (1) Sheriffs, in their respective counties, in person or by  
328 deputy, shall:

329 (k) Establish, if the sheriff so chooses, a school marshal  
330 program to aid in the prevention or abatement of active  
331 assailant incidents on school premises. A school marshal has no  
332 authority to act in any law enforcement capacity except to the  
333 extent necessary to prevent or abate an active assailant  
334 incident on a school premises. The sheriff who chooses to  
335 establish the program shall appoint as school marshals, without  
336 the power of arrest, school employees who volunteer and who:

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

338 2. Complete 132 total hours of comprehensive firearm safety  
339 and proficiency training conducted by Criminal Justice Standards  
340 and Training Commission-certified instructors, which must  
341 include:

342 a. Eighty hours of firearms instruction based on the  
343 Criminal Justice Standards and Training Commission's Law  
344 Enforcement Academy training model, which must include at least  
345 10 percent but no more than 20 percent more rounds fired than  
346 associated with academy training. Program participants must  
347 achieve an 85 percent pass rate on the firearms training.

348 b. Sixteen hours of instruction in precision pistol.

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349 c. Eight hours of discretionary shooting instruction using  
350 state-of-the-art simulator exercises.

351 d. Eight hours of instruction in active shooter or  
352 assailant scenarios.

353 e. Eight hours of instruction in defensive tactics.

354 f. Twelve hours of instruction in legal issues.

355 3. Pass a psychological evaluation administered by a  
356 psychologist licensed under chapter 490 and designated by the  
357 Department of Law Enforcement and submit the results of the  
358 evaluation to the sheriff's office. The Department of Law  
359 Enforcement is authorized to provide the sheriff's office with  
360 mental health and substance abuse data for compliance with this  
361 paragraph.

362 4. Submit to and pass an initial drug test and subsequent  
363 random drug tests in accordance with the requirements of s.  
364 112.0455 and the sheriff's office.

365 5. Successfully complete ongoing training, weapon  
366 inspection, and firearm qualification on at least an annual  
367 basis.

368 6. Successfully complete at least 12 hours of a certified  
369 nationally recognized diversity training program.

370  
371 The sheriff shall issue a school marshal certificate to  
372 individuals who meet the requirements of subparagraph 2. The  
373 sheriff shall maintain documentation of weapon and equipment  
374 inspections, as well as the training, certification, inspection,  
375 and qualification records of each school marshal appointed by  
376 the sheriff.

377 Section 6. Paragraph (c) of subsection (9) of section

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378 121.091, Florida Statutes, is amended, and paragraph (f) is  
379 added to that subsection to read:

380 121.091 Benefits payable under the system.—Benefits may not  
381 be paid under this section unless the member has terminated  
382 employment as provided in s. 121.021(39) (a) or begun  
383 participation in the Deferred Retirement Option Program as  
384 provided in subsection (13), and a proper application has been  
385 filed in the manner prescribed by the department. The department  
386 may cancel an application for retirement benefits when the  
387 member or beneficiary fails to timely provide the information  
388 and documents required by this chapter and the department's  
389 rules. The department shall adopt rules establishing procedures  
390 for application for retirement benefits and for the cancellation  
391 of such application when the required information or documents  
392 are not received.

393 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

394 (c) Any person whose retirement is effective on or after  
395 July 1, 2010, or whose participation in the Deferred Retirement  
396 Option Program terminates on or after July 1, 2010, who is  
397 retired under this chapter, except under the disability  
398 retirement provisions of subsection (4) or as provided in s.  
399 121.053, may be reemployed by an employer that participates in a  
400 state-administered retirement system and receive retirement  
401 benefits and compensation from that employer. However, a person  
402 may not be reemployed by an employer participating in the  
403 Florida Retirement System before meeting the definition of  
404 termination in s. 121.021 and may not receive both a salary from  
405 the employer and retirement benefits for 6 calendar months after  
406 meeting the definition of termination, except as provided in

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407 paragraph (f). However, a DROP participant shall continue  
408 employment and receive a salary during the period of  
409 participation in the Deferred Retirement Option Program, as  
410 provided in subsection (13).

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

413 2. The employer shall pay retirement contributions in an  
414 amount equal to the unfunded actuarial liability portion of the  
415 employer contribution that would be required for active members  
416 of the Florida Retirement System in addition to the  
417 contributions required by s. 121.76.

418 3. A retiree initially reemployed in violation of this  
419 paragraph and an employer that employs or appoints such person  
420 are jointly and severally liable for reimbursement of any  
421 retirement benefits paid to the retirement trust fund from which  
422 the benefits were paid, including the Florida Retirement System  
423 Trust Fund and the Public Employee Optional Retirement Program  
424 Trust Fund, as appropriate. The employer must have a written  
425 statement from the employee that he or she is not retired from a  
426 state-administered retirement system. Retirement benefits shall  
427 remain suspended until repayment is made. Benefits suspended  
428 beyond the end of the retiree's 6-month reemployment limitation  
429 period shall apply toward the repayment of benefits received in  
430 violation of this paragraph.

431 (f) A retired law enforcement officer may be reemployed as  
432 a school resource officer by an employer that participates in  
433 the Florida Retirement System and receive compensation from that  
434 employer and retirement benefits after meeting the definition of  
435 termination in s. 121.021, but may not receive both a salary

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436 from the employer and retirement benefits for 6 calendar months  
437 immediately subsequent to the date of retirement. The reemployed  
438 retired law enforcement officer may not renew membership in the  
439 Florida Retirement System, except as provided in s. 121.122.

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

442 394.463 Involuntary examination.—

443 (2) INVOLUNTARY EXAMINATION.—

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

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

448 2. Use such reasonable physical force as is necessary to  
449 gain entry to the premises, and any dwellings, buildings, or  
450 other structures located on the premises, and take custody of  
451 the person who is the subject of the ex parte order. When  
452 practicable, a law enforcement officer who has received crisis  
453 intervention team (CIT) training shall be assigned to serve and  
454 execute the ex parte order.

455 (d)1. A law enforcement officer taking custody of a person  
456 under this subsection may seize and hold a firearm or any  
457 ammunition the person possesses at the time of taking him or her  
458 into custody if the person poses a potential danger to himself  
459 or herself or others and has made a credible threat of violence  
460 against another person.

461 2. If the law enforcement officer takes custody of the  
462 person at the person's residence and the criteria in  
463 subparagraph 1. have been met, the law enforcement officer may  
464 seek the voluntary surrender of firearms or ammunition kept in



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465 the residence which have not already been seized under  
466 subparagraph 1. If such firearms or ammunition are not  
467 voluntarily surrendered, or if the person has other firearms or  
468 ammunition that were not seized or voluntarily surrendered when  
469 he or she was taken into custody, a law enforcement officer may  
470 petition the appropriate court under s. 790.401 for a risk  
471 protection order against the person.

472 3. Firearms or ammunition seized or voluntarily surrendered  
473 under this paragraph must be made available for return no later  
474 than 24 hours after the person taken into custody can document  
475 that he or she is no longer subject to involuntary examination  
476 and has been released or discharged from any inpatient or  
477 involuntary outpatient treatment provided or ordered under  
478 paragraph (g), unless a risk protection order entered under s.  
479 790.401 directs the law enforcement agency to hold the firearms  
480 or ammunition for a longer period or the person is subject to a  
481 firearm purchase disability under s. 790.065(2), or a firearm  
482 possession and firearm ownership disability under s. 790.064.  
483 The process for the actual return of firearms or ammunition  
484 seized or voluntarily surrendered under this paragraph may not  
485 take longer than 7 days.

486 4. Law enforcement agencies must develop policies and  
487 procedures relating to the seizure, storage, and return of  
488 firearms or ammunition held under this paragraph. A law  
489 ~~enforcement officer acting in accordance with an ex parte order~~  
490 ~~issued pursuant to this subsection may use such reasonable~~  
491 ~~physical force as is necessary to gain entry to the premises,~~  
492 ~~and any dwellings, buildings, or other structures located on the~~  
493 ~~premises, and to take custody of the person who is the subject~~

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494 ~~of the ex parte order.~~

495 Section 8. Section 394.495, Florida Statutes, is amended to  
496 read:

497 394.495 Child and adolescent mental health system of care;  
498 programs and services.—

499 (1) The department shall establish, within available  
500 resources, an array of services to meet the individualized  
501 service and treatment needs of children and adolescents who are  
502 members of the target populations specified in s. 394.493, and  
503 of their families. It is the intent of the Legislature that a  
504 child or adolescent may not be admitted to a state mental health  
505 facility and such a facility may not be included within the  
506 array of services.

507 (2) The array of services must include assessment services  
508 that provide a professional interpretation of the nature of the  
509 problems of the child or adolescent and his or her family;  
510 family issues that may impact the problems; additional factors  
511 that contribute to the problems; and the assets, strengths, and  
512 resources of the child or adolescent and his or her family. The  
513 assessment services to be provided shall be determined by the  
514 clinical needs of each child or adolescent. Assessment services  
515 include, but are not limited to, evaluation and screening in the  
516 following areas:

517 (a) Physical and mental health for purposes of identifying  
518 medical and psychiatric problems.

519 (b) Psychological functioning, as determined through a  
520 battery of psychological tests.

521 (c) Intelligence and academic achievement.

522 (d) Social and behavioral functioning.

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523 (e) Family functioning.

524

525 The assessment for academic achievement is the financial  
526 responsibility of the school district. The department shall  
527 cooperate with other state agencies and the school district to  
528 avoid duplicating assessment services.

529 (3) Assessments must be performed by:

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

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

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

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

538 (a) Prevention services.

539 (b) Home-based services.

540 (c) School-based services.

541 (d) Family therapy.

542 (e) Family support.

543 (f) Respite services.

544 (g) Outpatient treatment.

545 (h) Day treatment.

546 (i) Crisis stabilization.

547 (j) Therapeutic foster care.

548 (k) Residential treatment.

549 (l) Inpatient hospitalization.

550 (m) Case management.

551 (n) Services for victims of sex offenses.

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552 (o) Transitional services.

553 (p) Trauma-informed services for children who have suffered  
554 sexual exploitation as defined in s. 39.01(71)(g).

555 (5) In order to enhance collaboration between agencies and  
556 to facilitate the provision of services by the child and  
557 adolescent mental health treatment and support system and the  
558 school district, the local child and adolescent mental health  
559 system of care shall include the local educational multiagency  
560 network for severely emotionally disturbed students specified in  
561 s. 1006.04.

562 (6) The department shall contract for community action  
563 treatment teams throughout the state with the managing entities.

564 A community action treatment team shall:

565 (a) Provide community-based behavioral health and support  
566 services to children from 11 to 13 years of age, adolescents,  
567 and young adults from 18 to 21 years of age with serious  
568 behavioral health conditions who are at risk of out-of-home  
569 placement as demonstrated by:

570 1. Repeated failures at less intensive levels of care;

571 2. Two or more behavioral health hospitalizations;

572 3. Involvement with the Department of Juvenile Justice;

573 4. A history of multiple episodes involving law

574 enforcement; or

575 5. A record of poor academic performance or suspensions.

576

577 Children younger than 11 years of age who otherwise meet the

578 criteria in this paragraph may be candidates for such services

579 if they demonstrate two or more of the characteristics listed in

580 subparagraph 1.-5.

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581 (b) Use an integrated service delivery approach to  
582 comprehensively address the needs of the child, adolescent, or  
583 young adult and strengthen his or her family and support systems  
584 to assist the child, adolescent, or young adult to live  
585 successfully in the community. A community action treatment team  
586 shall address the therapeutic needs of the child, adolescent, or  
587 young adult receiving services and assist parents and caregivers  
588 in obtaining services and support. The community action  
589 treatment team shall make referrals to specialized treatment  
590 providers if necessary, with follow up by the community action  
591 treatment team to ensure services are received.

592 (c) Focus on engaging the child, adolescent, or young adult  
593 and his or her family as active participants in every phase of  
594 the treatment process. Community action treatment teams shall be  
595 available to the child, adolescent, or young adult and his or  
596 her family at all times.

597 (d) Coordinate with other key entities providing services  
598 and supports to the child, adolescent, or young adult and his or  
599 her family, including, but not limited to, the child's,  
600 adolescent's, or young adult's school, the local educational  
601 multiagency network for severely emotionally disturbed students  
602 under s. 1006.04, the child welfare system, and the juvenile  
603 justice system. Community action treatment teams shall also  
604 coordinate with the managing entity in their service location.

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

607 a. Alachua.

608 b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and  
609 Suwannee.

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610       c. Bay.  
611       d. Brevard.  
612       e. Collier.  
613       f. DeSoto and Sarasota.  
614       g. Duval.  
615       h. Escambia.  
616       i. Hardee, Highlands, and Polk.  
617       j. Hillsborough.  
618       k. Indian River, Martin, Okeechobee, and St. Lucie.  
619       l. Lake and Sumter.  
620       m. Lee.  
621       n. Manatee.  
622       o. Marion.  
623       p. Miami-Dade.  
624       q. Okaloosa.  
625       r. Orange.  
626       s. Palm Beach.  
627       t. Pasco.  
628       u. Pinellas.  
629       v. Walton.  
630       2. Subject to appropriations, the department shall contract  
631 for additional teams through the managing entities to ensure the  
632 availability of community action treatment team services in the  
633 remaining areas of the state.  
634       Section 9. Section 790.064, Florida Statutes, is created to  
635 read:  
636       790.064 Firearm possession and firearm ownership  
637 disability.—  
638       (1) A person who has been adjudicated mentally defective or

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639 who has been committed to a mental institution, as those terms  
640 are defined in s. 790.065(2), may not own a firearm or possess a  
641 firearm until relief from the firearm possession and firearm  
642 ownership disability is obtained.

643 (2) The firearm possession and firearm ownership disability  
644 runs concurrently with the firearm purchase disability provided  
645 in s. 790.065(2).

646 (3) A person may petition the court that made the  
647 adjudication or commitment, or that ordered that the record be  
648 submitted to the Department of Law Enforcement pursuant to s.  
649 790.065(2), for relief from the firearm possession and firearm  
650 ownership disability.

651 (4) The person seeking relief must follow the procedures  
652 set forth in s. 790.065(2) for obtaining relief from the firearm  
653 purchase disability in seeking relief from the firearm  
654 possession and firearm ownership disability.

655 (5) The person may seek relief from the firearm possession  
656 and firearm ownership disability simultaneously with the relief  
657 being sought from the firearm purchase disability, if such  
658 relief is sought, pursuant to the procedure set forth in s.  
659 790.065(2).

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

663 790.065 Sale and delivery of firearms.—

664 (13) A person younger than 21 years of age may not purchase  
665 a firearm. The sale or transfer of a firearm to a person younger  
666 than 21 years of age may not be made or facilitated by a  
667 licensed importer, licensed manufacturer, or licensed dealer. A

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668 person who violates this subsection commits a felony of the  
669 third degree, punishable as provided in s. 775.082, s. 775.083,  
670 or s. 775.084. The prohibitions of this subsection do not apply  
671 to the purchase of a rifle or shotgun by a law enforcement  
672 officer or correctional officer, as those terms are defined in  
673 s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a  
674 servicemember as defined in s. 250.01.

