

1 A bill to be entitled
2 An act relating to public safety; amending s. 27.53,
3 F.S.; conforming provisions to changes made by the
4 act; amending s. 30.15, F.S.; requiring sheriffs to
5 assist private schools in complying with a certain
6 statute; authorizing a private school to request the
7 sheriff to establish a guardian program under certain
8 conditions; providing requirements for the guardian
9 program; authorizing certified individuals to serve as
10 school guardians if appointed by the applicable
11 private school head of school; revising the training
12 program hours required for school employees to be
13 certified as school guardians; amending s. 768.28,
14 F.S.; revising a definition; amending s. 790.001,
15 F.S.; defining the term "handgun"; amending s. 790.01,
16 F.S.; authorizing a person to carry a concealed weapon
17 or concealed firearm if he or she is licensed to do so
18 or meets specified requirements; specifying the burden
19 of proof for certain violations; creating s. 790.013,
20 F.S.; requiring a person who is carrying a concealed
21 weapon or concealed firearm without a license to carry
22 valid identification and display such identification
23 upon demand by a law enforcement officer; providing a
24 noncriminal penalty; prohibiting a person who is
25 carrying a concealed weapon or concealed firearm

26 | without a license from carrying such weapon or firearm
27 | in specified locations; amending s. 790.015, F.S.;
28 | authorizing a nonresident to carry a concealed weapon
29 | or concealed firearm in this state if he or she meets
30 | the same requirements as a resident; removing a
31 | requirement that limits recognition of concealed
32 | firearm licenses to those states that honor Florida
33 | concealed weapon or concealed firearm licenses;
34 | amending s. 790.052, F.S.; conforming provisions to
35 | changes made by the act; amending s. 790.053, F.S.;
36 | specifying that it is not a violation of specified
37 | provisions for persons authorized to carry a concealed
38 | weapon or concealed firearm without a license to
39 | briefly and openly display a firearm under specified
40 | circumstances; amending s. 790.06, F.S.; defining the
41 | term "concealed weapon or concealed firearm"; removing
42 | a requirement that a person who is licensed to carry a
43 | concealed weapon or concealed firearm must carry such
44 | license while he or she is in actual possession of a
45 | concealed weapon or concealed firearm; revising
46 | legislative findings; making technical changes;
47 | amending s. 790.0655, F.S.; making technical changes;
48 | amending s. 790.115, F.S.; providing that a person who
49 | is authorized to carry a concealed weapon or concealed
50 | firearm without a license is subject to specified

51 penalties for possessing such weapon or firearm at a
52 school-sponsored event or on school property;
53 conforming provisions to changes made by the act;
54 revising applicability; repealing s. 790.145, F.S.,
55 relating to the possession of firearms or destructive
56 devices within the premises of pharmacies; amending s.
57 790.25, F.S.; providing that a person who is
58 authorized to carry a concealed weapon or concealed
59 firearm may carry such weapon or firearm on his or her
60 person in a private conveyance under certain
61 circumstances; conforming provisions to changes made
62 by the act; making technical changes; amending s.
63 790.251, F.S.; revising the definition of the term
64 "employee" to include any person who is authorized to
65 carry a concealed weapon or concealed firearm;
66 prohibiting an employer from conditioning employment
67 upon the fact that an employee or a prospective
68 employee is authorized to carry a concealed weapon or
69 concealed firearm; amending s. 790.31, F.S.; removing
70 the definition of the term "handgun"; creating s.
71 943.6873, F.S.; requiring each law enforcement agency
72 in this state to create and maintain an active
73 assailant response policy by a specified date;
74 providing requirements for the policy; amending s.
75 1001.212, F.S.; requiring the Office of Safe Schools

76 to develop a behavioral threat management operational
77 process by a specified date; providing requirements
78 for the process; revising provisions requiring the
79 office to develop a Florida-specific behavioral threat
80 assessment instrument by a specified date; revising
81 requirements for the instrument; requiring the office
82 to develop, host, maintain, and administer a threat
83 management portal by a specified date; providing
84 requirements for the threat management portal;
85 providing a noncriminal penalty for an individual
86 using the threat management portal for an unauthorized
87 purpose; deleting provisions providing for the
88 Statewide Threat Assessment Database Workgroup;
89 authorizing the State Board of Education to adopt
90 emergency rules; amending s. 1002.42, F.S.;
91 authorizing a private school to partner with a law
92 enforcement agency or security agency for specified
93 purposes; requiring a private school that establishes
94 a safe-school officer to comply with specified
95 provisions of law; providing that the private school
96 is responsible for certain implementation costs;
97 amending s. 1003.25, F.S.; revising information
98 included in verified reports of serious or recurrent
99 behavior patterns; amending s. 1006.07, F.S.;
100 redesignating threat assessment teams as threat

101 management teams; requiring a charter school governing
 102 board to establish a threat management team; providing
 103 requirements for a threat management team; requiring
 104 the threat management team to prepare a specified
 105 report; authorizing the state board to adopt emergency
 106 rules; providing legislative findings; creating s.
 107 1006.121, F.S.; requiring the Department of Education
 108 to establish the Florida Safe Schools Canine Program;
 109 requiring the Office of Safe Schools to consult with
 110 specified entities; defining the term "firearm
 111 detection canine"; providing requirements for the
 112 program; requiring the State Board of Education to
 113 adopt rules; amending s. 1006.13, F.S.; conforming
 114 provisions to changes made by the act; providing
 115 reporting requirements for certain school safety
 116 incidents; amending ss. 790.1612, 810.095, 921.0022,
 117 921.0024, 943.051, 943.0585, 943.059, 985.11, and
 118 1002.33 F.S.; conforming provisions to changes made by
 119 the act; providing appropriations; providing effective
 120 dates.

121
 122 Be It Enacted by the Legislature of the State of Florida:

123
 124 Section 1. Subsections (1) and (4) of section 27.53,
 125 Florida Statutes, are amended to read:

126 27.53 Appointment of assistants and other staff; method of
127 payment.—

128 (1) The public defender of each judicial circuit is
129 authorized to employ and establish, in such numbers as
130 authorized by the General Appropriations Act, assistant public
131 defenders and other staff and personnel pursuant to s. 29.006,
132 who shall be paid from funds appropriated for that purpose.
133 Notwithstanding ss. 790.01 and 790.02, ~~the provisions of s.~~
134 ~~790.01, s. 790.02, or s. 790.25(2)(a)~~, an investigator employed
135 by a public defender, while actually carrying out official
136 duties, is authorized to carry a concealed weapon ~~weapons or~~
137 concealed firearm if the investigator complies with s.
138 790.25(2)(o) ~~s. 790.25(3)(e)~~. However, such investigators are
139 not eligible for membership in the Special Risk Class of the
140 Florida Retirement System. The public defenders of all judicial
141 circuits shall jointly develop a coordinated classification and
142 pay plan which shall be submitted on or before January 1 of each
143 year to the Justice Administrative Commission, the office of the
144 President of the Senate, and the office of the Speaker of the
145 House of Representatives. Such plan shall be developed in
146 accordance with policies and procedures of the Executive Office
147 of the Governor established in s. 216.181. Each assistant public
148 defender appointed by a public defender under this section shall
149 serve at the pleasure of the public defender. Each investigator
150 employed by a public defender shall have full authority to serve

151 any witness subpoena or court order issued, by any court or
152 judge within the judicial circuit served by such public
153 defender, in a criminal case in which such public defender has
154 been appointed to represent the accused.

