



471926

LEGISLATIVE ACTION

Senate

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House

The Committee on Infrastructure and Security (Simmons)
recommended the following:

Senate Amendment (with title amendment)

Delete lines 89 - 119

and insert:

(d)1. Upon recording, reporting, transmitting, displaying,
or releasing information pertaining to a Lockdown Alert, the
local law enforcement agency with jurisdiction; the Department
of Law Enforcement; any state or local law enforcement agency
and the personnel of these agencies; any radio or television
network, broadcaster, or other media representative; any dealer



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11 of communications services as defined in s. 202.11; or any
12 agency, employee, individual, or entity is immune from civil
13 liability for damages for complying in good faith with this
14 subsection and is presumed to have acted in good faith in
15 recording, reporting, transmitting, displaying, or releasing
16 information pertaining to a Lockdown Alert. The presumption of
17 good faith is not overcome if a technical or clerical error is
18 made by any agency, employee, individual, or entity acting at
19 the request of the local law enforcement agency having
20 jurisdiction, or if information pertaining to a Lockdown Alert
21 is incomplete or incorrect because the information received from
22 the local law enforcement agency was incomplete or incorrect.

23 2. Neither this subsection nor any other law creates a duty
24 of the agency, employee, individual, or entity to record,
25 report, transmit, display, or release the Lockdown Alert
26 information received from the local law enforcement agency
27 having jurisdiction. The decision to record, report, transmit,
28 display, or release information is discretionary with the
29 agency, employee, individual, or entity receiving the
30 information.

31 (3) At the request of a local law enforcement agency, the
32 Department of Law Enforcement, in cooperation with the
33 Department of Highway Safety and Motor Vehicles and the
34 Department of Transportation, must activate the emergency alert
35 system and issue an Imminent Threat Alert to the public when the
36 local law enforcement agency confirms that an imminent threat to
37 the public exists, including, but not limited to, circumstances
38 in which all of the following conditions have been satisfied:

39 (a) A person has been killed or has suffered serious bodily



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40 injury or a person has been assaulted with a deadly weapon by
41 another person.

42 (b) The person suspected of committing the offense has fled
43 the scene of the offense.

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

46 (4) An Imminent Threat Alert must, to the extent
47 practicable, provide a detailed description of a suspect's
48 vehicle or other means of escape, the license plate number of
49 the suspect's vehicle, or any other available information that
50 may assist in averting further harm or in the apprehending of
51 the suspect.

52 (5) (a) An Imminent Threat Alert must be immediately
53 disseminated to the public through the emergency alert system
54 and through the use of the dynamic message signs that are
55 located along the State Highway System.

56 (b) If a traffic emergency arises requiring that
57 information pertaining to the traffic emergency be displayed on
58 a dynamic message sign on a state highway in lieu of an Imminent
59 Threat Alert, the agency responsible for posting the Imminent
60 Threat Alert on the dynamic message sign does not violate this
61 section.

62 (c)1. Upon receiving a request to record, report, transmit,
63 display, or release Imminent Threat Alert information from the
64 law enforcement agency having jurisdiction, the Department of
65 Law Enforcement; any state or local law enforcement agency and
66 the personnel of these agencies; any radio or television
67 network, broadcaster, or other media representative; any dealer
68 of communications services as defined in s. 202.11; or any



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69 agency, employee, individual, or entity is immune from civil
70 liability for damages for complying in good faith with this
71 subsection and is presumed to have acted in good faith in
72 recording, reporting, transmitting, displaying, or releasing
73 information pertaining to an Imminent Threat Alert. The
74 presumption of good faith is not overcome if a technical or
75 clerical error is made by any agency, employee, individual, or
76 entity acting at the request of the local law enforcement agency
77 having jurisdiction, or if information pertaining to an Imminent
78 Threat Alert is incomplete or incorrect because the information
79 received from the local law enforcement agency was incomplete or
80 incorrect.

81 2. Neither this subsection nor any other law creates a duty
82 of the agency, employee, individual, or entity to record,
83 report, transmit, display, or release the Imminent Threat Alert
84 information received from the local law enforcement agency
85 having jurisdiction. The decision to record, report, transmit,
86 display, or release information is discretionary with the
87 agency, employee, individual, or entity receiving the
88 information.

89
90 ===== T I T L E A M E N D M E N T =====

91 And the title is amended as follows:

92 Delete lines 18 - 33

93 and insert:

94 taken off the list; providing immunity from civil
95 liability to certain persons for damages for complying
96 in good faith with specified provisions; providing a
97 presumption of good faith; providing construction;



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98 requiring the Department of Law Enforcement, in
99 cooperation with the Department of Highway Safety and
100 Motor Vehicles and the Department of Transportation,
101 to activate the emergency alert system and issue an
102 Imminent Threat Alert to the public at the request of
103 a local law enforcement agency under certain
104 circumstances; specifying information that must be
105 provided in Imminent Threat Alerts, if available;
106 requiring Imminent Threat Alerts to be disseminated to
107 the public through the emergency alert system and
108 through the use of certain dynamic message signs;
109 providing that the agency responsible for posting the
110 Imminent Threat Alert on the dynamic message sign does
111 not violate this section if certain traffic emergency
112 information is displayed on the sign in lieu of the
113 alert; providing immunity from civil liability to
114 certain persons for damages for complying in good
115 faith with specified provisions; providing a
116 presumption of good faith; providing construction;
117 providing an effective date.