675 Section 11. Section 790.0655, Florida Statutes, is amended  
676 to read:

677 790.0655 Purchase and delivery of firearms ~~handguns~~;  
678 mandatory waiting period; exceptions; penalties.-

679 (1) (a) ~~There shall be~~ A mandatory ~~3-day~~ waiting period is  
680 imposed between the purchase and delivery of a firearm. The  
681 mandatory waiting period is, which shall be 3 days, excluding  
682 weekends and legal holidays, or expires upon the completion of  
683 the records checks required under s. 790.065, whichever occurs  
684 later between the purchase and the delivery at retail of any  
685 handgun. "Purchase" means the transfer of money or other  
686 valuable consideration to the retailer. ~~"Handgun" means a~~  
687 ~~firearm capable of being carried and used by one hand, such as a~~  
688 ~~pistol or revolver.~~ "Retailer" means and includes a licensed  
689 importer, licensed manufacturer, or licensed dealer ~~every person~~  
690 engaged in the business of making firearm sales at retail or for  
691 distribution, or use, or consumption, or storage to be used or  
692 consumed in this state, as defined in s. 212.02(13).

693 (b) Records of firearm ~~handgun~~ sales must be available for  
694 inspection by any law enforcement agency, as defined in s.  
695 934.02, during normal business hours.

696 (2) The ~~3-day~~ waiting period does ~~shall~~ not apply in the



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697 following circumstances:

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

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

701 (c) To the purchase of a rifle or shotgun, upon a person's  
702 successfully completing a minimum of a 16-hour hunter safety  
703 course and possessing a hunter safety certification card issued  
704 under s. 379.3581. A person who is exempt from the hunter safety  
705 course requirements under s. 379.3581 and holds a valid Florida  
706 hunting license, is exempt from the mandatory waiting period  
707 under this section for the purchase of a rifle or shotgun.

708 (d) When a rifle or shotgun is being purchased by a law  
709 enforcement officer or correctional officer, as those terms are  
710 defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a  
711 servicemember as defined in s. 250.01.

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

714 (a) For any retailer, or any employee or agent of a  
715 retailer, to deliver a firearm ~~handgun~~ before the expiration of  
716 the ~~3-day~~ waiting period, subject to the exceptions provided in  
717 subsection (2).

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

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

722 790.222 Bump-fire stocks prohibited.—A person may not  
723 import into this state or transfer, distribute, sell, keep for  
724 sale, offer for sale, possess, or give to another person a bump-  
725 fire stock. A person who violates this section commits a felony

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726 of the third degree, punishable as provided in s. 775.082, s.  
727 775.083, or s. 775.084. As used in this section, the term "bump-  
728 fire stock" means a conversion kit, a tool, an accessory, or a  
729 device used to alter the rate of fire of a firearm to mimic  
730 automatic weapon fire or which is used to increase the rate of  
731 fire to a faster rate than is possible for a person to fire such  
732 semiautomatic firearm unassisted by a kit, a tool, an accessory,  
733 or a device.

734 Section 13. (1) Section 790.401, Florida Statutes, is  
735 intended to temporarily prevent individuals who are at high risk  
736 of harming themselves or others from accessing firearms or  
737 ammunition by allowing law enforcement officers to obtain a  
738 court order when there is demonstrated evidence that a person  
739 poses a significant danger to himself or herself or others,  
740 including significant danger as a result of a mental health  
741 crisis or violent behavior.

742 (2) The purpose and intent of s. 790.401, Florida Statutes,  
743 is to reduce deaths and injuries as a result of certain  
744 individuals' use of firearms while respecting constitutional  
745 rights by providing a judicial procedure for law enforcement  
746 officers to obtain a court order temporarily restricting a  
747 person's access to firearms and ammunition. The process  
748 established by s. 790.401, Florida Statutes, is intended to  
749 apply only to situations in which the person poses a significant  
750 danger of harming himself or herself or others by possessing a  
751 firearm or ammunition and to include standards and safeguards to  
752 protect the rights of respondents and due process of law.

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

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755 Section 15. Section 790.401, Florida Statutes, is created  
756 to read:

757 790.401 Risk protection orders.—

758 (1) DEFINITIONS.—As used in this section, the term:

759 (a) "Petitioner" means a law enforcement officer or a law  
760 enforcement agency that petitions a court for a risk protection  
761 order under this section.

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

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

766 (2) PETITION FOR A RISK PROTECTION ORDER.—There is created  
767 an action known as a petition for a risk protection order.

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

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

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

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

777 (e) A petition must:

778 1. Allege that the respondent poses a significant danger of  
779 causing personal injury to himself or herself or others by  
780 having a firearm or any ammunition in his or her custody or  
781 control or by purchasing, possessing, or receiving a firearm or  
782 any ammunition, and must be accompanied by an affidavit made  
783 under oath stating the specific statements, actions, or facts

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784 that give rise to a reasonable fear of significant dangerous  
785 acts by the respondent;

786 2. Identify the quantities, types, and locations of all  
787 firearms and ammunition the petitioner believes to be in the  
788 respondent's current ownership, possession, custody, or control;  
789 and

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

793 (f) The petitioner must make a good faith effort to provide  
794 notice to a family or household member of the respondent and to  
795 any known third party who may be at risk of violence. The notice  
796 must state that the petitioner intends to petition the court for  
797 a risk protection order or has already done so and must include  
798 referrals to appropriate resources, including mental health,  
799 domestic violence, and counseling resources. The petitioner must  
800 attest in the petition to having provided such notice or must  
801 attest to the steps that will be taken to provide such notice.

802 (g) The petitioner must list the address of record on the  
803 petition as being where the appropriate law enforcement agency  
804 is located.

805 (h) A court or a public agency may not charge fees for  
806 filing or for service of process to a petitioner seeking relief  
807 under this section and must provide the necessary number of  
808 certified copies, forms, and instructional brochures free of  
809 charge.

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

812 (j) The circuit courts of this state have jurisdiction over

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813 proceedings under this section.

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

815 (a) Upon receipt of a petition, the court must order a  
816 hearing to be held no later than 14 days after the date of the  
817 order and must issue a notice of hearing to the respondent for  
818 the same.

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

823 2. The court may, as provided in subsection (4), issue a  
824 temporary ex parte risk protection order pending the hearing  
825 ordered under this subsection. Such temporary ex parte order  
826 must be served concurrently with the notice of hearing and  
827 petition as provided in subsection (5).

828 3. The court may conduct a hearing by telephone pursuant to  
829 a local court rule to reasonably accommodate a disability or  
830 exceptional circumstances. The court must receive assurances of  
831 the petitioner's identity before conducting a telephonic  
832 hearing.

833 (b) Upon notice and a hearing on the matter, if the court  
834 finds by clear and convincing evidence that the respondent poses  
835 a significant danger of causing personal injury to himself or  
836 herself or others by having in his or her custody or control, or  
837 by purchasing, possessing, or receiving, a firearm or any  
838 ammunition, the court must issue a risk protection order for a  
839 period that it deems appropriate, up to and including but not  
840 exceeding 12 months.

841 (c) In determining whether grounds for a risk protection

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842 order exist, the court may consider any relevant evidence,  
843 including, but not limited to, any of the following:

844 1. A recent act or threat of violence by the respondent  
845 against himself or herself or others, whether or not such  
846 violence or threat of violence involves a firearm.

847 2. An act or threat of violence by the respondent within  
848 the past 12 months, including, but not limited to, acts or  
849 threats of violence by the respondent against himself or herself  
850 or others.

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

853 4. A violation by the respondent of a risk protection order  
854 or a no contact order issued under s. 741.30, s. 784.046, or s.  
855 784.0485.

856 5. A previous or existing risk protection order issued  
857 against the respondent.

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

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

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

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

868 10. The recurring use of, or threat to use, physical force  
869 by the respondent against another person or the respondent  
870 stalking another person.

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871 11. Whether the respondent, in this state or any other  
872 state, has been arrested for, convicted of, had adjudication  
873 withheld on, or pled nolo contendere to a crime involving  
874 violence or a threat of violence.

875 12. Corroborated evidence of the abuse of controlled  
876 substances or alcohol by the respondent.

877 13. Evidence of recent acquisition of firearms or  
878 ammunition by the respondent.

879 14. Any relevant information from family and household  
880 members concerning the respondent.

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

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

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

892 (f) During the hearing, the court must consider whether a  
893 mental health evaluation or chemical dependency evaluation is  
894 appropriate and, if such determination is made, may order such  
895 evaluations, if appropriate.

896 (g) A risk protection order must include all of the  
897 following:

898 1. A statement of the grounds supporting the issuance of  
899 the order;

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900       2. The date the order was issued;

901       3. The date the order ends;

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

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

906       6. A description of the requirements for the surrender of  
907 all firearms and ammunition that the respondent owns, under  
908 subsection (7); and

909       7. The following statement:

910  
911 "To the subject of this protection order: This order will last  
912 until the date noted above. If you have not done so already, you  
913 must surrender immediately to the (insert name of local law  
914 enforcement agency) all firearms and ammunition that you own in  
915 your custody, control, or possession and any license to carry a  
916 concealed weapon or firearm issued to you under s. 790.06,  
917 Florida Statutes. You may not have in your custody or control,  
918 or purchase, possess, receive, or attempt to purchase or  
919 receive, a firearm or ammunition while this order is in effect.  
920 You have the right to request one hearing to vacate this order,  
921 starting after the date of the issuance of this order, and to  
922 request another hearing after every extension of the order, if  
923 any. You may seek the advice of an attorney as to any matter  
924 connected with this order."

925  
926       (h) If the court issues a risk protection order, the court  
927 must inform the respondent that he or she is entitled to request  
928 a hearing to vacate the order in the manner provided by



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929 subsection (6). The court shall provide the respondent with a  
930 form to request a hearing to vacate.

931 (i) If the court denies the petitioner's request for a risk  
932 protection order, the court must state the particular reasons  
933 for the denial.

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

935 (a) A petitioner may request that a temporary ex parte risk  
936 protection order be issued before a hearing for a risk  
937 protection order, without notice to the respondent, by including  
938 in the petition detailed allegations based on personal knowledge  
939 that the respondent poses a significant danger of causing  
940 personal injury to himself or herself or others in the near  
941 future by having in his or her custody or control, or by  
942 purchasing, possessing, or receiving, a firearm or ammunition.

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

947 (c) If a court finds there is reasonable cause to believe  
948 that the respondent poses a significant danger of causing  
949 personal injury to himself or herself or others in the near  
950 future by having in his or her custody or control, or by  
951 purchasing, possessing, or receiving, a firearm or ammunition,  
952 the court must issue a temporary ex parte risk protection order.

953 (d) The court must hold a temporary ex parte risk  
954 protection order hearing in person or by telephone on the day  
955 the petition is filed or on the business day immediately  
956 following the day the petition is filed.

957 (e) A temporary ex parte risk protection order must include

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958 all of the following:

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

960 2. The date the order was issued;

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

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

964 5. A description of the requirements for the surrender of  
965 all firearms and ammunition that the respondent owns, under  
966 subsection (7); and

967 6. The following statement:

968  
969 "To the subject of this protection order: This order is valid  
970 until the date noted above. You are required to surrender all  
971 firearms and ammunition that you own in your custody, control,  
972 or possession. You may not have in your custody or control, or  
973 purchase, possess, receive, or attempt to purchase or receive, a  
974 firearm or ammunition while this order is in effect. You must  
975 surrender immediately to the (insert name of local law  
976 enforcement agency) all firearms and ammunition in your custody,  
977 control, or possession and any license to carry a concealed  
978 weapon or firearm issued to you under s. 790.06, Florida  
979 Statutes. A hearing will be held on the date and at the time  
980 noted above to determine if a risk protection order should be  
981 issued. Failure to appear at that hearing may result in a court  
982 issuing an order against you which is valid for 1 year. You may  
983 seek the advice of an attorney as to any matter connected with  
984 this order."

985  
986 (f) A temporary ex parte risk protection order ends upon

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987 the hearing on the risk protection order.

988 (g) A temporary ex parte risk protection order must be  
989 served by a law enforcement officer in the same manner as  
990 provided for in subsection (5) for service of the notice of  
991 hearing and petition and must be served concurrently with the  
992 notice of hearing and petition.

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

996 (5) SERVICE.—

997 (a) The clerk of the court shall furnish a copy of the  
998 notice of hearing, petition, and temporary ex parte risk  
999 protection order or risk protection order, as applicable, to the  
1000 sheriff of the county where the respondent resides or can be  
1001 found, who shall serve it upon the respondent as soon thereafter  
1002 as possible on any day of the week and at any time of the day or  
1003 night. When requested by the sheriff, the clerk of the court may  
1004 transmit a facsimile copy of a temporary ex parte risk  
1005 protection order or a risk protection order that has been  
1006 certified by the clerk of the court, and this facsimile copy may  
1007 be served in the same manner as a certified copy. Upon receiving  
1008 a facsimile copy, the sheriff must verify receipt with the  
1009 sender before attempting to serve it upon the respondent. The  
1010 clerk of the court shall be responsible for furnishing to the  
1011 sheriff information on the respondent's physical description and  
1012 location. Notwithstanding any other provision of law to the  
1013 contrary, the chief judge of each circuit, in consultation with  
1014 the appropriate sheriff, may authorize a law enforcement agency  
1015 within the jurisdiction to effect service. A law enforcement

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1016 agency effecting service pursuant to this section shall use  
1017 service and verification procedures consistent with those of the  
1018 sheriff. Service under this section takes precedence over the  
1019 service of other documents, unless the other documents are of a  
1020 similar emergency nature.

1021 (b) All orders issued, changed, continued, extended, or  
1022 vacated after the original service of documents specified in  
1023 paragraph (a) must be certified by the clerk of the court and  
1024 delivered to the parties at the time of the entry of the order.  
1025 The parties may acknowledge receipt of such order in writing on  
1026 the face of the original order. If a party fails or refuses to  
1027 acknowledge the receipt of a certified copy of an order, the  
1028 clerk shall note on the original order that service was  
1029 effected. If delivery at the hearing is not possible, the clerk  
1030 shall mail certified copies of the order to the parties at the  
1031 last known address of each party. Service by mail is complete  
1032 upon mailing. When an order is served pursuant to this  
1033 subsection, the clerk shall prepare a written certification to  
1034 be placed in the court file specifying the time, date, and  
1035 method of service and shall notify the sheriff.

1036 (6) TERMINATION AND EXTENSION OF ORDERS.—

1037 (a) The respondent may submit one written request for a  
1038 hearing to vacate a risk protection order issued under this  
1039 section, starting after the date of the issuance of the order,  
1040 and may request another hearing after every extension of the  
1041 order, if any.

1042 1. Upon receipt of the request for a hearing to vacate a  
1043 risk protection order, the court shall set a date for a hearing.  
1044 Notice of the request must be served on the petitioner in

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1045 accordance with subsection (5). The hearing must occur no sooner  
1046 than 14 days and no later than 30 days after the date of service  
1047 of the request upon the petitioner.

1048 2. The respondent shall have the burden of proving by clear  
1049 and convincing evidence that the respondent does not pose a  
1050 significant danger of causing personal injury to himself or  
1051 herself or others by having in his or her custody or control,  
1052 purchasing, possessing, or receiving a firearm or ammunition.  
1053 The court may consider any relevant evidence, including evidence  
1054 of the considerations listed in paragraph (3) (c).