155 (4) The five criminal conflict and civil regional counsels
156 may employ and establish, in the numbers authorized by the
157 General Appropriations Act, assistant regional counsels and
158 other staff and personnel in each judicial district pursuant to
159 s. 29.006, who shall be paid from funds appropriated for that
160 purpose. Notwithstanding ss. 790.01 and 790.02, ~~s. 790.01, s.~~
161 ~~790.02, or s. 790.25(2)(a)~~, an investigator employed by an
162 office of criminal conflict and civil regional counsel, while
163 actually carrying out official duties, is authorized to carry a
164 concealed weapon ~~weapons~~ or concealed firearm if the
165 investigator complies with s. 790.25(2)(o) ~~s. 790.25(3)(o)~~.
166 However, such investigators are not eligible for membership in
167 the Special Risk Class of the Florida Retirement System. The
168 five regional counsels shall jointly develop a coordinated
169 classification and pay plan for submission to the Justice
170 Administrative Commission, the President of the Senate, and the
171 Speaker of the House of Representatives by January 1 of each
172 year. The plan must be developed in accordance with policies and
173 procedures of the Executive Office of the Governor established
174 in s. 216.181. Each assistant regional counsel appointed by the
175 regional counsel under this section shall serve at the pleasure

176 of the regional counsel. Each investigator employed by the
 177 regional counsel shall have full authority to serve any witness
 178 subpoena or court order issued by any court or judge in a
 179 criminal case in which the regional counsel has been appointed
 180 to represent the accused.

181 Section 2. Paragraph (k) of subsection (1) of section
 182 30.15, Florida Statutes, is amended to read:

183 30.15 Powers, duties, and obligations.—

184 (1) Sheriffs, in their respective counties, in person or
 185 by deputy, shall:

186 (k) Assist district school boards and charter school
 187 governing boards in complying with, or private schools in
 188 exercising options in, s. 1006.12. A sheriff must, at a minimum,
 189 provide access to a Coach Aaron Feis Guardian Program to aid in
 190 the prevention or abatement of active assailant incidents on
 191 school premises, as required under this paragraph. Persons
 192 certified as school guardians pursuant to this paragraph have no
 193 authority to act in any law enforcement capacity except to the
 194 extent necessary to prevent or abate an active assailant
 195 incident.

196 1.a. If a local school board has voted by a majority to
 197 implement a guardian program, the sheriff in that county shall
 198 establish a guardian program to provide training, pursuant to
 199 subparagraph 2., to school district, ~~or~~ charter school, or
 200 private school employees, either directly or through a contract

201 with another sheriff's office that has established a guardian
202 program.

203 b. A charter school governing board in a school district
204 that has not voted, or has declined, to implement a guardian
205 program may request the sheriff in the county to establish a
206 guardian program for the purpose of training the charter school
207 employees. If the county sheriff denies the request, the charter
208 school governing board may contract with a sheriff that has
209 established a guardian program to provide such training. The
210 charter school governing board must notify the superintendent
211 and the sheriff in the charter school's county of the contract
212 prior to its execution.

213 c. A private school in a school district that has not
214 voted, or has declined, to implement a guardian program may
215 request that the sheriff in the county of the private school
216 establish a guardian program for the purpose of training private
217 school employees. If the county sheriff denies the request, the
218 private school may contract with a sheriff from another county
219 who has established a guardian program to provide such training.
220 The private school must notify the sheriff in the private
221 school's county of the contract with a sheriff from another
222 county before its execution. The private school is responsible
223 for all training costs for a school guardian program. The
224 sheriff providing such training must ensure that any moneys paid
225 by a private school are not commingled with any funds provided

226 by the state to the sheriff as reimbursement for screening-
227 related and training-related costs of any school district or
228 charter school employee.

229 d. The training program required in sub-subparagraph 2.b.
230 is a standardized statewide curriculum, and each sheriff
231 providing such training shall adhere to the course of
232 instruction specified in that sub-subparagraph. This
233 subparagraph does not prohibit a sheriff from providing
234 additional training. A school guardian who has completed the
235 training program required in sub-subparagraph 2.b. may not be
236 required to attend another sheriff's training program pursuant
237 to that sub-subparagraph unless there has been at least a 1-year
238 break in his or her employment as a guardian.

239 e. The sheriff conducting the training pursuant to
240 subparagraph 2. will be reimbursed for screening-related and
241 training-related costs and for providing a one-time stipend of
242 \$500 to each school guardian who participates in the school
243 guardian program.

244 2. A sheriff who establishes a program shall consult with
245 the Department of Law Enforcement on programmatic guiding
246 principles, practices, and resources, and shall certify as
247 school guardians, without the power of arrest, school employees,
248 as specified in s. 1006.12(3), who:

249 a. Hold a valid license issued under s. 790.06.

250 b. Complete a 144-hour training program, consisting of 12

251 hours of certified nationally recognized diversity training and
252 132 total hours of comprehensive firearm safety and proficiency
253 training conducted by Criminal Justice Standards and Training
254 Commission-certified instructors, which must include:

255 (I) Eighty hours of firearms instruction based on the
256 Criminal Justice Standards and Training Commission's Law
257 Enforcement Academy training model, which must include at least
258 10 percent but no more than 20 percent more rounds fired than
259 associated with academy training. Program participants must
260 achieve an 85 percent pass rate on the firearms training.

261 (II) Sixteen hours of instruction in precision pistol.

262 (III) Eight hours of discretionary shooting instruction
263 using state-of-the-art simulator exercises.

264 (IV) Sixteen ~~Eight~~ hours of instruction in active shooter
265 or assailant scenarios.

266 (V) Eight hours of instruction in defensive tactics.

267 (VI) Four ~~Twelve~~ hours of instruction in legal issues.

268 c. Pass a psychological evaluation administered by a
269 psychologist licensed under chapter 490 and designated by the
270 Department of Law Enforcement and submit the results of the
271 evaluation to the sheriff's office. The Department of Law
272 Enforcement is authorized to provide the sheriff's office with
273 mental health and substance abuse data for compliance with this
274 paragraph.

275 d. Submit to and pass an initial drug test and subsequent

276 random drug tests in accordance with the requirements of s.
 277 112.0455 and the sheriff's office.

278 e. Successfully complete ongoing training, weapon
 279 inspection, and firearm qualification on at least an annual
 280 basis.

281
 282 The sheriff who conducts the guardian training shall issue a
 283 school guardian certificate to individuals who meet the
 284 requirements of this section to the satisfaction of the sheriff,
 285 and shall maintain documentation of weapon and equipment
 286 inspections, as well as the training, certification, inspection,
 287 and qualification records of each school guardian certified by
 288 the sheriff. An individual who is certified under this paragraph
 289 may serve as a school guardian under s. 1006.12(3) only if he or
 290 she is appointed by the applicable school district
 291 superintendent, ~~or~~ charter school principal, or private school
 292 head of school.

293 Section 3. Paragraph (b) of subsection (9) of section
 294 768.28, Florida Statutes, is amended to read:

295 768.28 Waiver of sovereign immunity in tort actions;
 296 recovery limits; civil liability for damages caused during a
 297 riot; limitation on attorney fees; statute of limitations;
 298 exclusions; indemnification; risk management programs.—

299 (9)

300 (b) As used in this subsection, the term:

301 1. "Employee" includes any volunteer firefighter.
 302 2. "Officer, employee, or agent" includes, but is not
 303 limited to, any health care provider when providing services
 304 pursuant to s. 766.1115; any nonprofit independent college or
 305 university located and chartered in this state which owns or
 306 operates an accredited medical school, and its employees or
 307 agents, when providing patient services pursuant to paragraph
 308 (10) (f); any public defender or her or his employee or agent,
 309 including an assistant public defender or an investigator; and
 310 any member of a Child Protection Team, as defined in s. 39.01,
 311 or any member of a threat management team, as described in s.
 312 1006.07(7) ~~s. 39.01(13)~~, when carrying out her or his duties as
 313 a team member under the control, direction, and supervision of
 314 the state or any of its agencies or subdivisions.

315 Section 4. Section 790.001, Florida Statutes, is amended
 316 to read:

317 790.001 Definitions.—As used in this chapter, except where
 318 the context otherwise requires:

319 ~~(2)(1)~~ "Antique firearm" means any firearm manufactured in
 320 or before 1918 (including any matchlock, flintlock, percussion
 321 cap, or similar early type of ignition system) or replica
 322 thereof, whether actually manufactured before or after the year
 323 1918, and also any firearm using fixed ammunition manufactured
 324 in or before 1918, for which ammunition is no longer
 325 manufactured in the United States and is not readily available

326 | in the ordinary channels of commercial trade.

327 | ~~(3)~~(2) "Concealed firearm" means any firearm, as defined
328 | in subsection ~~(9)~~ (6), which is carried on or about a person in
329 | such a manner as to conceal the firearm from the ordinary sight
330 | of another person.

331 | ~~(4)~~(3)(a) "Concealed weapon" means any dirk, metallic
332 | knuckles, billie, tear gas gun, chemical weapon or device, or
333 | other deadly weapon carried on or about a person in such a
334 | manner as to conceal the weapon from the ordinary sight of
335 | another person.

336 | (b) "Tear gas gun" or "chemical weapon or device" means
337 | any weapon of such nature, except a device known as a "self-
338 | defense chemical spray." "Self-defense chemical spray" means a
339 | device carried solely for purposes of lawful self-defense that
340 | is compact in size, designed to be carried on or about the
341 | person, and contains not more than two ounces of chemical.

342 | ~~(6)~~(4) "Destructive device" means any bomb, grenade, mine,
343 | rocket, missile, pipebomb, or similar device containing an
344 | explosive, incendiary, or poison gas and includes any frangible
345 | container filled with an explosive, incendiary, explosive gas,
346 | or expanding gas, which is designed or so constructed as to
347 | explode by such filler and is capable of causing bodily harm or
348 | property damage; any combination of parts either designed or
349 | intended for use in converting any device into a destructive
350 | device and from which a destructive device may be readily

351 assembled; any device declared a destructive device by the
352 Bureau of Alcohol, Tobacco, and Firearms; any type of weapon
353 which will, is designed to, or may readily be converted to expel
354 a projectile by the action of any explosive and which has a
355 barrel with a bore of one-half inch or more in diameter; and
356 ammunition for such destructive devices, but not including
357 shotgun shells or any other ammunition designed for use in a
358 firearm other than a destructive device. "Destructive device"
359 does not include:

360 (a) A device which is not designed, redesigned, used, or
361 intended for use as a weapon;

362 (b) Any device, although originally designed as a weapon,
363 which is redesigned so that it may be used solely as a
364 signaling, line-throwing, safety, or similar device;

365 (c) Any shotgun other than a short-barreled shotgun; or

366 (d) Any nonautomatic rifle (other than a short-barreled
367 rifle) generally recognized or particularly suitable for use for
368 the hunting of big game.

369 (8)~~(5)~~ "Explosive" means any chemical compound or mixture
370 that has the property of yielding readily to combustion or
371 oxidation upon application of heat, flame, or shock, including
372 but not limited to dynamite, nitroglycerin, trinitrotoluene, or
373 ammonium nitrate when combined with other ingredients to form an
374 explosive mixture, blasting caps, and detonators; but not
375 including:

376 (a) Shotgun shells, cartridges, or ammunition for
 377 firearms;

378 (b) Fireworks as defined in s. 791.01;

379 (c) Smokeless propellant powder or small arms ammunition
 380 primers, if possessed, purchased, sold, transported, or used in
 381 compliance with s. 552.241;

382 (d) Black powder in quantities not to exceed that
 383 authorized by chapter 552, or by any rules adopted thereunder by
 384 the Department of Financial Services, when used for, or intended
 385 to be used for, the manufacture of target and sporting
 386 ammunition or for use in muzzle-loading flint or percussion
 387 weapons.

388
 389 The exclusions contained in paragraphs (a)-(d) do not apply to
 390 the term "explosive" as used in the definition of "firearm" in
 391 subsection (9) ~~(6)~~.

392 ~~(9)(6)~~ "Firearm" means any weapon (including a starter
 393 gun) which will, is designed to, or may readily be converted to
 394 expel a projectile by the action of an explosive; the frame or
 395 receiver of any such weapon; any firearm muffler or firearm
 396 silencer; any destructive device; or any machine gun. The term
 397 "firearm" does not include an antique firearm unless the antique
 398 firearm is used in the commission of a crime.

399 ~~(11)(7)~~ "Indictment" means an indictment or an information
 400 in any court under which a crime punishable by imprisonment for

401 a term exceeding 1 year may be prosecuted.

402 (12)~~(8)~~ "Law enforcement officer" means:

403 (a) All officers or employees of the United States or the
 404 State of Florida, or any agency, commission, department, board,
 405 division, municipality, or subdivision thereof, who have
 406 authority to make arrests;

407 (b) Officers or employees of the United States or the
 408 State of Florida, or any agency, commission, department, board,
 409 division, municipality, or subdivision thereof, duly authorized
 410 to carry a concealed weapon;

411 (c) Members of the Armed Forces of the United States, the
 412 organized reserves, state militia, or Florida National Guard,
 413 when on duty, when preparing themselves for, or going to or
 414 from, military duty, or under orders;

415 (d) An employee of the state prisons or correctional
 416 systems who has been so designated by the Department of
 417 Corrections or by a warden of an institution;

418 (e) All peace officers;

419 (f) All state attorneys and United States attorneys and
 420 their respective assistants and investigators.

421 (13)~~(9)~~ "Machine gun" means any firearm,~~as defined~~
 422 ~~herein,~~ which shoots, or is designed to shoot, automatically
 423 more than one shot, without manually reloading, by a single
 424 function of the trigger.

425 (10) "Handgun" means a firearm capable of being carried

426 and used by one hand, such as a pistol or revolver.

427 (17)-(10) "Short-barreled shotgun" means a shotgun having
428 one or more barrels less than 18 inches in length and any weapon
429 made from a shotgun (whether by alteration, modification, or
430 otherwise) if such weapon as modified has an overall length of
431 less than 26 inches.

432 (16)-(11) "Short-barreled rifle" means a rifle having one
433 or more barrels less than 16 inches in length and any weapon
434 made from a rifle (whether by alteration, modification, or
435 otherwise) if such weapon as modified has an overall length of
436 less than 26 inches.

437 (18)-(12) "Slungshot" means a small mass of metal, stone,
438 sand, or similar material fixed on a flexible handle, strap, or
439 the like, used as a weapon.

440 (20)-(13) "Weapon" means any dirk, knife, metallic
441 knuckles, slungshot, billie, tear gas gun, chemical weapon or
442 device, or other deadly weapon except a firearm or a common
443 pocketknife, plastic knife, or blunt-bladed table knife.

444 (7)-(14) "Electric weapon or device" means any device
445 which, through the application or use of electrical current, is
446 designed, redesigned, used, or intended to be used for offensive
447 or defensive purposes, the destruction of life, or the
448 infliction of injury.

449 (5)-(15) "Dart-firing stun gun" means any device having one
450 or more darts that are capable of delivering an electrical

451 current.

452 (14)~~(16)~~ "Readily accessible for immediate use" means that
453 a firearm or other weapon is carried on the person or within
454 such close proximity and in such a manner that it can be
455 retrieved and used as easily and quickly as if carried on the
456 person.

457 (15)~~(17)~~ "Securely encased" means in a glove compartment,
458 whether or not locked; snapped in a holster; in a gun case,
459 whether or not locked; in a zippered gun case; or in a closed
460 box or container which requires a lid or cover to be opened for
461 access.