1055 3. If the court finds after the hearing that the respondent  
1056 has met his or her burden of proof, the court must vacate the  
1057 order.

1058 4. The law enforcement agency holding any firearm or  
1059 ammunition or license to carry a concealed weapon or firearm  
1060 that has been surrendered pursuant to this section shall be  
1061 notified of the court order to vacate the risk protection order.

1062 (b) The court must notify the petitioner of the impending  
1063 end of a risk protection order. Notice must be received by the  
1064 petitioner at least 30 days before the date the order ends.

1065 (c) The petitioner may, by motion, request an extension of  
1066 a risk protection order at any time within 30 days before the  
1067 end of the order.

1068 1. Upon receipt of the motion to extend, the court shall  
1069 order that a hearing be held no later than 14 days after the  
1070 date the order is issued and shall schedule such hearing.

1071 a. The court may schedule a hearing by telephone in the  
1072 manner provided by subparagraph (3) (a) 3.

1073 b. The respondent must be personally serviced in the same

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1074 manner provided by subsection (5).

1075 2. In determining whether to extend a risk protection order  
1076 issued under this section, the court may consider all relevant  
1077 evidence, including evidence of the considerations listed in  
1078 paragraph (3) (c).

1079 3. If the court finds by clear and convincing evidence that  
1080 the requirements for issuance of a risk protection order as  
1081 provided in subsection (3) continue to be met, the court must  
1082 extend the order. However, if, after notice, the motion for  
1083 extension is uncontested and no modification of the order is  
1084 sought, the order may be extended on the basis of a motion or  
1085 affidavit stating that there has been no material change in  
1086 relevant circumstances since entry of the order and stating the  
1087 reason for the requested extension.

1088 4. The court may extend a risk protection order for a  
1089 period that it deems appropriate, up to and including but not  
1090 exceeding 12 months, subject to an order to vacate as provided  
1091 in paragraph (a) or to another extension order by the court.

1092 (7) SURRENDER OF FIREARMS AND AMMUNITION.—

1093 (a) Upon issuance of a risk protection order under this  
1094 section, including a temporary ex parte risk protection order,  
1095 the court shall order the respondent to surrender to the local  
1096 law enforcement agency all firearms and ammunition owned by the  
1097 respondent in the respondent's custody, control, or possession  
1098 except as provided in subsection (9), and any license to carry a  
1099 concealed weapon or firearm issued under s. 790.06, held by the  
1100 respondent.

1101 (b) The law enforcement officer serving a risk protection  
1102 order under this section, including a temporary ex parte risk

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1103 protection order, shall request that the respondent immediately  
1104 surrender all firearms and ammunition owned by the respondent in  
1105 his or her custody, control, or possession and any license to  
1106 carry a concealed weapon or firearm issued under s. 790.06, held  
1107 by the respondent. The law enforcement officer shall take  
1108 possession of all firearms and ammunition owned by the  
1109 respondent and any license to carry a concealed weapon or  
1110 firearm issued under s. 790.06, held by the respondent, which  
1111 are surrendered. Alternatively, if personal service by a law  
1112 enforcement officer is not possible or is not required because  
1113 the respondent was present at the risk protection order hearing,  
1114 the respondent must surrender any firearms and ammunition owned  
1115 by the respondent and any license to carry a concealed weapon or  
1116 firearm issued under s. 790.06, held by the respondent, in a  
1117 safe manner to the control of the local law enforcement agency  
1118 immediately after being served with the order by service or  
1119 immediately after the hearing at which the respondent was  
1120 present. Notwithstanding ss. 933.02 and 933.18, a law  
1121 enforcement officer may seek a search warrant from a court of  
1122 competent jurisdiction to conduct a search for firearms or  
1123 ammunition owned by the respondent if the officer has probable  
1124 cause to believe that there are firearms or ammunition owned by  
1125 the respondent in the respondent's custody, control, or  
1126 possession which have not been surrendered.

1127 (c) At the time of surrender, a law enforcement officer  
1128 taking possession of any firearm or ammunition owned by the  
1129 respondent, or a license to carry a concealed weapon or firearm  
1130 issued under s. 790.06, held by the respondent shall issue a  
1131 receipt identifying all firearms and the quantity and type of

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1132 ammunition that have been surrendered, and any license  
1133 surrendered and shall provide a copy of the receipt to the  
1134 respondent. Within 72 hours after service of the order, the law  
1135 enforcement officer serving the order shall file the original  
1136 receipt with the court and shall ensure that his or her law  
1137 enforcement agency retains a copy of the receipt.

1138 (d) Notwithstanding ss. 933.02 and 933.18, upon the sworn  
1139 statement or testimony of any person alleging that the  
1140 respondent has failed to comply with the surrender of firearms  
1141 or ammunition owned by the respondent, as required by an order  
1142 issued under this section, the court shall determine whether  
1143 probable cause exists to believe that the respondent has failed  
1144 to surrender all firearms or ammunition owned by the respondent  
1145 in the respondent's custody, control, or possession. If the  
1146 court finds that probable cause exists, the court must issue a  
1147 warrant describing the firearms or ammunition owned by the  
1148 respondent and authorizing a search of the locations where the  
1149 firearms or ammunition owned by the respondent are reasonably  
1150 believed to be found and the seizure of any firearms or  
1151 ammunition owned by the respondent discovered pursuant to such  
1152 search.

1153 (e) If a person other than the respondent claims title to  
1154 any firearms or ammunition surrendered pursuant to this section  
1155 and he or she is determined by the law enforcement agency to be  
1156 the lawful owner of the firearm or ammunition, the firearm or  
1157 ammunition shall be returned to him or her, if:

1158 1. The lawful owner agrees to store the firearm or  
1159 ammunition in a manner such that the respondent does not have  
1160 access to or control of the firearm or ammunition.



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1161 2. The firearm or ammunition is not otherwise unlawfully  
1162 possessed by the owner.

1163 (f) Upon the issuance of a risk protection order, the court  
1164 shall order a new hearing date and require the respondent to  
1165 appear no later than 3 business days after the issuance of the  
1166 order. The court shall require proof that the respondent has  
1167 surrendered any firearms or ammunition owned by the respondent  
1168 in the respondent's custody, control, or possession. The court  
1169 may cancel the hearing upon a satisfactory showing that the  
1170 respondent is in compliance with the order.

1171 (g) All law enforcement agencies must develop policies and  
1172 procedures regarding the acceptance, storage, and return of  
1173 firearms, ammunition, or licenses required to be surrendered  
1174 under this section.

1175 (8) RETURN AND DISPOSAL OF FIREARMS AND AMMUNITION.—

1176 (a) If a risk protection order is vacated or ends without  
1177 extension, a law enforcement agency holding a firearm or any  
1178 ammunition owned by the respondent or a license to carry a  
1179 concealed weapon or firearm issued under s. 790.06, held by the  
1180 respondent, that has been surrendered or seized pursuant to this  
1181 section must return such surrendered firearm, ammunition, or  
1182 license to carry a concealed weapon or firearm issued under s.  
1183 790.06, as requested by a respondent only after confirming  
1184 through a background check that the respondent is currently  
1185 eligible to own or possess firearms and ammunition under federal  
1186 and state law and after confirming with the court that the risk  
1187 protection order has been vacated or has ended without  
1188 extension.

1189 (b) If a risk protection order is vacated or ends without

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1190 extension, the Department of Agriculture and Consumer Services,  
1191 if it has suspended a license to carry a concealed weapon or  
1192 firearm pursuant to this section, must reinstate such license  
1193 only after confirming that the respondent is currently eligible  
1194 to have a license to carry a concealed weapon or firearm  
1195 pursuant to s. 790.06.

1196 (c) A law enforcement agency must provide notice to any  
1197 family or household members of the respondent before the return  
1198 of any surrendered firearm and ammunition owned by the  
1199 respondent.

1200 (d) Any firearm and ammunition surrendered by a respondent  
1201 pursuant to subsection (7) which remains unclaimed for 1 year by  
1202 the lawful owner after an order to vacate the risk protection  
1203 order shall be disposed of in accordance with the law  
1204 enforcement agency's policies and procedures for the disposal of  
1205 firearms in police custody.

1206 (9) TRANSFER OF FIREARMS AND AMMUNITION.—A respondent may  
1207 elect to transfer all firearms and ammunition owned by the  
1208 respondent that have been surrendered to or seized by a local  
1209 law enforcement agency pursuant to subsection (7) to another  
1210 person who is willing to receive the respondent's firearms and  
1211 ammunition. The law enforcement agency must allow such a  
1212 transfer only if it is determined that the chosen recipient:

1213 (a) Currently is eligible to own or possess a firearm and  
1214 ammunition under federal and state law after confirmation  
1215 through a background check;

1216 (b) Attests to storing the firearms and ammunition in a  
1217 manner such that the respondent does not have access to or  
1218 control of the firearms and ammunition until the risk protection

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1219 order against the respondent is vacated or ends without  
1220 extension; and

1221 (c) Attests not to transfer the firearms or ammunition back  
1222 to the respondent until the risk protection order against the  
1223 respondent is vacated or ends without extension.

1224 (10) REPORTING OF ORDERS.—

1225 (a) Within 24 hours after issuance, the clerk of the court  
1226 shall enter any risk protection order or temporary ex parte risk  
1227 protection order issued under this section into the uniform case  
1228 reporting system.

1229 (b) Within 24 hours after issuance, the clerk of the court  
1230 shall forward a copy of an order issued under this section to  
1231 the appropriate law enforcement agency specified in the order.  
1232 Upon receipt of the copy of the order, the law enforcement  
1233 agency shall enter the order into the Florida Crime Information  
1234 Center and National Crime Information Center. The order must  
1235 remain in each system for the period stated in the order, and  
1236 the law enforcement agency may only remove an order from the  
1237 systems which has ended or been vacated. Entry of the order into  
1238 the Florida Crime Information Center and National Crime  
1239 Information Center constitutes notice to all law enforcement  
1240 agencies of the existence of the order. The order is fully  
1241 enforceable in any county in this state.

1242 (c) The issuing court shall, within 3 business days after  
1243 issuance of a risk protection order or temporary ex parte risk  
1244 protection order, forward all available identifying information  
1245 concerning the respondent, along with the date of order  
1246 issuance, to the Department of Agriculture and Consumer  
1247 Services. Upon receipt of the information, the department shall

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1248 determine if the respondent has a license to carry a concealed  
1249 weapon or firearm. If the respondent does have a license to  
1250 carry a concealed weapon or firearm, the department must  
1251 immediately suspend the license.

1252 (d) If a risk protection order is vacated before its end  
1253 date, the clerk of the court shall, on the day of the order to  
1254 vacate, forward a copy of the order to the Department of  
1255 Agriculture and Consumer Services and the appropriate law  
1256 enforcement agency specified in the order to vacate. Upon  
1257 receipt of the order, the law enforcement agency shall promptly  
1258 remove the order from any computer-based system in which it was  
1259 entered pursuant to paragraph (b).

1260 (11) PENALTIES.—

1261 (a) A person who makes a false statement, which he or she  
1262 does not believe to be true, under oath in a hearing under this  
1263 section in regard to any material matter commits a felony of the  
1264 third degree, punishable as provided in s. 775.082, s. 775.083,  
1265 or s. 775.084.

1266 (b) A person who has in his or her custody or control a  
1267 firearm or any ammunition or who purchases, possesses, or  
1268 receives a firearm or any ammunition with knowledge that he or  
1269 she is prohibited from doing so by an order issued under this  
1270 section commits a felony of the third degree, punishable as  
1271 provided in s. 775.082, s. 775.083, or s. 775.084.

1272 (12) LAW ENFORCEMENT RETAINS OTHER AUTHORITY.—This section  
1273 does not affect the ability of a law enforcement officer to  
1274 remove a firearm or ammunition or license to carry a concealed  
1275 weapon or concealed firearm from any person or to conduct any  
1276 search and seizure for firearms or ammunition pursuant to other

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1277 lawful authority.

1278 (13) LIABILITY.—Except as provided in subsection (8) or  
1279 subsection (11), this section does not impose criminal or civil  
1280 liability on any person or entity for acts or omissions related  
1281 to obtaining a risk protection order or temporary ex parte risk  
1282 protection order, including, but not limited to, providing  
1283 notice to the petitioner, a family or household member of the  
1284 respondent, and any known third party who may be at risk of  
1285 violence or failure to provide such notice, or reporting,  
1286 declining to report, investigating, declining to investigate,  
1287 filing, or declining to file, a petition under this section.

1288 (14) INSTRUCTIONAL AND INFORMATIONAL MATERIAL.—

1289 (a) The Office of the State Courts Administrator shall  
1290 develop and prepare instructions and informational brochures,  
1291 standard petitions and risk protection order forms, and a court  
1292 staff handbook on the risk protection order process. The  
1293 standard petition and order forms must be used after January 1,  
1294 2019, for all petitions filed and orders issued pursuant to this  
1295 section. The office shall determine the significant non-English-  
1296 speaking or limited English-speaking populations in the state  
1297 and prepare the instructions and informational brochures and  
1298 standard petitions and risk protection order forms in such  
1299 languages. The instructions, brochures, forms, and handbook must  
1300 be prepared in consultation with interested persons, including  
1301 representatives of gun violence prevention groups, judges, and  
1302 law enforcement personnel. Materials must be based on best  
1303 practices and must be available online to the public.

1304 1. The instructions must be designed to assist petitioners  
1305 in completing the petition and must include a sample of a

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1306 standard petition and order for protection forms.

1307 2. The instructions and standard petition must include a  
1308 means for the petitioner to identify, with only layman's  
1309 knowledge, the firearms or ammunition the respondent may own,  
1310 possess, receive, or have in his or her custody or control. The  
1311 instructions must provide pictures of types of firearms and  
1312 ammunition that the petitioner may choose from to identify the  
1313 relevant firearms or ammunition, or must provide an equivalent  
1314 means to allow petitioners to identify firearms or ammunition  
1315 without requiring specific or technical knowledge regarding the  
1316 firearms or ammunition.

1317 3. The informational brochure must describe the use of and  
1318 the process for obtaining, extending, and vacating a risk  
1319 protection order under this section and must provide relevant  
1320 forms.

1321 4. The risk protection order form must include, in a  
1322 conspicuous location, notice of criminal penalties resulting  
1323 from violation of the order and the following statement: "You  
1324 have the sole responsibility to avoid or refrain from violating  
1325 this order's provisions. Only the court can change the order and  
1326 only upon written request."

1327 5. The court staff handbook must allow for the addition of  
1328 a community resource list by the clerk of the court.

1329 (b) Any clerk of court may create a community resource list  
1330 of crisis intervention, mental health, substance abuse,  
1331 interpreter, counseling, and other relevant resources serving  
1332 the county in which the court is located. The court may make the  
1333 community resource list available as part of or in addition to  
1334 the informational brochures described in paragraph (a).

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1335 (c) The Office of the State Courts Administrator shall  
1336 distribute a master copy of the petition and order forms,  
1337 instructions, and informational brochures to the clerks of  
1338 court. Distribution of all documents shall, at a minimum, be in  
1339 an electronic format or formats accessible to all courts and  
1340 clerks of court in the state.