462 (19)~~(18)~~ "Sterile area" means the area of an airport to
463 which access is controlled by the inspection of persons and
464 property in accordance with federally approved airport security
465 programs.

466 (1)~~(19)~~ "Ammunition" means an object consisting of all of
467 the following:

468 (a) A fixed metallic or nonmetallic hull or casing
469 containing a primer.

470 (b) One or more projectiles, one or more bullets, or shot.

471 (c) Gunpowder.

472

473 All of the specified components must be present for an object to
474 be ammunition.

475 Section 5. Section 790.01, Florida Statutes, is amended to

476 read:

477 790.01 ~~Unlicensed~~ Carrying of concealed weapons or
478 concealed firearms.—

479 (1) A person is authorized to carry a concealed weapon or
480 concealed firearm, as that term is defined in s. 790.06(1), if
481 he or she:

482 (a) Is licensed under s. 790.06; or

483 (b) Is not licensed under s. 790.06, but otherwise
484 satisfies the criteria for receiving and maintaining such a
485 license under s. 790.06(2)(a)-(f) and (i)-(n), (3), and (10).

486 (2)-(1) Except as provided in subsection (5) (3), a person
487 who does not meet the criteria in subsection (1) is not licensed
488 under s. 790.06 and who carries a concealed weapon or electric
489 weapon or device, as those terms are defined in s. 790.001, on
490 or about his or her person commits a misdemeanor of the first
491 degree, punishable as provided in s. 775.082 or s. 775.083.

492 (3)-(2) Except as provided in subsection (5) (3), a person
493 who does not meet the criteria in subsection (1) is not licensed
494 under s. 790.06 and who carries a concealed firearm, as that
495 term is defined in s. 790.001, on or about his or her person
496 commits a felony of the third degree, punishable as provided in
497 s. 775.082, s. 775.083, or s. 775.084.

498 (4) In any prosecution for a violation of subsection (2)
499 or subsection (3), the state bears the burden of proving, as an
500 element of the offense, both that a person is not licensed under

501 s. 790.06 and that he or she is ineligible to receive and
 502 maintain such a license under the criteria listed in s.
 503 790.06(2) (a)-(f) and (i)-(n), (3), and (10).

504 ~~(5)-(3)~~ A person does not violate this section if he or she
 505 ~~This section does not apply to:~~

506 (a) Is lawfully in possession of ~~A person who carries a~~
 507 concealed weapon or a concealed firearm, as those terms are
 508 defined in s. 790.001, ~~or a person who may lawfully possess a~~
 509 ~~firearm~~ and ~~who~~ carries such a concealed weapon or concealed
 510 firearm, on or about his or her person while in the act of
 511 evacuating during a mandatory evacuation order issued during a
 512 state of emergency declared by the Governor pursuant to chapter
 513 252 or declared by a local authority pursuant to chapter 870. As
 514 used in this subsection, the term "in the act of evacuating"
 515 means the immediate and urgent movement of a person away from
 516 the evacuation zone within 48 hours after a mandatory evacuation
 517 is ordered. The 48 hours may be extended by an order issued by
 518 the Governor.

519 (b) ~~A person who~~ Carries for purposes of lawful self-
 520 defense, in a concealed manner:

- 521 1. A self-defense chemical spray.
- 522 2. A nonlethal stun gun or dart-firing stun gun or other
- 523 nonlethal electric weapon or device that is designed solely for
- 524 defensive purposes.

525 ~~(6)-(4)~~ This section does not preclude any prosecution for

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526 the use of an electric weapon or device, a dart-firing stun gun,
527 or a self-defense chemical spray during the commission of any
528 criminal offense under s. 790.07, s. 790.10, s. 790.23, or s.
529 790.235, or for any other criminal offense.

530 Section 6. Section 790.013, Florida Statutes, is created
531 to read:

532 790.013 Carrying of concealed weapons or concealed
533 firearms without a license.—A person who carries a concealed
534 weapon or concealed firearm without a license as authorized
535 under s. 790.01(1)(b):

536 (1)(a) Must carry valid identification at all times when
537 he or she is in actual possession of a concealed weapon or
538 concealed firearm and must display such identification upon
539 demand by a law enforcement officer.

540 (b) A violation of this subsection is a noncriminal
541 violation punishable by a \$25 fine, payable to the clerk of the
542 court.

543 (2) Is subject to s. 790.06(12) in the same manner as a
544 person who is licensed to carry a concealed weapon or concealed
545 firearm.

546 Section 7. Section 790.015, Florida Statutes, is amended
547 to read:

548 790.015 Nonresidents ~~who are United States citizens and~~
549 ~~hold a concealed weapons license in another state; reciprocity.—~~

550 (1) ~~Notwithstanding s. 790.01,~~ A nonresident of Florida

551 | may carry a concealed weapon or concealed firearm, as that term
 552 | is defined in s. 790.06(1), while in this state if the
 553 | nonresident is a resident of the United States who is 21 years
 554 | of age or older and he or she:

555 | (a) Satisfies the criteria for receiving and maintaining a
 556 | license to carry a concealed weapon or concealed firearm under
 557 | s. 790.06(2) (a)-(f) and (i)-(n), (3), and (10); or

558 | ~~(a) Is 21 years of age or older.~~

559 | (b) Has in his or her immediate possession a valid license
 560 | to carry a concealed weapon or concealed firearm issued to the
 561 | nonresident in his or her state of residence.

562 | ~~(c) Is a resident of the United States.~~

563 | (2) A nonresident is subject to the same laws and
 564 | restrictions with respect to carrying a concealed weapon or
 565 | concealed firearm as a resident of Florida ~~who is so licensed.~~

566 | (3) If the resident of another state who is the holder of
 567 | a valid license to carry a concealed weapon or concealed firearm
 568 | issued in another state establishes legal residence in this
 569 | state by:

570 | (a) Registering to vote;

571 | (b) Making a statement of domicile pursuant to s. 222.17;

572 | or

573 | (c) Filing for homestead tax exemption on property in this
 574 | state,

575 |

576 | the license shall be recognized as valid ~~remain in effect~~ for 90
 577 | days following the date on which the holder of the license
 578 | establishes legal state residence.

579 | ~~(4) This section applies only to nonresident concealed~~
 580 | ~~weapon or concealed firearm licenseholders from states that~~
 581 | ~~honor Florida concealed weapon or concealed firearm licenses.~~

582 | (4)(5) The requirement in subsection (1) that a
 583 | nonresident be 21 years of age or older to carry a concealed
 584 | weapon or concealed firearm ~~of paragraph (1)(a)~~ does not apply
 585 | to a person who:

- 586 | (a) Is a servicemember, as defined in s. 250.01; or
- 587 | (b) Is a veteran of the United States Armed Forces who was
- 588 | discharged under honorable conditions.

589 | Section 8. Paragraph (d) of subsection (1) of section
 590 | 790.052, Florida Statutes, is amended to read:

591 | 790.052 Carrying concealed firearms; off-duty law
 592 | enforcement officers.—

593 | (1)

594 | (d) This section does not limit the right of a law
 595 | enforcement officer, correctional officer, or correctional
 596 | probation officer to carry a concealed firearm off duty as a
 597 | private citizen under the exemption provided in s. 790.06 that
 598 | allows a law enforcement officer, correctional officer, or
 599 | correctional probation officer as defined in s. 943.10(1), (2),
 600 | (3), (6), (7), (8), or (9) to carry a concealed firearm without

601 a concealed weapon or concealed firearm license or as otherwise
 602 provided by law. The appointing or employing agency or
 603 department of an officer carrying a concealed firearm as a
 604 private citizen is ~~under s. 790.06~~ shall not be liable for the
 605 use of the firearm in such capacity. This section does not limit
 606 ~~Nothing herein limits~~ the authority of the appointing or
 607 employing agency or department from establishing policies
 608 limiting law enforcement officers or correctional officers from
 609 carrying concealed firearms during off-duty hours in their
 610 capacity as appointees or employees of the agency or department.

611 Section 9. Subsection (1) of section 790.053, Florida
 612 Statutes, is amended to read:

613 790.053 Open carrying of weapons.—

614 (1) Except as otherwise provided by law and in subsection
 615 (2), it is unlawful for any person to openly carry on or about
 616 his or her person any firearm or electric weapon or device. It
 617 is not a violation of this section for a person who carries
 618 ~~licensed to carry~~ a concealed firearm as authorized ~~provided~~ in
 619 s. 790.01(1) ~~s. 790.06(1)~~, and ~~who is lawfully carrying a~~
 620 ~~firearm in a concealed manner~~, to briefly and openly display the
 621 firearm to the ordinary sight of another person, unless the
 622 firearm is intentionally displayed in an angry or threatening
 623 manner, not in necessary self-defense.

624 Section 10. Subsection (1), paragraphs (g) and (h) of
 625 subsection (2), paragraph (e) of subsection (4), paragraph (b)

626 of subsection (5), paragraph (f) of subsection (6), and
 627 subsections (9), (10), (12), (13), and (16) of section 790.06,
 628 Florida Statutes, are amended to read:

629 790.06 License to carry concealed weapon or concealed
 630 firearm.—

631 (1) (a) For the purposes of this section, the term
 632 "concealed weapon or concealed firearm" means a handgun,
 633 electric weapon or device, tear gas gun, knife, or billie, but
 634 does not include a machine gun as that term is defined in s.
 635 790.001.

636 (b) The Department of Agriculture and Consumer Services is
 637 authorized to issue licenses to carry concealed weapons or
 638 concealed firearms to persons qualified as provided in this
 639 section. Each ~~such~~ license must bear a color photograph of the
 640 licensee. ~~For the purposes of this section, concealed weapons or~~
 641 ~~concealed firearms are defined as a handgun, electronic weapon~~
 642 ~~or device, tear gas gun, knife, or billie, but the term does not~~
 643 ~~include a machine gun as defined in s. 790.001(9).~~

644 (c) ~~Such~~ Licenses are ~~shall be~~ valid throughout the state
 645 for ~~a period of 7 years~~ after ~~from~~ the date of issuance. A
 646 licensee must carry ~~Any person in compliance with the terms of~~
 647 ~~such license may carry a concealed weapon or concealed firearm~~
 648 ~~notwithstanding the provisions of s. 790.01. The licensee must~~
 649 ~~carry the license, together with valid identification,~~ at all
 650 times in which the licensee is in actual possession of a

651 concealed weapon or concealed firearm and must display such ~~both~~
652 ~~the license and proper~~ identification upon demand by a law
653 enforcement officer. Violations of the provisions of this
654 subsection shall constitute a noncriminal violation with a
655 penalty of \$25, payable to the clerk of the court.

656 (2) The Department of Agriculture and Consumer Services
657 shall issue a license if the applicant:

658 (g) Desires a legal means to carry a concealed weapon or
659 concealed firearm for lawful self-defense;

660 (h) Demonstrates competence with a firearm by any one of
661 the following:

662 1. Completion of any hunter education or hunter safety
663 course approved by the Fish and Wildlife Conservation Commission
664 or a similar agency of another state;

665 2. Completion of any National Rifle Association firearms
666 safety or training course;

667 3. Completion of any firearms safety or training course or
668 class available to the general public offered by a law
669 enforcement agency, junior college, college, or private or
670 public institution or organization or firearms training school,
671 using instructors certified by the National Rifle Association,
672 Criminal Justice Standards and Training Commission, or the
673 Department of Agriculture and Consumer Services;

674 4. Completion of any law enforcement firearms safety or
675 training course or class offered for security guards,

676 | investigators, special deputies, or any division or subdivision
677 | of a law enforcement agency or security enforcement;

678 | 5. Presents evidence of equivalent experience with a
679 | firearm through participation in organized shooting competition
680 | or military service;

681 | 6. Is licensed or has been licensed to carry a concealed
682 | weapon or concealed firearm in this state or a county or
683 | municipality of this state, unless such license has been revoked
684 | for cause; or

685 | 7. Completion of any firearms training or safety course or
686 | class conducted by a state-certified or National Rifle
687 | Association certified firearms instructor;

688 |
689 | A photocopy of a certificate of completion of any of the courses
690 | or classes; an affidavit from the instructor, school, club,
691 | organization, or group that conducted or taught such course or
692 | class attesting to the completion of the course or class by the
693 | applicant; or a copy of any document that shows completion of
694 | the course or class or evidences participation in firearms
695 | competition shall constitute evidence of qualification under
696 | this paragraph. A person who conducts a course pursuant to
697 | subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
698 | an instructor, attests to the completion of such courses, must
699 | maintain records certifying that he or she observed the student
700 | safely handle and discharge the firearm in his or her physical

701 presence and that the discharge of the firearm included live
702 fire using a firearm and ammunition as defined in s. 790.001;

703 (4) The application shall be completed, under oath, on a
704 form adopted by the Department of Agriculture and Consumer
705 Services and shall include:

706 (e) A statement that the applicant desires a concealed
707 weapon or concealed firearms license as a means of lawful self-
708 defense; and

709 (5) The applicant shall submit to the Department of
710 Agriculture and Consumer Services or an approved tax collector
711 pursuant to s. 790.0625:

712 (b) A nonrefundable license fee of up to \$55 if he or she
713 has not previously been issued a statewide license or of up to
714 \$45 for renewal of a statewide license. The cost of processing
715 fingerprints as required in paragraph (c) shall be borne by the
716 applicant. However, an individual holding an active
717 certification from the Criminal Justice Standards and Training
718 Commission as a law enforcement officer, correctional officer,
719 or correctional probation officer as defined in s. 943.10(1),
720 (2), (3), (6), (7), (8), or (9) is exempt from the licensing
721 requirements of this section. If such individual wishes to
722 receive a concealed weapon or concealed firearm license, he or
723 she is exempt from the background investigation and all
724 background investigation fees but must pay the current license
725 fees regularly required to be paid by nonexempt applicants.

726 Further, a law enforcement officer, a correctional officer, or a
 727 correctional probation officer as defined in s. 943.10(1), (2),
 728 or (3) is exempt from the required fees and background
 729 investigation for 1 year after his or her retirement.

730 (6)

731 (f) The Department of Agriculture and Consumer Services
 732 shall, upon receipt of a completed application and the
 733 identifying information required under paragraph (5)(f),
 734 expedite the processing of a servicemember's or a veteran's
 735 concealed weapon or concealed firearm license application.

736 (9) In the event that a concealed weapon or concealed
 737 firearm license is lost or destroyed, the license shall be
 738 automatically invalid, and the person to whom the same was
 739 issued may, upon payment of \$15 to the Department of Agriculture
 740 and Consumer Services, obtain a duplicate, or substitute
 741 thereof, upon furnishing a notarized statement to the Department
 742 of Agriculture and Consumer Services that such license has been
 743 lost or destroyed.