1341 (d) Within 90 days after receipt of the master copy from  
1342 the Office of the State Courts Administrator, the clerk of the  
1343 court shall make available the standardized forms, instructions,  
1344 and informational brochures required by this subsection.

1345 (e) The Office of the State Courts Administrator shall  
1346 update the instructions, brochures, standard petition and risk  
1347 protection order forms, and court staff handbook as necessary,  
1348 including when changes in the law make an update necessary.

1349 Section 16. Section 836.10, Florida Statutes, is amended to  
1350 read:

1351 836.10 Written threats to kill, ~~or~~ do bodily injury, or  
1352 conduct a mass shooting or an act of terrorism; punishment.—Any  
1353 person who writes or composes and also sends or procures the  
1354 sending of any letter, inscribed communication, or electronic  
1355 communication, whether such letter or communication be signed or  
1356 anonymous, to any person, containing a threat to kill or to do  
1357 bodily injury to the person to whom such letter or communication  
1358 is sent, or a threat to kill or do bodily injury to any member  
1359 of the family of the person to whom such letter or communication  
1360 is sent, or any person who makes, posts, or transmits a threat  
1361 in a writing or other record, including an electronic record, to  
1362 conduct a mass shooting or an act of terrorism, in any manner  
1363 that would allow another person to view the threat, commits a

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1364 felony of the second degree, punishable as provided in s.  
 1365 775.082, s. 775.083, or s. 775.084.  
 1366 Section 17. Paragraph (f) of subsection (3) of section  
 1367 921.0022, Florida Statutes, is amended to read:  
 1368 921.0022 Criminal Punishment Code; offense severity ranking  
 1369 chart.—

1370 (3) OFFENSE SEVERITY RANKING CHART  
 1371 (f) LEVEL 6  
 1372

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.



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1377	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
1378	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
1379	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
1380	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
1381	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
1382	784.041	3rd	Felony battery; domestic battery by strangulation.
1383	784.048 (3)	3rd	Aggravated stalking; credible threat.
1384	784.048 (5)	3rd	Aggravated stalking of person under 16.

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1385	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
1386	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
1387	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
1388	784.081 (2)	2nd	Aggravated assault on specified official or employee.
1389	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
1390	784.083 (2)	2nd	Aggravated assault on code inspector.
1391	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.

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1392	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
1393	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
1394	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.
1395	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
1396	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
1397	794.05 (1)	2nd	Unlawful sexual activity

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1398			with specified minor.
	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.
1399			
	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
1400			
	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
1401			
	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
1402			
	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
1403			
	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in

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			2nd degree.
1404	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
1405	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
1406	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
1407	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
1408	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
1409	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
1410	825.102 (1)	3rd	Abuse of an elderly person or disabled

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1411			adult.
	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
1412			
	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
1413			
	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
1414			
	827.03 (2) (c)	3rd	Abuse of a child.
1415			
	827.03 (2) (d)	3rd	Neglect of a child.
1416			
	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1417			
	836.05	2nd	Threats; extortion.
1418			
	836.10	2nd	Written threats to kill, <u>or</u> <del>or</del> do bodily injury, <u>or</u>

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1419			<u>conduct a mass shooting</u> <u>or an act of terrorism.</u>
1420	843.12	3rd	Aids or assists person to escape.
1421	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
1422	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
1423	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
1424	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.

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<p>1425</p>	<p>944.35 (3) (a) 2.</p>	<p>3rd</p>	<p>Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.</p>
<p>1426</p>	<p>944.40</p>	<p>2nd</p>	<p>Escapes.</p>
<p>1427</p>	<p>944.46</p>	<p>3rd</p>	<p>Harboring, concealing, aiding escaped prisoners.</p>
<p>1428</p>	<p>944.47 (1) (a) 5.</p>	<p>2nd</p>	<p>Introduction of contraband (firearm, weapon, or explosive) into correctional facility.</p>
<p>1429</p> <p>1430</p> <p>1431</p> <p>1432</p>	<p>951.22 (1)</p>	<p>3rd</p>	<p>Intoxicating drug, firearm, or weapon introduced into county facility.</p>

Section 18. Section 943.082, Florida Statutes, is created



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1433 to read:

1434 943.082 School Safety Awareness Program.—

1435 (1) In collaboration with the Department of Legal Affairs,  
1436 the department shall competitively procure a mobile suspicious  
1437 activity reporting tool that allows students and the community  
1438 to relay information anonymously concerning unsafe, potentially  
1439 harmful, dangerous, violent, or criminal activities, or the  
1440 threat of these activities, to appropriate public safety  
1441 agencies and school officials. As recommended by students of  
1442 Marjory Stoneman Douglas High School, the program shall be named  
1443 “FortifyFL.” At a minimum, the department must receive reports  
1444 electronically through the mobile suspicious activity reporting  
1445 tool that is available on both Android and Apple devices.

1446 (2) The reporting tool must notify the reporting party of  
1447 the following information:

1448 (a) That the reporting party may provide his or her report  
1449 anonymously.

1450 (b) That if the reporting party chooses to disclose his or  
1451 her identity, that information shall be shared with the  
1452 appropriate law enforcement agency and school officials;  
1453 however, the law enforcement agency and school officials shall  
1454 be required to maintain the information as confidential.

1455 (3) Information reported using the tool must be promptly  
1456 forwarded to the appropriate law enforcement agency or school  
1457 official.

1458 (4) Law enforcement dispatch centers, school districts,  
1459 schools, and other entities identified by the department shall  
1460 be made aware of the mobile suspicious activity reporting tool.

1461 (5) The department, in collaboration with the Division of

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1462 Victims Services within the Office of the Attorney General and  
1463 the Office of Safe Schools within the Department of Education,  
1464 shall develop and provide a comprehensive training and awareness  
1465 program on the use of the mobile suspicious activity reporting  
1466 tool.

1467 Section 19. Section 943.687, Florida Statutes, is created  
1468 to read:

1469 943.687 Marjory Stoneman Douglas High School Public Safety  
1470 Commission.—

1471 (1) There is created within the Department of Law  
1472 Enforcement the Marjory Stoneman Douglas High School Public  
1473 Safety Commission, a commission as defined in s. 20.03.

1474 (2) (a) The commission shall convene no later than June 1,  
1475 2018, and shall be composed of 16 members. Five members shall be  
1476 appointed by the President of the Senate, five members shall be  
1477 appointed by the Speaker of the House of Representatives, and  
1478 five members shall be appointed by the Governor. From the  
1479 members of the commission, the Governor shall appoint the chair.  
1480 Appointments must be made by April 30, 2018. The Commissioner of  
1481 the Department of Law Enforcement shall serve as a member of the  
1482 commission. The Secretary of Children and Families, the  
1483 Secretary of Juvenile Justice, the Secretary of Health Care  
1484 Administration, and the Commissioner of Education shall serve as  
1485 ex officio, nonvoting members of the commission. Members shall  
1486 serve at the pleasure of the officer who appointed the member. A  
1487 vacancy on the commission shall be filled in the same manner as  
1488 the original appointment.

1489 (b) The General Counsel of the Department of Law  
1490 Enforcement shall serve as the general counsel for the

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1491 commission.

1492 (c) The Department of Law Enforcement staff, as assigned by  
1493 the chair, shall assist the commission in performing its duties.

1494 (d) The commission shall meet as necessary to conduct its  
1495 work at the call of the chair and at the time designated by him  
1496 or her at locations throughout the state. The commission may  
1497 conduct its meetings through teleconferences or other similar  
1498 means.

1499 (e) Members of the commission are entitled to receive  
1500 reimbursement for per diem and travel expenses pursuant to s.  
1501 112.061.

1502 (3) The commission shall investigate system failures in the  
1503 Marjory Stoneman Douglas High School shooting and prior mass  
1504 violence incidents in this state and develop recommendations for  
1505 system improvements. At a minimum, the commission shall analyze  
1506 information and evidence from the Marjory Stoneman Douglas High  
1507 School shooting and other mass violence incidents in this state.  
1508 At a minimum the commission shall:

1509 (a) Develop a timeline of the incident, incident response,  
1510 and all relevant events preceding the incident, with particular  
1511 attention to all perpetrator contacts with local, state and  
1512 national government agencies and entities and any contract  
1513 providers of such agencies and entities.

1514 (b) Investigate any failures in incident responses by local  
1515 law enforcement agencies and school resource officers.

1516 1. Identify existing policies and procedures for active  
1517 assailant incidents on school premises and evaluate the  
1518 compliance with such policies and procedures in the execution of  
1519 incident responses.

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1520 2. Evaluate existing policies and procedures for active  
1521 assailant incidents on school premises in comparison with  
1522 national best practices.

1523 3. Evaluate the extent to which any failures in policy,  
1524 procedure, or execution contributed to an inability to prevent  
1525 deaths and injuries.

1526 4. Make specific recommendations for improving law  
1527 enforcement and school resource officer incident response in the  
1528 future.

1529 5. Make specific recommendations for determining the  
1530 appropriate ratio of school resource officers per school by  
1531 school type. At a minimum, the methodology for determining the  
1532 ratio should include the school location, student population,  
1533 and school design.

1534 (c) Investigate any failures in interactions with  
1535 perpetrators preceding mass violence incidents.

1536 1. Identify the history of interactions between  
1537 perpetrators and governmental entities such as schools, law  
1538 enforcement agencies, courts and social service agencies, and  
1539 identify any failures to adequately communicate or coordinate  
1540 regarding indicators of risk or possible threats.

1541 2. Evaluate the extent to which any such failures  
1542 contributed to an inability to prevent deaths and injuries.

1543 3. Make specific recommendations for improving  
1544 communication and coordination among entities with knowledge of  
1545 indicators of risk or possible threats of mass violence in the  
1546 future.

1547 4. Identify available state and local tools and resources  
1548 for enhancing communication and coordination regarding

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1549 indicators of risk or possible threats, including, but not  
1550 limited to, the Department of Law Enforcement Fusion Center or  
1551 Judicial Inquiry System, and make specific recommendations for  
1552 using such tools and resources more effectively in the future.

1553 (4) The commission has the power to investigate. The  
1554 commission may delegate to its investigators the authority to  
1555 administer oaths and affirmations.

1556 (5) The Commissioner of the Department of Law Enforcement  
1557 shall use his or her subpoena power to compel the attendance of  
1558 witnesses to testify before the commission. The Commissioner of  
1559 the Department of Law Enforcement shall use his or her subpoena  
1560 power to compel the production of any books, papers, records,  
1561 documentary evidence, and other items, including confidential  
1562 information, relevant to the performance of the duties of the  
1563 commission or to the exercise of its powers. The chair or any  
1564 other member of the commission may administer all oaths and  
1565 affirmations in the manner prescribed by law to witnesses who  
1566 appear before the commission for the purpose of testifying in  
1567 any matter of which the commission desires evidence. In the case  
1568 of a refusal to obey a subpoena, the commission may make  
1569 application to any circuit court of this state having  
1570 jurisdiction to order the witness to appear before the  
1571 commission and to produce evidence, if so ordered, or to give  
1572 testimony relevant to the matter in question. Failure to obey  
1573 the order may be punished by the court as contempt.

1574 (6) The commission may call upon appropriate agencies of  
1575 state government for such professional assistance as may be  
1576 needed in the discharge of its duties, and such agencies shall  
1577 provide such assistance in a timely manner.

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1578 (7) Notwithstanding any other law, the commission may  
1579 request and shall be provided with access to any information or  
1580 records, including exempt or confidential and exempt information  
1581 or records, which pertain to the Marjory Stoneman Douglas High  
1582 School shooting and prior mass violence incidents in Florida  
1583 being reviewed by the commission and which are necessary for the  
1584 commission to carry out its duties. Information or records  
1585 obtained by the commission which are otherwise exempt or  
1586 confidential and exempt shall retain such exempt or confidential  
1587 and exempt status and the commission may not disclose any such  
1588 information or records.

1589 (8) The commission shall submit an initial report on its  
1590 findings and recommendations to the Governor, President of the  
1591 Senate, and Speaker of the House of Representatives by January  
1592 1, 2019, and may issue reports annually thereafter. The  
1593 commission shall sunset July 1, 2023, and this section is  
1594 repealed on that date.

1595 Section 20. Section 1001.212, Florida Statutes, is created  
1596 to read:

1597 1001.212 Office of Safe Schools.—There is created in the  
1598 Department of Education the Office of Safe Schools. The office  
1599 is fully accountable to the Commissioner of Education. The  
1600 office shall serve as a central repository for best practices,  
1601 training standards, and compliance oversight in all matters  
1602 regarding school safety and security, including prevention  
1603 efforts, intervention efforts, and emergency preparedness  
1604 planning. The office shall:

1605 (1) Establish and update as necessary a school security  
1606 risk assessment tool for use by school districts pursuant to s.

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1607 1006.07(6). The office shall make the security risk assessment  
1608 tool available for use by charter schools.

1609 (2) Provide ongoing professional development opportunities  
1610 to school district personnel.

1611 (3) Provide a coordinated and interdisciplinary approach to  
1612 providing technical assistance and guidance to school districts  
1613 on safety and security and recommendations to address findings  
1614 identified pursuant to s. 1006.07(6).

1615 (4) Develop and implement a School Safety Specialist  
1616 Training Program for school safety specialists appointed  
1617 pursuant to s. 1006.07(6). The office shall develop the training  
1618 program which shall be based on national and state best  
1619 practices on school safety and security and must include active  
1620 shooter training. The office shall develop training modules in  
1621 traditional or online formats. A school safety specialist  
1622 certificate of completion shall be awarded to a school safety  
1623 specialist who satisfactorily completes the training required by  
1624 rules of the office.

1625 (5) Review and provide recommendations on the security risk  
1626 assessments. The department may contract with security  
1627 personnel, consulting engineers, architects, or other safety and  
1628 security experts the department deems necessary for safety and  
1629 security consultant services.

1630 (6) Coordinate with the Department of Law Enforcement to  
1631 provide a centralized integrated data repository and data  
1632 analytics resources to improve access to timely, complete and  
1633 accurate information integrating data from, at a minimum, but  
1634 not limited to, the following data sources by December 1, 2018:

1635 (a) Social Media;

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1636 (b) Department of Children and Families;

1637 (c) Department of Law Enforcement;

1638 (d) Department of Juvenile Justice; and

1639 (e) Local law enforcement.

1640 (7) Data that is exempt or confidential and exempt from  
1641 public records requirements retains its exempt or confidential  
1642 and exempt status when incorporated into the centralized  
1643 integrated data repository.

1644 (8) To maintain the confidentiality requirements attached  
1645 to the information provided to the centralized integrated data  
1646 repository by the various state and local agencies, data  
1647 governance and security shall ensure compliance with all  
1648 applicable state and federal data privacy requirements through  
1649 the use of user authorization and role based security, data  
1650 anonymization and aggregation and auditing capabilities.

1651 (9) To maintain the confidentiality requirements attached  
1652 to the information provided to the centralized integrated data  
1653 repository by the various state and local agencies, each source  
1654 agency providing data for the repository shall be the sole  
1655 custodian of the data for the purpose of any request for  
1656 inspection or copies thereof under ch. 119. The department shall  
1657 only allow access to data from the source agencies in accordance  
1658 with rules adopted by the respective source agencies.