744 (10) A license issued under this section shall be
 745 suspended or revoked pursuant to chapter 120 if the licensee:

746 (a) Is found to be ineligible under the criteria set forth
 747 in subsection (2);

748 (b) Develops or sustains a physical infirmity which
 749 prevents the safe handling of a weapon or firearm;

750 (c) Is convicted of a felony which would make the licensee

751 ineligible to possess a firearm pursuant to s. 790.23;

752 (d) Is found guilty of a crime under ~~the provisions of~~
753 chapter 893, or similar laws of any other state, relating to
754 controlled substances;

755 (e) Is committed as a substance abuser under chapter 397,
756 or is deemed a habitual offender under s. 856.011(3), or similar
757 laws of any other state;

758 (f) Is convicted of a second violation of s. 316.193, or a
759 similar law of another state, within 3 years after a first
760 conviction of such section or similar law of another state, even
761 though the first violation may have occurred before the date on
762 which the application was submitted;

763 (g) Is adjudicated an incapacitated person under s.
764 744.331, or similar laws of any other state; or

765 (h) Is committed to a mental institution under chapter
766 394, or similar laws of any other state.

767

768 Notwithstanding s. 120.60(5), service of a notice of the
769 suspension or revocation of a concealed weapon or concealed
770 firearm license must be given by either certified mail, return
771 receipt requested, to the licensee at his or her last known
772 mailing address furnished to the Department of Agriculture and
773 Consumer Services, or by personal service. If a notice given by
774 certified mail is returned as undeliverable, a second attempt
775 must be made to provide notice to the licensee at that address,

776 by either first-class mail in an envelope, postage prepaid,
777 addressed to the licensee at his or her last known mailing
778 address furnished to the department, or, if the licensee has
779 provided an e-mail address to the department, by e-mail. Such
780 mailing by the department constitutes notice, and any failure by
781 the licensee to receive such notice does not stay the effective
782 date or term of the suspension or revocation. A request for
783 hearing must be filed with the department within 21 days after
784 notice is received by personal delivery, or within 26 days after
785 the date the department deposits the notice in the United States
786 mail (21 days plus 5 days for mailing). The department shall
787 document its attempts to provide notice, and such documentation
788 is admissible in the courts of this state and constitutes
789 sufficient proof that notice was given.

790 (12) (a) A license issued under this section does not
791 authorize any person to openly carry a handgun or carry a
792 concealed weapon or concealed firearm into:

- 793 1. Any place of nuisance as defined in s. 823.05;
- 794 2. Any police, sheriff, or highway patrol station;
- 795 3. Any detention facility, prison, or jail;
- 796 4. Any courthouse;
- 797 5. Any courtroom, except that nothing in this section
798 precludes ~~would preclude~~ a judge from carrying a concealed
799 weapon or concealed firearm or determining who will carry a
800 concealed weapon or concealed firearm in his or her courtroom;

- 801 6. Any polling place;
- 802 7. Any meeting of the governing body of a county, public
- 803 school district, municipality, or special district;
- 804 8. Any meeting of the Legislature or a committee thereof;
- 805 9. Any school, college, or professional athletic event not
- 806 related to firearms;
- 807 10. Any elementary or secondary school facility or
- 808 administration building;
- 809 11. Any career center;
- 810 12. Any portion of an establishment licensed to dispense
- 811 alcoholic beverages for consumption on the premises, which
- 812 portion of the establishment is primarily devoted to such
- 813 purpose;
- 814 13. Any college or university facility unless the licensee
- 815 is a registered student, employee, or faculty member of such
- 816 college or university and the weapon is a stun gun or nonlethal
- 817 electric weapon or device designed solely for defensive purposes
- 818 and the weapon does not fire a dart or projectile;
- 819 14. The inside of the passenger terminal and sterile area
- 820 of any airport, provided that no person shall be prohibited from
- 821 carrying any legal firearm into the terminal, which firearm is
- 822 encased for shipment for purposes of checking such firearm as
- 823 baggage to be lawfully transported on any aircraft; or
- 824 15. Any place where the carrying of firearms is prohibited
- 825 by federal law.

826 (b) A person licensed under this section is ~~shall~~ not ~~be~~
 827 prohibited from carrying or storing a firearm in a vehicle for
 828 lawful purposes.

829 (c) This section does not modify the terms or conditions
 830 of s. 790.251(7).

831 (d) Any person who knowingly and willfully violates any
 832 provision of this subsection commits a misdemeanor of the second
 833 degree, punishable as provided in s. 775.082 or s. 775.083.

834 (13) Notwithstanding any other law, for the purposes of
 835 safety, security, personal protection, or any other lawful
 836 purpose, a person licensed under this section may carry a
 837 concealed weapon or concealed firearm on property owned, rented,
 838 leased, borrowed, or lawfully used by a church, synagogue, or
 839 other religious institution. This subsection does not limit the
 840 private property rights of a church, synagogue, or other
 841 religious institution to exercise control over property that the
 842 church, synagogue, or other religious institution owns, rents,
 843 leases, borrows, or lawfully uses.

844 (16) The Legislature finds as a matter of public policy
 845 and fact that it is necessary to provide statewide uniform
 846 standards for issuing licenses to carry concealed weapons and
 847 concealed firearms ~~for self-defense~~ and finds it necessary to
 848 occupy the field of regulation of the bearing of concealed
 849 weapons or concealed firearms ~~for self-defense to ensure that no~~
 850 ~~honest, law-abiding person who qualifies under the provisions of~~

851 ~~this section is subjectively or arbitrarily denied his or her~~
 852 ~~rights.~~ The Department of Agriculture and Consumer Services
 853 shall implement and administer ~~the provisions of~~ this section.
 854 The Legislature does not delegate to the Department of
 855 Agriculture and Consumer Services the authority to regulate or
 856 restrict the issuing of licenses provided for in this section,
 857 beyond those provisions contained in this section. Subjective or
 858 arbitrary actions or rules which encumber the issuing process by
 859 placing burdens on the applicant beyond those sworn statements
 860 and specified documents detailed in this section or which create
 861 restrictions beyond those specified in this section are in
 862 conflict with the intent of this section and are prohibited.
 863 This section shall be liberally construed to carry out the
 864 constitutional right to bear arms ~~for self-defense~~. This section
 865 is supplemental and additional to existing rights to bear arms,
 866 and nothing in this section shall impair or diminish such
 867 rights.

868 Section 11. Paragraph (a) of subsection (2) of section
 869 790.0655, Florida Statutes, is amended to read:

870 790.0655 Purchase and delivery of firearms; mandatory
 871 waiting period; exceptions; penalties.—

872 (2) The waiting period does not apply in the following
 873 circumstances:

874 (a) When a firearm is being purchased by a holder of a
 875 concealed weapons or concealed firearms license issued under

876 | ~~permit as defined in s. 790.06.~~

877 | Section 12. Subsection (1) and paragraphs (a), (b), (c),
 878 | and (e) of subsection (2) of section 790.115, Florida Statutes,
 879 | are amended to read:

880 | 790.115 Possessing or discharging weapons or firearms at a
 881 | school-sponsored event or on school property prohibited;
 882 | penalties; exceptions.—

883 | (1) A person who exhibits any sword, sword cane, firearm,
 884 | electric weapon or device, destructive device, or other weapon
 885 | as defined in s. 790.001 ~~s. 790.001(13)~~, including a razor
 886 | blade, box cutter, or common pocketknife, except as authorized
 887 | in support of school-sanctioned activities, in the presence of
 888 | one or more persons in a rude, careless, angry, or threatening
 889 | manner and not in lawful self-defense, at a school-sponsored
 890 | event or on the grounds or facilities of any school, school bus,
 891 | or school bus stop, or within 1,000 feet of the real property
 892 | that comprises a public or private elementary school, middle
 893 | school, or secondary school, during school hours or during the
 894 | time of a sanctioned school activity, commits a felony of the
 895 | third degree, punishable as provided in s. 775.082, s. 775.083,
 896 | or s. 775.084. This subsection does not apply to the exhibition
 897 | of a firearm or weapon on private real property within 1,000
 898 | feet of a school by the owner of such property or by a person
 899 | whose presence on such property has been authorized, licensed,
 900 | or invited by the owner.