1659 (10) Award grants to schools to improve the safety and  
1660 security of school buildings based upon recommendations of the  
1661 security risk assessment developed pursuant to subsection (1).

1662 (11) Disseminate, in consultation with the Department of  
1663 Law Enforcement, to participating schools awareness and  
1664 education materials on the School Safety Awareness Program



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1665 developed pursuant to s. 943.082.

1666 Section 21. Paragraph (a) of subsection (10) of section  
1667 1002.32, Florida Statutes, is amended to read:

1668 1002.32 Developmental research (laboratory) schools.—

1669 (10) EXCEPTIONS TO LAW.—To encourage innovative practices  
1670 and facilitate the mission of the lab schools, in addition to  
1671 the exceptions to law specified in s. 1001.23(2), the following  
1672 exceptions shall be permitted for lab schools:

1673 (a) The methods and requirements of the following statutes  
1674 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;  
1675 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;  
1676 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;  
1677 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;  
1678 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;  
1679 1001.49; 1001.50; 1001.51; 1006.12(2) ~~1006.12(1)~~; 1006.21(3),  
1680 (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;  
1681 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;  
1682 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)–(3),  
1683 (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;  
1684 1011.72; 1011.73; and 1011.74.

1685 Section 22. Subsection (1) of section 1006.04, Florida  
1686 Statutes, is amended to read:

1687 1006.04 Educational multiagency services for students with  
1688 severe emotional disturbance.—

1689 (1) (a) The multiagency network for students with emotional  
1690 and behavioral disabilities works with education, mental health,  
1691 child welfare, and juvenile justice professionals, along with  
1692 other agencies and families, to provide children with mental  
1693 illness or emotional and behavioral problems and their families

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1694 with access to the services and supports they need to succeed An  
1695 ~~intensive, integrated educational program; a continuum of mental~~  
1696 ~~health treatment services; and, when needed, residential~~  
1697 ~~services are necessary to enable students with severe emotional~~  
1698 ~~disturbance to develop appropriate behaviors and demonstrate~~  
1699 ~~academic and career education skills. The small incidence of~~  
1700 ~~severe emotional disturbance in the total school population~~  
1701 ~~requires multiagency programs to provide access to appropriate~~  
1702 ~~services for all students with severe emotional disturbance.~~

1703 District school boards should provide educational programs, and  
1704 state departments and agencies administering children's mental  
1705 health funds should provide mental health treatment and  
1706 residential services when needed, as part of the ~~forming a~~  
1707 ~~multiagency network to provide support for students with severe~~  
1708 ~~emotional disturbance.~~

1709 (b) The purpose of the multiagency network is to: ~~The~~  
1710 ~~program goals for each component of the multiagency network are~~  
1711 ~~to~~

1712 1. Enable students with severe emotional disturbance to  
1713 learn appropriate behaviors, reduce dependency, and fully  
1714 participate in all aspects of school and community living. ~~;~~ ~~to~~

1715 2. Develop individual programs for students with severe  
1716 emotional disturbance, including necessary educational,  
1717 residential, and mental health treatment services. ~~;~~ ~~to~~

1718 3. Provide programs and services as close as possible to  
1719 the student's home in the least restrictive manner consistent  
1720 with the student's needs. ~~;~~ ~~and to~~

1721 4. Integrate a wide range of services necessary to support  
1722 students with severe emotional disturbance and their families.

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1723 (c) The multiagency network shall:

1724 1. Support and represent the needs of students in each  
1725 school district in joint planning with fiscal agents of  
1726 children's mental health funds, including the expansion of  
1727 school-based mental health services, transition services, and  
1728 integrated education and treatment programs.

1729 2. Improve coordination of services for children with or at  
1730 risk of emotional or behavioral disabilities and their families  
1731 by assisting multi-agency collaborative initiatives to identify  
1732 critical issues and barriers of mutual concern and develop local  
1733 response systems that increase home and school connections and  
1734 family engagement.

1735 3. Increase parent and youth involvement and development  
1736 with local systems of care.

1737 4. Facilitate student and family access to effective  
1738 services and programs for students with and at risk of emotional  
1739 or behavioral disabilities that include necessary educational,  
1740 residential, and mental health treatment services, enabling  
1741 these students to learn appropriate behaviors, reduce  
1742 dependency, and fully participate in all aspects of school and  
1743 community living.

1744 Section 23. Paragraph (b) of subsection (1), paragraphs (k)  
1745 through (m) of subsection (2), and subsections (3), (4), and (6)  
1746 of section 1006.07, Florida Statutes, are amended, and  
1747 subsections (7) and (8) are added to that section to read:

1748 1006.07 District school board duties relating to student  
1749 discipline and school safety.—The district school board shall  
1750 provide for the proper accounting for all students, for the  
1751 attendance and control of students at school, and for proper

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1752 attention to health, safety, and other matters relating to the  
1753 welfare of students, including:

1754 (1) CONTROL OF STUDENTS.—

1755 (b) Require each student at the time of initial  
1756 registration for school in the school district to note previous  
1757 school expulsions, arrests resulting in a charge, ~~and~~ juvenile  
1758 justice actions, and referrals to mental health services the  
1759 student has had, and have the authority as the district school  
1760 board of a receiving school district to honor the final order of  
1761 expulsion or dismissal of a student by any in-state or out-of-  
1762 state public district school board or private school, or lab  
1763 school, for an act which would have been grounds for expulsion  
1764 according to the receiving district school board's code of  
1765 student conduct, in accordance with the following procedures:

1766 1. A final order of expulsion shall be recorded in the  
1767 records of the receiving school district.

1768 2. The expelled student applying for admission to the  
1769 receiving school district shall be advised of the final order of  
1770 expulsion.

1771 3. The district school superintendent of the receiving  
1772 school district may recommend to the district school board that  
1773 the final order of expulsion be waived and the student be  
1774 admitted to the school district, or that the final order of  
1775 expulsion be honored and the student not be admitted to the  
1776 school district. If the student is admitted by the district  
1777 school board, with or without the recommendation of the district  
1778 school superintendent, the student may be placed in an  
1779 appropriate educational program and referred to mental health  
1780 services identified by the school district pursuant to s.

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1781 1012.584(4), when appropriate, at the direction of the district  
1782 school board.

1783 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
1784 conduct for elementary schools and a code of student conduct for  
1785 middle and high schools and distribute the appropriate code to  
1786 all teachers, school personnel, students, and parents, at the  
1787 beginning of every school year. Each code shall be organized and  
1788 written in language that is understandable to students and  
1789 parents and shall be discussed at the beginning of every school  
1790 year in student classes, school advisory council meetings, and  
1791 parent and teacher association or organization meetings. Each  
1792 code shall be based on the rules governing student conduct and  
1793 discipline adopted by the district school board and shall be  
1794 made available in the student handbook or similar publication.  
1795 Each code shall include, but is not limited to:

1796 (k) Policies to be followed for the assignment of violent  
1797 or disruptive students to an alternative educational program or  
1798 referral of such students to mental health services identified  
1799 by the school district pursuant to s. 1012.584(4).

1800 (l) Notice that any student who is determined to have  
1801 brought a firearm or weapon, as defined in chapter 790, to  
1802 school, to any school function, or onto any school-sponsored  
1803 transportation, or to have possessed a firearm at school, will  
1804 be expelled, with or without continuing educational services,  
1805 from the student's regular school for a period of not less than  
1806 1 full year and referred to mental health services identified by  
1807 the school district pursuant to s. 1012.584(4) and the criminal  
1808 justice or juvenile justice system. District school boards may  
1809 assign the student to a disciplinary program or second chance

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1810 school for the purpose of continuing educational services during  
1811 the period of expulsion. District school superintendents may  
1812 consider the 1-year expulsion requirement on a case-by-case  
1813 basis and request the district school board to modify the  
1814 requirement by assigning the student to a disciplinary program  
1815 or second chance school if the request for modification is in  
1816 writing and it is determined to be in the best interest of the  
1817 student and the school system.

1818 (m) Notice that any student who is determined to have made  
1819 a threat or false report, as defined by ss. 790.162 and 790.163,  
1820 respectively, involving school or school personnel's property,  
1821 school transportation, or a school-sponsored activity will be  
1822 expelled, with or without continuing educational services, from  
1823 the student's regular school for a period of not less than 1  
1824 full year and referred for criminal prosecution and mental  
1825 health services identified by the school district pursuant to s.  
1826 1012.584(4) for evaluation or treatment, when appropriate.

1827 District school boards may assign the student to a disciplinary  
1828 program or second chance school for the purpose of continuing  
1829 educational services during the period of expulsion. District  
1830 school superintendents may consider the 1-year expulsion  
1831 requirement on a case-by-case basis and request the district  
1832 school board to modify the requirement by assigning the student  
1833 to a disciplinary program or second chance school if it is  
1834 determined to be in the best interest of the student and the  
1835 school system.

1836 (3) STUDENT CRIME WATCH PROGRAM.—By resolution of the  
1837 district school board, implement a student crime watch program  
1838 to promote responsibility among students and improve school

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1839 safety. The student crime watch program shall allow students and  
1840 the community to anonymously relay information concerning unsafe  
1841 and potentially harmful, dangerous, violent, or criminal  
1842 activities, or the threat of these activities, to appropriate  
1843 public safety agencies and school officials ~~to assist in the~~  
1844 ~~control of criminal behavior within the schools.~~

1845 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

1846 (a) Formulate and prescribe policies and procedures, in  
1847 consultation with the appropriate public safety agencies, for  
1848 emergency drills and for actual emergencies, including, but not  
1849 limited to, fires, natural disasters, active shooter and hostage  
1850 situations, and bomb threats, for all students and faculty at  
1851 all the public schools of the district comprised of which  
1852 ~~comprise~~ grades K-12. Drills for active shooter and hostage  
1853 situations shall be conducted at least as often as other  
1854 emergency drills. District school board policies shall include  
1855 commonly used alarm system responses for specific types of  
1856 emergencies and verification by each school that drills have  
1857 been provided as required by law and fire protection codes. The  
1858 emergency response policy shall identify the individuals  
1859 responsible for contacting the primary emergency response agency  
1860 and the emergency response agency that is responsible for  
1861 notifying the school district for each type of emergency ~~must be~~  
1862 ~~listed in the district's emergency response policy.~~

1863 (b) Establish model emergency management and emergency  
1864 preparedness procedures, including emergency notification  
1865 procedures pursuant to paragraph (a), for the following life-  
1866 threatening emergencies:

1867 1. Weapon-use, ~~and~~ hostage, and active shooter situations.

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1868 The active shooter situation training for each school must  
1869 engage the participation of the district school safety  
1870 specialist, threat assessment team members, faculty, staff, and  
1871 students and must be conducted by the law enforcement agency or  
1872 agencies that are designated as first responders to the school's  
1873 campus.

1874 2. Hazardous materials or toxic chemical spills.

1875 3. Weather emergencies, including hurricanes, tornadoes,  
1876 and severe storms.

1877 4. Exposure as a result of a manmade emergency.

1878 (c) Establish a schedule to test the functionality and  
1879 coverage capacity of all emergency communication systems and  
1880 determine if adequate signal strength is available in all areas  
1881 of the school's campus.

1882 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district  
1883 school superintendent shall establish policies and procedures  
1884 for the prevention of violence on school grounds, including the  
1885 assessment of and intervention with individuals whose behavior  
1886 poses a threat to the safety of the school community.

1887 (a) Each district school superintendent shall designate a  
1888 school administrator as a school safety specialist for the  
1889 district. The school safety specialist must earn a certificate  
1890 of completion of the school safety specialist training provided  
1891 by the Office of Safe Schools within 1 year after appointment  
1892 and is responsible for the supervision and oversight for all  
1893 school safety and security personnel, policies, and procedures  
1894 in the school district. The school safety specialist shall:

1895 1. Review policies and procedures for compliance with state  
1896 law and rules.



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1897           2. Provide the necessary training and resources to students  
1898 and school district staff in matters relating to youth mental  
1899 health awareness and assistance; emergency procedures, including  
1900 active shooter training; and school safety and security.

1901           3. Serve as the school district liaison with local public  
1902 safety agencies and national, state, and community agencies and  
1903 organizations in matters of school safety and security.

1904           4. Conduct a school security risk assessment in accordance  
1905 with s. 1006.1493 at each public school using the school  
1906 security risk assessment tool developed by the Office of Safe  
1907 Schools ~~Use the Safety and Security Best Practices developed by~~  
1908 ~~the Office of Program Policy Analysis and Government~~  
1909 ~~Accountability to conduct a self-assessment of the school~~  
1910 ~~districts' current safety and security practices. Based on the~~  
1911 ~~assessment these self-assessment findings, the district's school~~  
1912 ~~safety specialist district school superintendent shall provide~~  
1913 ~~recommendations to the district school board which identify~~  
1914 ~~strategies and activities that the district school board should~~  
1915 ~~implement in order to improve school safety and security.~~  
1916 Annually, each district school board must receive such findings  
1917 and the school safety specialist's recommendations ~~the self-~~  
1918 ~~assessment results~~ at a publicly noticed district school board  
1919 meeting to provide the public an opportunity to hear the  
1920 district school board members discuss and take action on the  
1921 ~~report~~ findings and recommendations. Each school safety  
1922 specialist ~~district school superintendent~~ shall report such  
1923 findings ~~the self-assessment results~~ and school board action to  
1924 the Office of Safe Schools ~~commissioner~~ within 30 days after the  
1925 district school board meeting.

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1926       (b) Each school safety specialist shall coordinate with the  
1927 appropriate public safety agencies, as defined in s. 365.171,  
1928 that are designated as first responders to a school's campus to  
1929 conduct a tour of such campus once every 3 years and provide  
1930 recommendations related to school safety. The recommendations by  
1931 the public safety agencies must be considered as part of the  
1932 recommendations by the school safety specialist pursuant to  
1933 paragraph (a).

1934       (7) THREAT ASSESSMENT TEAMS.—Each district school board  
1935 shall adopt policies for the establishment of threat assessment  
1936 teams at each school whose duties include the coordination of  
1937 resources and assessment and intervention with individuals whose  
1938 behavior may pose a threat to the safety of school staff or  
1939 students consistent with the model policies developed by the  
1940 Office of Safe Schools. Such policies shall include procedures  
1941 for referrals to mental health services identified by the school  
1942 district pursuant to s. 1012.584(4), when appropriate.

1943       (a) A threat assessment team shall include persons with  
1944 expertise in counseling, instruction, school administration, and  
1945 law enforcement. The threat assessment teams shall identify  
1946 members of the school community to whom threatening behavior  
1947 should be reported and provide guidance to students, faculty,  
1948 and staff regarding recognition of threatening or aberrant  
1949 behavior that may represent a threat to the community, school,  
1950 or self.

1951       (b) Upon a preliminary determination that a student poses a  
1952 threat of violence or physical harm to himself or herself or  
1953 others, a threat assessment team shall immediately report its  
1954 determination to the superintendent or his or her designee. The

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1955 superintendent or his or her designee shall immediately attempt  
1956 to notify the student's parent or legal guardian. Nothing in  
1957 this subsection shall preclude school district personnel from  
1958 acting immediately to address an imminent threat.

1959 (c) Upon a preliminary determination by the threat  
1960 assessment team that a student poses a threat of violence to  
1961 himself or herself or others or exhibits significantly  
1962 disruptive behavior or need for assistance, the threat  
1963 assessment team may obtain criminal history record information,  
1964 as provided in s. 985.047. A member of a threat assessment team  
1965 may not disclose any criminal history record information  
1966 obtained pursuant to this section or otherwise use any record of  
1967 an individual beyond the purpose for which such disclosure was  
1968 made to the threat assessment team.

1969 (d) Notwithstanding any other provision of law, all state  
1970 and local agencies and programs that provide services to  
1971 students experiencing or at risk of an emotional disturbance or  
1972 a mental illness, including the school districts, school  
1973 personnel, state and local law enforcement agencies, the  
1974 Department of Juvenile Justice, the Department of Children and  
1975 Families, the Department of Health, the Agency for Health Care  
1976 Administration, the Agency for Persons with Disabilities, the  
1977 Department of Education, the Statewide Guardian Ad Litem Office,  
1978 and any service or support provider contracting with such  
1979 agencies, may share with each other records or information that  
1980 are confidential or exempt from disclosure under chapter 119 if  
1981 the records or information are reasonably necessary to ensure  
1982 access to appropriate services for the student or to ensure the  
1983 safety of the student or others. All such state and local

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1984 agencies and programs shall communicate, collaborate, and  
1985 coordinate efforts to serve such students.

1986 (e) If an immediate mental health or substance abuse crisis  
1987 is suspected, school personnel shall follow policies established  
1988 by the threat assessment team to engage behavioral health crisis  
1989 resources. Behavioral health crisis resources, including, but  
1990 not limited to, mobile crisis teams and school resource officers  
1991 trained in crisis intervention, shall provide emergency  
1992 intervention and assessment, make recommendations, and refer the  
1993 student for appropriate services. Onsite school personnel shall  
1994 report all such situations and actions taken to the threat  
1995 assessment team, which shall contact the other agencies involved  
1996 with the student and any known service providers to share  
1997 information and coordinate any necessary followup actions.

1998 (f) Each threat assessment team established pursuant to  
1999 this subsection shall report quantitative data on its activities  
2000 to the Office of Safe Schools in accordance with guidance from  
2001 the office.

2002 (8) SAFETY IN CONSTRUCTION PLANNING.—A district school  
2003 board must allow the law enforcement agency or agencies that are  
2004 designated as first responders to the district's campus and  
2005 school's campuses to tour such campuses once every 3 years. Any  
2006 changes related to school safety and emergency issues  
2007 recommended by a law enforcement agency based on a campus tour  
2008 must be documented by the district school board.

2009 Section 24. Subsection (2) of section 1006.08, Florida  
2010 Statutes, is amended to read:

2011 1006.08 District school superintendent duties relating to  
2012 student discipline and school safety.—

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2013 (2) Notwithstanding the provisions of s. 985.04(7) or any  
2014 other provision of law to the contrary, the court shall, within  
2015 48 hours of the finding, notify the appropriate district school  
2016 superintendent of the name and address of any student found to  
2017 have committed a delinquent act, or who has had adjudication of  
2018 a delinquent act withheld which, if committed by an adult, would  
2019 be a felony, ~~or~~ the name and address of any student found guilty  
2020 of a felony, or the name and address of any student the court  
2021 refers to mental health services. Notification shall include the  
2022 specific delinquent act found to have been committed or for  
2023 which adjudication was withheld, or the specific felony for  
2024 which the student was found guilty.

2025 Section 25. Section 1006.12, Florida Statutes, is amended  
2026 to read:

2027 1006.12 Safe-school school resource officers at each public  
2028 school and school safety officers. ~~For the protection and safety~~  
2029 ~~of school personnel, property, students, and visitors, each~~  
2030 district school board and school district superintendent shall  
2031 partner with law enforcement agencies to establish or assign one  
2032 or more safe-school officers at each school facility within the  
2033 district by implementing any combination of the following  
2034 options which best meets the needs of the school district:

2035 (1) ~~District school boards may~~ Establish school resource  
2036 officer programs, through a cooperative agreement with law  
2037 enforcement agencies ~~or in accordance with subsection (2).~~

2038 (a) School resource officers shall undergo criminal  
2039 background checks, drug testing, and a psychological evaluation  
2040 and be certified law enforcement officers, as defined in s.  
2041 943.10(1), who are employed by a law enforcement agency as

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2042 defined in s. 943.10(4). The powers and duties of a law  
2043 enforcement officer shall continue throughout the employee's  
2044 tenure as a school resource officer.

2045 (b) School resource officers shall abide by district school  
2046 board policies and shall consult with and coordinate activities  
2047 through the school principal, but shall be responsible to the  
2048 law enforcement agency in all matters relating to employment,  
2049 subject to agreements between a district school board and a law  
2050 enforcement agency. Activities conducted by the school resource  
2051 officer which are part of the regular instructional program of  
2052 the school shall be under the direction of the school principal.

2053 (c) Complete mental health crisis intervention training  
2054 using a curriculum developed by a national organization with  
2055 expertise in mental health crisis intervention. The training  
2056 shall improve officers' knowledge and skills as first responders  
2057 to incidents involving students with emotional disturbance or  
2058 mental illness, including de-escalation skills to ensure student  
2059 and officer safety.

2060 (2) Commission one or more school safety officers for the  
2061 protection and safety of school personnel, property, and  
2062 students within the school district. The district school  
2063 superintendent may recommend, and the district school board may  
2064 appoint, one or more school safety officers.

2065 ~~(2)~~(a) School safety officers shall undergo criminal  
2066 background checks, drug testing, and a psychological evaluation  
2067 and be law enforcement officers, as defined in s. 943.10(1),  
2068 certified under the provisions of chapter 943 and employed by  
2069 either a law enforcement agency or by the district school board.  
2070 If the officer is employed by the district school board, the

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2071 district school board is the employing agency for purposes of  
2072 chapter 943, and must comply with the provisions of that  
2073 chapter.

2074 ~~(b) A district school board may commission one or more~~  
2075 ~~school safety officers for the protection and safety of school~~  
2076 ~~personnel, property, and students within the school district.~~  
2077 ~~The district school superintendent may recommend and the~~  
2078 ~~district school board may appoint one or more school safety~~  
2079 ~~officers.~~

2080 (b)~~(e)~~ A school safety officer has and shall exercise the  
2081 power to make arrests for violations of law on district school  
2082 board property and to arrest persons, whether on or off such  
2083 property, who violate any law on such property under the same  
2084 conditions that deputy sheriffs are authorized to make arrests.  
2085 A school safety officer has the authority to carry weapons when  
2086 performing his or her official duties.

2087 (c)~~(d)~~ A district school board may enter into mutual aid  
2088 agreements with one or more law enforcement agencies as provided  
2089 in chapter 23. A school safety officer's salary may be paid  
2090 jointly by the district school board and the law enforcement  
2091 agency, as mutually agreed to.

2092 (3) At the school district's discretion, participate in the  
2093 school marshal program if such program is established pursuant  
2094 to s. 30.15, to meet the requirement of establishing a safe-  
2095 school officer.

2096 Section 26. Subsection (1), paragraph (c) of subsection  
2097 (4), and subsection (8) of section 1006.13, Florida Statutes,  
2098 are amended, and paragraph (f) is added to subsection (2) of  
2099 that section, to read:

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2100 1006.13 Policy of zero tolerance for crime and  
2101 victimization.—

2102 (1) District school boards shall ~~It is the intent of the~~  
2103 ~~Legislature to~~ promote a safe and supportive learning  
2104 environment in schools by protecting, ~~to protect~~ students and  
2105 staff from conduct that poses a serious threat to school safety.  
2106 A threat assessment team may, ~~and to encourage schools to use~~  
2107 alternatives to expulsion or referral to law enforcement  
2108 agencies to address ~~by addressing~~ disruptive behavior through  
2109 restitution, civil citation, teen court, neighborhood  
2110 restorative justice, or similar programs. Zero-tolerance ~~The~~  
2111 ~~Legislature finds that zero-tolerance~~ policies may ~~are~~ not  
2112 ~~intended to~~ be rigorously applied to petty acts of misconduct  
2113 and misdemeanors, including, but not limited to, minor fights or  
2114 disturbances. Zero-tolerance policies ~~The Legislature finds that~~  
2115 ~~zero-tolerance policies~~ must apply equally to all students  
2116 regardless of their economic status, race, or disability.

2117 (2) Each district school board shall adopt a policy of zero  
2118 tolerance that:

2119 (f) Requires the threat assessment team to consult with law  
2120 enforcement when a student exhibits a pattern of behavior, based  
2121 upon previous acts or the severity of an act, that would pose a  
2122 threat to school safety.

2123 (4)

2124 (c) Zero-tolerance policies do not require the reporting of  
2125 petty acts of misconduct and misdemeanors to a law enforcement  
2126 agency, including, but not limited to, disorderly conduct,  
2127 ~~disrupting a school function,~~ simple assault or battery, affray,  
2128 theft of less than \$300, trespassing, and vandalism of less than



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2129 \$1,000. However, if a student commits more than one misdemeanor,  
2130 the threat assessment team must consult with law enforcement to  
2131 determine if the act should be reported to law enforcement.

2132 (8) A threat assessment team may ~~School districts are~~  
2133 ~~encouraged to~~ use alternatives to expulsion or referral to law  
2134 enforcement agencies unless the use of such alternatives will  
2135 pose a threat to school safety.

2136 Section 27. Section 1006.1493, Florida Statutes, is created  
2137 to read:

2138 1006.1493 Florida Safe Schools Assessment Tool.-

2139 (1) The department through the Office of Safe Schools  
2140 pursuant s. 1001.212 shall contract with a security consulting  
2141 firm that specializes in the development of risk assessment  
2142 software solutions and has experience in conducting security  
2143 assessments of public facilities to develop, update, and  
2144 implement a risk assessment tool, which shall be known as the  
2145 Florida Safe Schools Assessment Tool (FSSAT). The FSSAT must be  
2146 used by school officials at each school district and public  
2147 school site in the state in conducting security assessments for  
2148 use by school officials at each school district and public  
2149 school site in the state.

2150 (2) The FSSAT must help school officials identify threats,  
2151 vulnerabilities, and appropriate safety controls for the schools  
2152 that they supervise, pursuant to the security risk assessment  
2153 requirements of s. 1006.07(6).

2154 (a) At a minimum, the FSSAT must address all of the  
2155 following components:

- 2156 1. School emergency and crisis preparedness planning;
- 2157 2. Security, crime, and violence prevention policies and

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2158 procedures;  
2159 3. Physical security measures;  
2160 4. Professional development training needs;  
2161 5. An examination of support service roles in school  
2162 safety, security, and emergency planning;  
2163 6. School security and school police staffing, operational  
2164 practices, and related services;  
2165 7. School and community collaboration on school safety; and  
2166 8. A return on investment analysis of the recommended  
2167 physical security controls.  
2168 (b) The department shall require by contract that the  
2169 security consulting firm:  
2170 1. Generate written automated reports on assessment  
2171 findings for review by the department and school and district  
2172 officials;  
2173 2. Provide training to the department and school officials  
2174 in the use of the FSSAT and other areas of importance identified  
2175 by the department; and  
2176 3. Advise in the development and implementation of  
2177 templates, formats, guidance, and other resources necessary to  
2178 facilitate the implementation of this section at state,  
2179 district, school, and local levels.  
2180 (3) By December 1, 2018, and annually by that date  
2181 thereafter, the department must report to the Governor, the  
2182 President of the Senate, and the Speaker of the House of  
2183 Representatives on the status of implementation across school  
2184 districts and schools. The report must include a summary of the  
2185 positive school safety measures in place at the time of the  
2186 assessment and any recommendations for policy changes or funding

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2187 needed to facilitate continued school safety planning,  
2188 improvement, and response at the state, district, or school  
2189 levels.

2190 (4) In accordance with ss. 119.071(3)(a) and 281.301, data  
2191 and information related to security risk assessments  
2192 administered pursuant to this section and s. 1006.07(6) and the  
2193 security information contained in the annual report required  
2194 pursuant to subsection (3) are confidential and exempt from  
2195 public records requirements.

2196 Section 28. Subsections (16) and (17) of section 1011.62,  
2197 Florida Statutes, are redesignated as subsections (17) and (18),  
2198 respectively, paragraph (a) of subsection (4), paragraph (b) of  
2199 subsection (6), subsection (14), and subsection (15) of that  
2200 section are amended, and a new subsection (16) is added to that  
2201 section, to read:

2202 1011.62 Funds for operation of schools.—If the annual  
2203 allocation from the Florida Education Finance Program to each  
2204 district for operation of schools is not determined in the  
2205 annual appropriations act or the substantive bill implementing  
2206 the annual appropriations act, it shall be determined as  
2207 follows:

2208 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The  
2209 Legislature shall prescribe the aggregate required local effort  
2210 for all school districts collectively as an item in the General  
2211 Appropriations Act for each fiscal year. The amount that each  
2212 district shall provide annually toward the cost of the Florida  
2213 Education Finance Program for kindergarten through grade 12  
2214 programs shall be calculated as follows:

2215 (a) *Estimated taxable value calculations.*—

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2216 1.a. Not later than 2 working days before July 19, the  
2217 Department of Revenue shall certify to the Commissioner of  
2218 Education its most recent estimate of the taxable value for  
2219 school purposes in each school district and the total for all  
2220 school districts in the state for the current calendar year  
2221 based on the latest available data obtained from the local  
2222 property appraisers. The value certified shall be the taxable  
2223 value for school purposes for that year, and no further  
2224 adjustments shall be made, except those made pursuant to  
2225 paragraphs (c) and (d), or an assessment roll change required by  
2226 final judicial decisions as specified in paragraph (17) (b)  
2227 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education  
2228 shall compute a millage rate, rounded to the next highest one  
2229 one-thousandth of a mill, which, when applied to 96 percent of  
2230 the estimated state total taxable value for school purposes,  
2231 would generate the prescribed aggregate required local effort  
2232 for that year for all districts. The Commissioner of Education  
2233 shall certify to each district school board the millage rate,  
2234 computed as prescribed in this subparagraph, as the minimum  
2235 millage rate necessary to provide the district required local  
2236 effort for that year.

2237 b. The General Appropriations Act shall direct the  
2238 computation of the statewide adjusted aggregate amount for  
2239 required local effort for all school districts collectively from  
2240 ad valorem taxes to ensure that no school district's revenue  
2241 from required local effort millage will produce more than 90  
2242 percent of the district's total Florida Education Finance  
2243 Program calculation as calculated and adopted by the  
2244 Legislature, and the adjustment of the required local effort

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2245 millage rate of each district that produces more than 90 percent  
2246 of its total Florida Education Finance Program entitlement to a  
2247 level that will produce only 90 percent of its total Florida  
2248 Education Finance Program entitlement in the July calculation.

2249 2. On the same date as the certification in sub-  
2250 subparagraph 1.a., the Department of Revenue shall certify to  
2251 the Commissioner of Education for each district:

2252 a. Each year for which the property appraiser has certified  
2253 the taxable value pursuant to s. 193.122(2) or (3), if  
2254 applicable, since the prior certification under sub-subparagraph  
2255 1.a.