901 (2) (a) A person shall not possess any firearm, electric
 902 weapon or device, destructive device, or other weapon as defined
 903 in s. 790.001 ~~s. 790.001(13)~~, including a razor blade or box
 904 cutter, except as authorized in support of school-sanctioned
 905 activities, at a school-sponsored event or on the property of
 906 any school, school bus, or school bus stop; however, a person
 907 may carry a firearm:

908 1. In a case to a firearms program, class or function
 909 which has been approved in advance by the principal or chief
 910 administrative officer of the school as a program or class to
 911 which firearms could be carried;

912 2. In a case to a career center having a firearms training
 913 range; or

914 3. In a vehicle pursuant to s. 790.25(4) ~~s. 790.25(5)~~;
 915 except that school districts may adopt written and published
 916 policies that waive the exception in this subparagraph for
 917 purposes of student and campus parking privileges.

918
 919 For the purposes of this section, "school" means any preschool,
 920 elementary school, middle school, junior high school, secondary
 921 school, career center, or postsecondary school, whether public
 922 or nonpublic.

923 (b) Except as provided in paragraph (e), a person who
 924 willfully and knowingly possesses any electric weapon or device,
 925 destructive device, or other weapon as defined in s. 790.001 ~~s.~~

926 ~~790.001(13)~~, including a razor blade or box cutter, except as
927 authorized in support of school-sanctioned activities, in
928 violation of this subsection commits a felony of the third
929 degree, punishable as provided in s. 775.082, s. 775.083, or s.
930 775.084.

931 (c)1. Except as provided in paragraph (e), a person who
932 willfully and knowingly possesses any firearm in violation of
933 this subsection commits a felony of the third degree, punishable
934 as provided in s. 775.082, s. 775.083, or s. 775.084.

935 2. A person who stores or leaves a loaded firearm within
936 the reach or easy access of a minor who obtains the firearm and
937 commits a violation of subparagraph 1. commits a misdemeanor of
938 the second degree, punishable as provided in s. 775.082 or s.
939 775.083; except that this does not apply if the firearm was
940 stored or left in a securely locked box or container or in a
941 location which a reasonable person would have believed to be
942 secure, or was securely locked with a firearm-mounted push-
943 button combination lock or a trigger lock; if the minor obtains
944 the firearm as a result of an unlawful entry by any person; or
945 to members of the Armed Forces, National Guard, or State
946 Militia, or to police or other law enforcement officers, with
947 respect to firearm possession by a minor which occurs during or
948 incidental to the performance of their official duties.

949 (e) A person who is authorized to carry a concealed weapon
950 or concealed firearm under s. 790.01(1) and who willfully and

951 knowingly violates paragraph (b) or subparagraph (c)1. commits a
952 misdemeanor of the second degree, punishable as provided in s.
953 775.082 or s. 775.083 ~~The penalties of this subsection shall not~~
954 ~~apply to persons licensed under s. 790.06. Persons licensed~~
955 ~~under s. 790.06 shall be punished as provided in s. 790.06(12),~~
956 ~~except that a licenseholder who unlawfully discharges a weapon~~
957 ~~or firearm on school property as prohibited by this subsection~~
958 ~~commits a felony of the second degree, punishable as provided in~~
959 ~~s. 775.082, s. 775.083, or s. 775.084.~~

960 Section 13. Section 790.145, Florida Statutes, is
961 repealed.

962 Section 14. Subsection (2), subsection (3), and subsection
963 (5) of section 790.25, Florida Statutes, are amended to read:

964 790.25 Lawful ownership, possession, and use of firearms
965 and other weapons.—

966 ~~(2) USES NOT AUTHORIZED.—~~

967 ~~(a) This section does not authorize carrying a concealed~~
968 ~~weapon without a permit, as prohibited by ss. 790.01 and 790.02.~~

969 ~~(b) The protections of this section do not apply to the~~
970 ~~following:~~

971 ~~1. A person who has been adjudged mentally incompetent,~~
972 ~~who is addicted to the use of narcotics or any similar drug, or~~
973 ~~who is a habitual or chronic alcoholic, or a person using~~
974 ~~weapons or firearms in violation of ss. 790.07-790.115, 790.145-~~
975 ~~790.19, 790.22-790.24;~~

976 ~~2. Vagrants and other undesirable persons as defined in s.~~
 977 ~~856.02;~~

978 ~~3. A person in or about a place of nuisance as defined in~~
 979 ~~s. 823.05, unless such person is there for law enforcement or~~
 980 ~~some other lawful purpose.~~

981 (2) ~~(3)~~ LAWFUL USES. ~~Notwithstanding the provisions of ss.~~
 982 790.01, 790.053, and 790.06, do not apply in the following
 983 instances, and, despite such sections, it is lawful for the
 984 following persons may to own, possess, and lawfully use firearms
 985 and other weapons, ammunition, and supplies for lawful purposes
 986 if they are not otherwise prohibited from owning or possessing a
 987 firearm under state or federal law:

988 (a) Members of the Militia, National Guard, Florida State
 989 Defense Force, Army, Navy, Air Force, Marine Corps, Space Force,
 990 Coast Guard, organized reserves, and other armed forces of the
 991 state and of the United States, when on duty, when training or
 992 preparing themselves for military duty, or while subject to
 993 recall or mobilization;

994 (b) Citizens of this state subject to duty in the Armed
 995 Forces under s. 2, Art. X of the State Constitution, under
 996 chapters 250 and 251, and under federal laws, when on duty or
 997 when training or preparing themselves for military duty;

998 (c) Persons carrying out or training for emergency
 999 management duties under chapter 252;

1000 (d) Sheriffs, marshals, prison or jail wardens, police

1001 officers, Florida highway patrol officers, game wardens, revenue
1002 officers, forest officials, special officers appointed under the
1003 provisions of chapter 354, and other peace and law enforcement
1004 officers and their deputies and assistants and full-time paid
1005 peace officers of other states and of the Federal Government who
1006 are carrying out official duties while in this state;

1007 (e) Officers or employees of the state or United States
1008 duly authorized to carry a concealed weapon or a concealed
1009 firearm;

1010 (f) Guards or messengers of common carriers, express
1011 companies, armored car carriers, mail carriers, banks, and other
1012 financial institutions, while actually employed in and about the
1013 shipment, transportation, or delivery of any money, treasure,
1014 bullion, bonds, or other thing of value within this state;

1015 (g) Regularly enrolled members of any organization duly
1016 authorized to purchase or receive weapons or firearms from the
1017 United States or from this state, or regularly enrolled members
1018 of clubs organized for target, skeet, or trap shooting, while at
1019 or going to or from shooting practice; or regularly enrolled
1020 members of clubs organized for modern or antique firearms
1021 collecting, while such members are at or going to or from their
1022 collectors' gun shows, conventions, or exhibits;

1023 (h) A person engaged in fishing, camping, or lawful
1024 hunting or going to or returning from a fishing, camping, or
1025 lawful hunting expedition;

1026 (i) A person engaged in the business of manufacturing,
 1027 repairing, or dealing in firearms, or the agent or
 1028 representative of any such person while engaged in the lawful
 1029 course of such business;

1030 (j) A person discharging a weapon or firearm ~~firing~~
 1031 ~~weapons~~ for testing or target practice under safe conditions and
 1032 in a safe place not prohibited by law or going to or from such
 1033 place;

1034 (k) A person discharging a weapon or firearm ~~firing~~
 1035 ~~weapons~~ in a safe and secure indoor range for testing and target
 1036 practice;

1037 (l) A person traveling ~~by private conveyance when the~~
 1038 ~~weapon is securely encased or~~ in a public conveyance when the
 1039 weapon or firearm is securely encased and not in the person's
 1040 manual possession;

1041 (m) A person while carrying a handgun ~~pistol~~ unloaded and
 1042 in a secure wrapper, concealed or otherwise, from the place of
 1043 purchase to his or her home or place of business or to a place
 1044 of repair or back to his or her home or place of business;

1045 (n) A person possessing weapons or firearms ~~arms~~ at his or
 1046 her home or place of business;

1047 (o) Investigators employed by the several public defenders
 1048 of the state, while actually carrying out official duties,
 1049 provided such investigators:

1050 1. Are employed full time;

1051 2. Meet the official training standards for firearms
 1052 established by the Criminal Justice Standards and Training
 1053 Commission as provided in s. 943.12(5) and the requirements of
 1054 ss. 493.6108(1)(a) and 943.13(1)-(4); and

1055 3. Are individually designated by an affidavit of consent
 1056 signed by the employing public defender and filed with the clerk
 1057 of the circuit court in the county in which the employing public
 1058 defender resides.