2256 b. For each year identified in sub-subparagraph a., the  
2257 taxable value certified by the appraiser pursuant to s.  
2258 193.122(2) or (3), if applicable, since the prior certification  
2259 under sub-subparagraph 1.a. This is the certification that  
2260 reflects all final administrative actions of the value  
2261 adjustment board.

2262 (6) CATEGORICAL FUNDS.—

2263 (b) If a district school board finds and declares in a  
2264 resolution adopted at a regular meeting of the school board that  
2265 the funds received for any of the following categorical  
2266 appropriations are urgently needed to maintain school board  
2267 specified academic classroom instruction or improve school  
2268 safety, the school board may consider and approve an amendment  
2269 to the school district operating budget transferring the  
2270 identified amount of the categorical funds to the appropriate  
2271 account for expenditure:

2272 1. Funds for student transportation.

2273 ~~2. Funds for safe schools.~~

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2274       ~~2.3.~~ Funds for supplemental academic instruction if the  
2275 required additional hour of instruction beyond the normal school  
2276 day for each day of the entire school year has been provided for  
2277 the students in each low-performing elementary school in the  
2278 district pursuant to paragraph (1) (f).

2279       ~~3.4.~~ Funds for research-based reading instruction if the  
2280 required additional hour of instruction beyond the normal school  
2281 day for each day of the entire school year has been provided for  
2282 the students in each low-performing elementary school in the  
2283 district pursuant to paragraph (9) (a).

2284       ~~4.5.~~ Funds for instructional materials if all instructional  
2285 material purchases necessary to provide updated materials that  
2286 are aligned with applicable state standards and course  
2287 descriptions and that meet statutory requirements of content and  
2288 learning have been completed for that fiscal year, but no sooner  
2289 than March 1. Funds available after March 1 may be used to  
2290 purchase hardware for student instruction.

2291       (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may  
2292 annually in the General Appropriations Act determine a  
2293 percentage increase in funds per K-12 unweighted FTE as a  
2294 minimum guarantee to each school district. The guarantee shall  
2295 be calculated from prior year base funding per unweighted FTE  
2296 student which shall include the adjusted FTE dollars as provided  
2297 in subsection (17) ~~(16)~~, quality guarantee funds, and actual  
2298 nonvoted discretionary local effort from taxes. From the base  
2299 funding per unweighted FTE, the increase shall be calculated for  
2300 the current year. The current year funds from which the  
2301 guarantee shall be determined shall include the adjusted FTE  
2302 dollars as provided in subsection (17) ~~(16)~~ and potential

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2303 nonvoted discretionary local effort from taxes. A comparison of  
2304 current year funds per unweighted FTE to prior year funds per  
2305 unweighted FTE shall be computed. For those school districts  
2306 which have less than the legislatively assigned percentage  
2307 increase, funds shall be provided to guarantee the assigned  
2308 percentage increase in funds per unweighted FTE student. Should  
2309 appropriated funds be less than the sum of this calculated  
2310 amount for all districts, the commissioner shall prorate each  
2311 district's allocation. This provision shall be implemented to  
2312 the extent specifically funded.

2313 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is  
2314 created to provide funding to assist school districts in their  
2315 compliance with s. 1006.07 ~~ss. 1006.07-1006.148~~, with priority  
2316 given to implementing the district's ~~establishing a school~~  
2317 resource officer program pursuant to s. 1006.12. Each school  
2318 district shall receive a minimum safe schools allocation in an  
2319 amount provided in the General Appropriations Act. Of the  
2320 remaining balance of the safe schools allocation, two-thirds  
2321 shall be allocated to school districts based on the most recent  
2322 official Florida Crime Index provided by the Department of Law  
2323 Enforcement and one-third shall be allocated based on each  
2324 school district's proportionate share of the state's total  
2325 unweighted full-time equivalent student enrollment. Any  
2326 additional funds appropriated to this allocation in the 2018-  
2327 2019 fiscal year to the school resource officer program  
2328 established pursuant to s. 1006.12 shall be used exclusively for  
2329 employing or contracting for school resource officers, which  
2330 shall be in addition to the number of officers employed or  
2331 contracted for in the 2017-2018 fiscal year.

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2332 (16) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health  
2333 assistance allocation is created to provide funding to assist  
2334 school districts in establishing or expanding school-based  
2335 mental health care. These funds shall be allocated annually in  
2336 the General Appropriations Act or other law to each eligible  
2337 school district. Each school district shall receive a minimum of  
2338 \$100,000 with the remaining balance allocated based on each  
2339 school district's proportionate share of the state's total  
2340 unweighted full-time equivalent student enrollment. Eligible  
2341 charter schools are entitled to a proportionate share of  
2342 district funding. At least 90 percent of a district's allocation  
2343 must be expended on the elements specified in subparagraphs  
2344 (b)1. and 2. The allocated funds may not supplant funds that are  
2345 provided for this purpose from other operating funds and may not  
2346 be used to increase salaries or provide bonuses. School  
2347 districts are encouraged to maximize third party health  
2348 insurance benefits and Medicaid claiming for services, where  
2349 appropriate.

2350 (a) Before the distribution of the allocation:

2351 1. The school district must develop and submit a detailed  
2352 plan outlining the local program and planned expenditures to the  
2353 district school board for approval.

2354 2. A charter school must develop and submit a detailed plan  
2355 outlining the local program and planned expenditures to its  
2356 governing body for approval. After the plan is approved by the  
2357 governing body, it must be provided to the charter school's  
2358 sponsor.

2359 (b) The plans required under paragraph (a) must be focused  
2360 on delivering evidence-based mental health care treatment to



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2361 children and include the following elements:

2362 1. Provision of mental health assessment, diagnosis,  
2363 intervention, treatment, and recovery services to students with  
2364 one or more mental health or co-occurring substance abuse  
2365 diagnoses and students at high risk of such diagnoses.

2366 2. Coordination of such services with a student's primary  
2367 care provider and with other mental health providers involved in  
2368 the student's care.

2369 3. Direct employment of such service providers, or a  
2370 contract-based collaborative effort or partnership with one or  
2371 more local community mental health programs, agencies, or  
2372 providers.

2373 (c) School districts shall submit approved plans, including  
2374 approved plans of each charter school in the district, to the  
2375 commissioner by August 1 of each fiscal year.

2376 (d) Beginning September 30, 2019, and annually by September  
2377 30 thereafter, each school district shall submit to the  
2378 Department of Education a report on its program outcomes and  
2379 expenditures for the previous fiscal year that, at a minimum,  
2380 must include the number of each of the following:

2381 1. Students who receive screenings or assessments.

2382 2. Students who are referred for services or assistance.

2383 3. Students who receive services or assistance.

2384 4. Direct employment service providers employed by each  
2385 school district.

2386 5. Contract-based collaborative efforts or partnerships  
2387 with community mental health programs, agencies, or providers.

2388 Section 29. Section 1012.584, Florida Statutes, is created  
2389 to read:

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2390 1012.584 Continuing education and inservice training for  
2391 youth mental health awareness and assistance.-

2392 (1) Beginning with the 2018-2019 school year, the  
2393 Department of Education shall establish an evidence-based youth  
2394 mental health awareness and assistance training program to help  
2395 school personnel identify and understand the signs of emotional  
2396 disturbance, mental illness, and substance use disorders and  
2397 provide such personnel with the skills to help a person who is  
2398 developing or experiencing an emotional disturbance, mental  
2399 health, or substance use problem.

2400 (2) The Department of Education shall select a national  
2401 authority on youth mental health awareness and assistance to  
2402 facilitate providing youth mental health awareness and  
2403 assistance training, using a trainer certification model, to all  
2404 school personnel in elementary, middle, and high schools. Each  
2405 school safety specialist shall earn, or designate one or more  
2406 individuals to earn, certification as a youth mental health  
2407 awareness and assistance trainer. The school safety specialist  
2408 shall ensure that all school personnel within his or her school  
2409 district receive youth mental health awareness and assistance  
2410 training.

2411 (3) The training program shall include, but is not limited  
2412 to:

2413 (a) An overview of mental illnesses and substance use  
2414 disorders and the need to reduce the stigma of mental illness.

2415 (b) Information on the potential risk factors and warning  
2416 signs of emotional disturbance, mental illness, or substance use  
2417 disorders, including, but not limited to, depression, anxiety,  
2418 psychosis, eating disorders, and self-injury, as well as common

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2419 treatments for those conditions and how to assess those risks.

2420 (c) Information on how to engage at-risk students with the  
2421 skills, resources, and knowledge required to assess the  
2422 situation, and how to identify and encourage the student to use  
2423 appropriate professional help and other support strategies,  
2424 including, but not limited to, peer, social, or self-help care.

2425 (4) Each school district shall notify all school personnel  
2426 who have received training pursuant to this section of mental  
2427 health services that are available in the school district, and  
2428 the individual to contact if a student needs services. The term  
2429 "mental health services" includes, but is not limited to,  
2430 community mental health services, health care providers, and  
2431 services provided under ss. 1006.04 and 1011.62(17).

2432 Section 30. Subsection (6) of section 1013.64, Florida  
2433 Statutes, is amended to read:

2434 1013.64 Funds for comprehensive educational plant needs;  
2435 construction cost maximums for school district capital  
2436 projects.—Allocations from the Public Education Capital Outlay  
2437 and Debt Service Trust Fund to the various boards for capital  
2438 outlay projects shall be determined as follows:

2439 (6) (a) Each district school board must meet all educational  
2440 plant space needs of its elementary, middle, and high schools  
2441 before spending funds from the Public Education Capital Outlay  
2442 and Debt Service Trust Fund or the School District and Community  
2443 College District Capital Outlay and Debt Service Trust Fund for  
2444 any ancillary plant or any other new construction, renovation,  
2445 or remodeling of ancillary space. Expenditures to meet such  
2446 space needs may include expenditures for site acquisition; new  
2447 construction of educational plants; renovation, remodeling, and

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2448 maintenance and repair of existing educational plants, including  
2449 auxiliary facilities; and the directly related costs of such  
2450 services of school district personnel. It is not the intent of  
2451 the Legislature to preclude the use of capital outlay funding  
2452 for the labor costs necessary to accomplish the authorized uses  
2453 for the capital outlay funding. Day-labor contracts or any other  
2454 educational facilities contracting and construction techniques  
2455 pursuant to s. 1013.45 are authorized. Additionally, if a school  
2456 district has salaried maintenance staff whose duties consist  
2457 solely of performing the labor necessary to accomplish the  
2458 authorized uses for the capital outlay funding, such funding may  
2459 be used for those salaries; however, if a school district has  
2460 salaried staff whose duties consist partially of performing the  
2461 labor necessary to accomplish the authorized uses for the  
2462 capital outlay funding, the district shall prorate the portion  
2463 of salary of each such employee that is based on labor for  
2464 authorized capital outlay funding, and such funding may be used  
2465 to pay that portion.

2466 (b)1. A district school board may not use funds from the  
2467 following sources: Public Education Capital Outlay and Debt  
2468 Service Trust Fund; School District and Community College  
2469 District Capital Outlay and Debt Service Trust Fund; Classrooms  
2470 First Program funds provided in s. 1013.68; nonvoted 1.5-mill  
2471 levy of ad valorem property taxes provided in s. 1011.71(2);  
2472 Classrooms for Kids Program funds provided in s. 1013.735;  
2473 District Effort Recognition Program funds provided in s.  
2474 1013.736; or High Growth District Capital Outlay Assistance  
2475 Grant Program funds provided in s. 1013.738 for any new  
2476 construction of educational plant space with a total cost per

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2477 student station, including change orders, that equals more than:  
2478       a. \$17,952 for an elementary school,  
2479       b. \$19,386 for a middle school, or  
2480       c. \$25,181 for a high school,

2481  
2482 (January 2006) as adjusted annually to reflect increases or  
2483 decreases in the Consumer Price Index.

2484       2. School districts shall maintain accurate documentation  
2485 related to the costs of all new construction of educational  
2486 plant space reported to the Department of Education pursuant to  
2487 paragraph (d). The Auditor General shall review the  
2488 documentation maintained by the school districts and verify  
2489 compliance with the limits under this paragraph during its  
2490 scheduled operational audits of the school district. The  
2491 department shall make the final determination on district  
2492 compliance based on the recommendation of the Auditor General.

2493       3. The Office of Economic and Demographic Research, in  
2494 consultation with the department, shall conduct a study of the  
2495 cost per student station amounts using the most recent available  
2496 information on construction costs. In this study, the costs per  
2497 student station should represent the costs of classroom  
2498 construction and administrative offices as well as the  
2499 supplemental costs of core facilities, including required media  
2500 centers, gymnasiums, music rooms, cafeterias and their  
2501 associated kitchens and food service areas, vocational areas,  
2502 and other defined specialty areas, including exceptional student  
2503 education areas. The study must take into account appropriate  
2504 cost-effectiveness factors in school construction and should  
2505 include input from industry experts. The Office of Economic and

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2506 Demographic Research must provide the results of the study and  
2507 recommendations on the cost per student station to the Governor,  
2508 the President of the Senate, and the Speaker of the House of  
2509 Representatives no later than January 31, 2017.

2510 4. The Office of Program Policy Analysis and Government  
2511 Accountability (OPPAGA) shall conduct a study of the State  
2512 Requirements for Education Facilities (SREF) to identify current  
2513 requirements that can be eliminated or modified in order to  
2514 decrease the cost of construction of educational facilities  
2515 while ensuring student safety. OPPAGA must provide the results  
2516 of the study, and an overall recommendation as to whether SREF  
2517 should be retained, to the Governor, the President of the  
2518 Senate, and the Speaker of the House of Representatives no later  
2519 than January 31, 2017.

2520 5. Effective July 1, 2017, in addition to the funding  
2521 sources listed in subparagraph 1., a district school board may  
2522 not use funds from any sources for new construction of  
2523 educational plant space with a total cost per student station,  
2524 including change orders, which equals more than the current  
2525 adjusted amounts provided in sub-subparagraphs 1.a.-c. which  
2526 shall subsequently be adjusted annually to reflect increases or  
2527 decreases in the Consumer Price Index. However, if a contract  
2528 has been executed for architectural and design services or for  
2529 construction management services before July 1, 2017, a district  
2530 school board may use funds from any source for the new  
2531 construction of educational plant space and such funds are  
2532 exempt from the total cost per student station requirements.

2533 6. A district school board must not use funds from the  
2534 Public Education Capital Outlay and Debt Service Trust Fund or

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2535 the School District and Community College District Capital  
2536 Outlay and Debt Service Trust Fund for any new construction of  
2537 an ancillary plant that exceeds 70 percent of the average cost  
2538 per square foot of new construction for all schools.

2539 (c) Except as otherwise provided, new construction for  
2540 which a contract has been executed for architectural and design  
2541 services or for construction management services by a district  
2542 school board on or after July 1, 2017, may not exceed the cost  
2543 per student station as provided in paragraph (b). A school  
2544 district that exceeds the cost per student station provided in  
2545 paragraph (b), as determined by the Auditor General, shall be  
2546 subject to sanctions. If the Auditor General determines that the  
2547 cost per student station overage is de minimus or due to  
2548 extraordinary circumstances outside the control of the district,  
2549 the sanctions shall not apply. The sanctions are as follows:

2550 1. The school district shall be ineligible for allocations  
2551 from the Public Education Capital Outlay and Debt Service Trust  
2552 Fund for the next 3 years in which the school district would  
2553 have received allocations had the violation not occurred.

2554 2. The school district shall be subject to the supervision  
2555 of a district capital outlay oversight committee. The oversight  
2556 committee is authorized to approve all capital outlay  
2557 expenditures of the school district, including new construction,  
2558 renovations, and remodeling, for 3 fiscal years following the  
2559 violation.

2560 a. Each oversight committee shall be composed of the  
2561 following:

2562 (I) One appointee of the Commissioner of Education who has  
2563 significant financial management, school facilities

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2564 construction, or related experience.

2565 (II) One appointee of the office of the state attorney with  
2566 jurisdiction over the district.

2567 (III) One appointee of the Chief Financial Officer who is a  
2568 licensed certified public accountant.

2569 b. An appointee to the oversight committee may not be  
2570 employed by the school district; be a relative, as defined in s.  
2571 1002.33(24)(a)2., of any school district employee; or be an  
2572 elected official. Each appointee must sign an affidavit  
2573 attesting to these conditions and affirming that no conflict of  
2574 interest exists in his or her oversight role.

2575 (d) The department shall:

2576 1. Compute for each calendar year the statewide average  
2577 construction costs for facilities serving each instructional  
2578 level, for relocatable educational facilities, for  
2579 administrative facilities, and for other ancillary and auxiliary  
2580 facilities. The department shall compute the statewide average  
2581 costs per student station for each instructional level.

2582 2. Annually review the actual completed construction costs  
2583 of educational facilities in each school district. For any  
2584 school district in which the total actual cost per student  
2585 station, including change orders, exceeds the statewide limits  
2586 established in paragraph (b), the school district shall report  
2587 to the department the actual cost per student station and the  
2588 reason for the school district's inability to adhere to the  
2589 limits established in paragraph (b). The department shall  
2590 collect all such reports and shall provide these reports to the  
2591 Auditor General for verification purposes.

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2593 Cost per student station includes contract costs, legal and  
2594 administrative costs, fees of architects and engineers,  
2595 furniture and equipment, and site improvement costs. Cost per  
2596 student station does not include the cost of purchasing or  
2597 leasing the site for the construction or the cost of related  
2598 offsite improvements. Cost per student station also does not  
2599 include the cost for securing entries, checkpoint construction,  
2600 lighting specifically designed for entry point security,  
2601 security cameras, automatic locks and locking devices,  
2602 electronic security systems, fencing designed to prevent  
2603 intruder entry into a building, bullet-proof glass, or other  
2604 capital construction items approved by the school safety  
2605 specialist to ensure building security for new educational,  
2606 auxiliary, or ancillary facilities; costs for these items must  
2607 be below 2 percent per student station.

2608 Section 31. For the purpose of incorporating the amendment  
2609 made by this act to section 790.065, Florida Statutes, in a  
2610 reference thereto, subsection (2) of section 397.6760, Florida  
2611 Statutes, is reenacted to read:

2612 397.6760 Court records; confidentiality.—

2613 (2) This section does not preclude the clerk of the court  
2614 from submitting the information required by s. 790.065 to the  
2615 Department of Law Enforcement.

2616 Section 32. For the purpose of incorporating the amendment  
2617 made by this act to section 790.065, Florida Statutes, in a  
2618 reference thereto, paragraph (e) of subsection (3) of section  
2619 790.335, Florida Statutes, is reenacted to read:

2620 790.335 Prohibition of registration of firearms; electronic  
2621 records.—

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2622 (3) EXCEPTIONS.—The provisions of this section shall not  
2623 apply to:

2624 (e)1. Records kept pursuant to the recordkeeping provisions  
2625 of s. 790.065; however, nothing in this section shall be  
2626 construed to authorize the public release or inspection of  
2627 records that are made confidential and exempt from the  
2628 provisions of s. 119.07(1) by s. 790.065(4) (a).

2629 2. Nothing in this paragraph shall be construed to allow  
2630 the maintaining of records containing the names of purchasers or  
2631 transferees who receive unique approval numbers or the  
2632 maintaining of records of firearm transactions.

2633 Section 33. For the purpose of incorporating the amendment  
2634 made by this act to section 836.10, Florida Statutes, in a  
2635 reference thereto, subsection (1) of section 794.056, Florida  
2636 Statutes, is reenacted to read:

2637 794.056 Rape Crisis Program Trust Fund.—

2638 (1) The Rape Crisis Program Trust Fund is created within  
2639 the Department of Health for the purpose of providing funds for  
2640 rape crisis centers in this state. Trust fund moneys shall be  
2641 used exclusively for the purpose of providing services for  
2642 victims of sexual assault. Funds credited to the trust fund  
2643 consist of those funds collected as an additional court  
2644 assessment in each case in which a defendant pleads guilty or  
2645 nolo contendere to, or is found guilty of, regardless of  
2646 adjudication, an offense provided in s. 775.21(6) and (10) (a),  
2647 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.  
2648 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.  
2649 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.  
2650 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;

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2651 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.  
2652 796.06; s. 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s.  
2653 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.  
2654 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.  
2655 847.0137; s. 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a),  
2656 (13), and (14) (c); or s. 985.701(1). Funds credited to the trust  
2657 fund also shall include revenues provided by law, moneys  
2658 appropriated by the Legislature, and grants from public or  
2659 private entities.

2660 Section 34. For the purpose of incorporating the amendment  
2661 made by this act to section 836.10, Florida Statutes, in a  
2662 reference thereto, section 938.085, Florida Statutes, is  
2663 reenacted to read:

2664 938.085 Additional cost to fund rape crisis centers.—In  
2665 addition to any sanction imposed when a person pleads guilty or  
2666 nolo contendere to, or is found guilty of, regardless of  
2667 adjudication, a violation of s. 775.21(6) and (10) (a), (b), and  
2668 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;  
2669 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.  
2670 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.  
2671 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.  
2672 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.  
2673 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.  
2674 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.  
2675 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.  
2676 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a), (13), and  
2677 (14) (c); or s. 985.701(1), the court shall impose a surcharge of  
2678 \$151. Payment of the surcharge shall be a condition of  
2679 probation, community control, or any other court-ordered

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2680 supervision. The sum of \$150 of the surcharge shall be deposited  
2681 into the Rape Crisis Program Trust Fund established within the  
2682 Department of Health by chapter 2003-140, Laws of Florida. The  
2683 clerk of the court shall retain \$1 of each surcharge that the  
2684 clerk of the court collects as a service charge of the clerk's  
2685 office.

2686 Section 35. For the 2018-2019 fiscal year, the sum of \$69,  
2687 237,286 in recurring funds is appropriated from the General  
2688 Revenue Fund to the Department of Education in the Aid to Local  
2689 Governments Grants and Aids - Florida Education Finance Program  
2690 to fund the mental health assistance allocation created pursuant  
2691 to s. 1011.62(16), Florida Statutes.

2692 Section 36. For the 2018-2019 fiscal year, the sums of  
2693 \$500,000 in recurring funds and \$6,200,000 in nonrecurring funds  
2694 are appropriated from the General Revenue Fund to the Department  
2695 of Education to implement the youth mental health awareness and  
2696 assistance training as directed pursuant to s. 1012.584, Florida  
2697 Statutes.

2698 Section 37. For the 2018-2019 fiscal year, the sum of \$1  
2699 million in nonrecurring funds is appropriated from the General  
2700 Revenue Fund to the Department of Education for the design and  
2701 construction of a memorial honoring those who lost their lives  
2702 on February 14, 2018, at Marjory Stoneman Douglas High School in  
2703 Broward County. The department shall collaborate with the  
2704 students and faculty of Marjory Stoneman Douglas High School,  
2705 the families of the victims, the Broward County School District,  
2706 and other relevant entities of the Parkland community on the  
2707 design and placement of the memorial.

2708 Section 38. For the 2018-2019 fiscal year, the sum of

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2709 \$25,262,714 in nonrecurring funds is appropriated from the  
2710 General Revenue Fund to the Department of Education for the  
2711 purpose of replacing Building 12, as listed in the Florida  
2712 Inventory of School Houses, at Marjory Stoneman Douglas High  
2713 School in Broward County.

2714 Section 39. For the 2018-2019 fiscal year, the sums of  
2715 \$500,000 in recurring funds and \$67 million in nonrecurring  
2716 funds are appropriated from the General Revenue Fund to the  
2717 Department of Education to allocate to sheriffs' offices who  
2718 establish a school marshal program pursuant to s. 30.15, Florida  
2719 Statutes. The funds shall be used for screening-related and  
2720 training-related costs and providing a one-time stipend of \$500  
2721 to school marshals who participate in the school marshal  
2722 program.

2723 Section 40. For the 2018-2019 fiscal year, three full-time  
2724 equivalent positions, with associated salary rate of 150,000,  
2725 are authorized, and the sum of \$344,393 in recurring funds is  
2726 appropriated from the General Revenue Fund to the Department of  
2727 Education to fund the Office of Safe Schools created pursuant to  
2728 s. 1001.212, Florida Statutes.

2729 Section 41. For the 2018-2019 fiscal year, the sum of  
2730 \$97,500,000 in recurring funds is appropriated from the General  
2731 Revenue Fund to the Department of Education in the Aid to Local  
2732 Governments Grants and Aids - Florida Education Finance Program  
2733 category for the safe schools allocation. These funds are in  
2734 addition to the safe schools allocation funds appropriated in  
2735 the Florida Education Finance Program in the Fiscal Year 2018-  
2736 2019 General Appropriations Act. From these funds, \$187,340  
2737 shall be distributed to each school district and developmental

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2738 research school to increase each school districts' minimum  
2739 amount to \$250,000 when combined with the minimum amount  
2740 appropriated in the 2018-2019 General Appropriations Act.  
2741 Notwithstanding s. 1011.62(15), Florida Statutes, the balance of  
2742 the funds appropriated in this section shall be distributed to  
2743 school districts based on each district's proportionate share of  
2744 the state's total unweighted full-time equivalent student  
2745 enrollment. Each school district must use these funds  
2746 exclusively for hiring or contracting for school resource  
2747 officers pursuant to s. 1006.12, Florida Statutes.

2748 Section 42. For the 2018-2019 fiscal year, the sum of  
2749 \$100,000 in recurring funds is appropriated from the General  
2750 Revenue Fund to the Department of Education to competitively  
2751 procure the active shooter training component of the school  
2752 safety specialist training program pursuant to s. 1001.212,  
2753 Florida Statutes.

2754 Section 43. For the 2018-2019 fiscal year, the sum of  
2755 \$98,962,286 in nonrecurring funds is appropriated from the  
2756 General Revenue Fund to the Department of Education to implement  
2757 a grant program that will provide awards to schools to fund, in  
2758 whole or in part, the fixed capital outlay costs associated with  
2759 improving the physical security of school buildings as  
2760 identified by a security risk assessment completed before August  
2761 1, 2018, by a school district or charter school. By August 31,  
2762 2018, the department shall submit the grant guidelines, which  
2763 must include an application submission deadline of no later than  
2764 December 1, 2018, and the specific evaluation criteria, to all  
2765 school districts and charter schools. The department shall award  
2766 grants no later than January 15, 2019, based upon the evaluation

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2767 criteria set forth in the application guidelines.

2768 Section 44. For the 2018-2019 fiscal year, the sums of  
2769 \$300,000 in nonrecurring funds and \$100,000 in recurring funds  
2770 are appropriated from the General Revenue Fund to the Department  
2771 of Law Enforcement to competitively procure proposals for the  
2772 development or acquisition of the mobile suspicious activity  
2773 reporting tool pursuant to s. 943.082, Florida Statutes. The  
2774 tool shall be implemented no later than January 31, 2019.

2775 Section 45. For the 2018-2019 fiscal year, five full-time  
2776 equivalent positions, with associated salary rate of 345,000,  
2777 are authorized and the recurring sum of \$600,000 and the  
2778 nonrecurring sum of \$50,000 are appropriated from the General  
2779 Revenue Fund to the Department of Law Enforcement to fund the  
2780 operations of the Marjory Stoneman Douglas High School Public  
2781 Safety Commission.

2782 Section 46. For the 2018-2019 fiscal year, the sum of  
2783 \$9,800,000 in recurring funds is appropriated from the General  
2784 Revenue Fund to the Department of Children and Families to  
2785 competitively procure for additional community action treatment  
2786 teams to ensure reasonable access among all counties. The  
2787 department shall consider the geographic location of existing  
2788 community action treatment teams and select providers to serve  
2789 the areas of greatest need.

2790 Section 47. For the 2018-2019 fiscal year, the sums of  
2791 \$18,300,000 in recurring funds are appropriated from the General  
2792 Revenue Fund to the Department of Children and Families to  
2793 competitively procure proposals for additional mobile crisis  
2794 teams to ensure reasonable access among all counties. The  
2795 department shall consider the geographic location of existing

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2796 mobile crisis teams and select providers to serve the areas of  
2797 greatest need.

2798 Section 48. For the 2018-2019 fiscal year, the sums of  
2799 \$18,321 in recurring funds and \$225,000 in nonrecurring funds  
2800 are appropriated from the General Revenue Fund to the Department  
2801 of Education in the Special Categories - Teacher and School  
2802 Administrator Death Benefits category to provide for the  
2803 benefits awarded pursuant to s. 112.1915, Florida Statutes, to  
2804 the eligible recipients of the three Marjory Stoneman Douglas  
2805 High School staff members who lost their lives on February 14,  
2806 2018.

2807 Section 49. For the 2018-2019 fiscal year, the sum of \$3  
2808 million in recurring funds is appropriated from the General  
2809 Revenue Fund to the Department of Education to competitively  
2810 procure for the development or acquisition of the centralized  
2811 data repository and analytics resources pursuant to s. 1001.212,  
2812 Florida Statutes. The department shall collaborate with the  
2813 Department of Law Enforcement and school districts to identify  
2814 the requirements and functionality of the data repository and  
2815 analytics resources and shall make such resources available to  
2816 the school districts no later than December 1, 2018.

2817 Section 50. For the 2018-2019 fiscal year, the sum of \$1  
2818 million in nonrecurring funds is appropriated from the General  
2819 Revenue Fund to the Department of Education to competitively  
2820 procure a contract with a third-party security consultant with  
2821 experience in conducting security risk assessments of public  
2822 schools. Contract funds shall be used to review and analyze the  
2823 department's current security risk assessment tool known as the  
2824 Florida Safe Schools Assessment Tool (FSSAT) and a sample of



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2825 self-assessments conducted by school districts using the FSSAT  
2826 to determine the effectiveness of the recommendations produced  
2827 based upon the FSSAT. The review shall include any recommended  
2828 updates and enhancements with associated costs for their  
2829 implementation to aid districts in developing recommendations to  
2830 address safety and security issues discovered by the FSSAT. The  
2831 department shall submit the completed review to the State Board  
2832 of Education, the Executive Office of the Governor's Office of  
2833 Policy and Budget, the chair of the Senate Committee on  
2834 Appropriations, and the House of Representatives Appropriations  
2835 Committee no later than January 1, 2019.

2836       Section 51. Except as otherwise expressly provided in this  
2837 act, this act shall take effect upon becoming a law.