1059 (p) Investigators employed by the capital collateral
 1060 regional counsel, while actually carrying out official duties,
 1061 provided such investigators:

1062 1. Are employed full time;

1063 2. Meet the official training standards for firearms as
 1064 established by the Criminal Justice Standards and Training
 1065 Commission as provided in s. 943.12(1) and the requirements of
 1066 ss. 493.6108(1)(a) and 943.13(1)-(4); and

1067 3. Are individually designated by an affidavit of consent
 1068 signed by the capital collateral regional counsel and filed with
 1069 the clerk of the circuit court in the county in which the
 1070 investigator is headquartered.

1071 (q)1. A tactical medical professional who is actively
 1072 operating in direct support of a tactical operation by a law
 1073 enforcement agency provided that:

1074 a. The tactical medical professional is lawfully able to
 1075 possess firearms and has an active concealed weapon or concealed

1076 firearm license ~~weapons permit~~ issued pursuant to s. 790.06.

1077 b. The tactical medical professional is appointed to a law
1078 enforcement tactical team of a law enforcement agency by the
1079 head of the law enforcement agency.

1080 c. The law enforcement agency has an established policy
1081 providing for the appointment, training, and deployment of the
1082 tactical medical professional.

1083 d. The tactical medical professional successfully
1084 completes a firearms safety training and tactical training as
1085 established or designated by the appointing law enforcement
1086 agency.

1087 e. The law enforcement agency provides and the tactical
1088 medical professional participates in annual firearm training and
1089 tactical training.

1090 2. While actively operating in direct support of a
1091 tactical operation by a law enforcement agency, a tactical
1092 medical professional:

1093 a. May carry a firearm in the same manner as a law
1094 enforcement officer, as defined in s. 943.10 and,
1095 notwithstanding any other law, at any place a tactical law
1096 enforcement operation occurs.

1097 b. Has no duty to retreat and is justified in the use of
1098 any force which he or she reasonably believes is necessary to
1099 defend himself or herself or another from bodily harm.

1100 c. Has the same immunities and privileges as a law

1101 enforcement officer, as defined in s. 943.10, in a civil or
 1102 criminal action arising out of a tactical law enforcement
 1103 operation when acting within the scope of his or her official
 1104 duties.

1105 3. This paragraph may not be construed to authorize a
 1106 tactical medical professional to carry, transport, or store any
 1107 firearm or ammunition on any fire apparatus or EMS vehicle.

1108 4. The appointing law enforcement agency shall issue any
 1109 firearm or ammunition that the tactical medical professional
 1110 carries in accordance with this paragraph.

1111 5. For the purposes of this paragraph, the term "tactical
 1112 medical professional" means a paramedic, as defined in s.
 1113 401.23, a physician, as defined in s. 458.305, or an osteopathic
 1114 physician, as defined in s. 459.003, who is appointed to provide
 1115 direct support to a tactical law enforcement unit by providing
 1116 medical services at high-risk incidents, including, but not
 1117 limited to, hostage incidents, narcotics raids, hazardous
 1118 surveillance, sniper incidents, armed suicidal persons,
 1119 barricaded suspects, high-risk felony warrant service, fugitives
 1120 refusing to surrender, and active shooter incidents.

1121 ~~(4)-(5)~~ POSSESSION IN PRIVATE CONVEYANCE.-

1122 (a) Notwithstanding s. 790.01, a person 18 years of age or
 1123 older who is in lawful possession of a handgun or other weapon
 1124 may possess such a handgun or weapon within the interior of a
 1125 private conveyance if the handgun or weapon is securely encased

1126 or otherwise not readily accessible for immediate use. A person
1127 who possesses a handgun or other weapon as authorized under this
1128 paragraph may not carry the handgun or weapon on his or her
1129 person.

1130 (b) This subsection does not prohibit a person from
1131 carrying a:

1132 1. Legal firearm other than a handgun anywhere in a
1133 private conveyance when such firearm is being carried for a
1134 lawful use; or

1135 2. Concealed weapon or concealed firearm on his or her
1136 person while in a private conveyance if he or she is authorized
1137 to carry a concealed weapon or concealed firearm under s.
1138 790.01(1).

1139 (c) This subsection shall be liberally construed in favor
1140 of the lawful use, ownership, and possession of firearms and
1141 other weapons, including lawful self-defense as provided in s.
1142 776.012. Notwithstanding subsection (2), it is lawful and is not
1143 a violation of s. 790.01 for a person 18 years of age or older
1144 to possess a concealed firearm or other weapon for self-defense
1145 or other lawful purpose within the interior of a private
1146 conveyance, without a license, if the firearm or other weapon is
1147 securely encased or is otherwise not readily accessible for
1148 immediate use. Nothing herein contained prohibits the carrying
1149 of a legal firearm other than a handgun anywhere in a private
1150 conveyance when such firearm is being carried for a lawful use.

1151 ~~Nothing herein contained shall be construed to authorize the~~
 1152 ~~carrying of a concealed firearm or other weapon on the person.~~
 1153 ~~This subsection shall be liberally construed in favor of the~~
 1154 ~~lawful use, ownership, and possession of firearms and other~~
 1155 ~~weapons, including lawful self-defense as provided in s.~~
 1156 ~~776.012.~~

1157 Section 15. Paragraph (c) of subsection (2) and paragraph
 1158 (c) of subsection (4) of section 790.251, Florida Statutes, are
 1159 amended to read:

1160 790.251 Protection of the right to keep and bear arms in
 1161 motor vehicles for self-defense and other lawful purposes;
 1162 prohibited acts; duty of public and private employers; immunity
 1163 from liability; enforcement.—

1164 (2) DEFINITIONS.—As used in this section, the term:

1165 (c) "Employee" means any person who is authorized to carry
 1166 a concealed weapon or concealed firearm under s. 790.01(1)
 1167 ~~possesses a valid license issued pursuant to s. 790.06 and:~~

- 1168 1. Works for salary, wages, or other remuneration;
- 1169 2. Is an independent contractor; or
- 1170 3. Is a volunteer, intern, or other similar individual for
 1171 an employer.

1172
 1173 As used in this section, the term "firearm" includes ammunition
 1174 and accoutrements attendant to the lawful possession and use of
 1175 a firearm.

1176 (4) PROHIBITED ACTS.—No public or private employer may
1177 violate the constitutional rights of any customer, employee, or
1178 invitee as provided in paragraphs (a) - (e):

1179 (c) No public or private employer shall condition
1180 employment upon either:

1181 1. The fact that an employee or prospective employee is
1182 authorized to carry a concealed weapon or concealed firearm
1183 under s. 790.01(1) ~~holds or does not hold a license issued~~
1184 ~~pursuant to s. 790.06; or~~

1185 2. Any agreement by an employee or a prospective employee
1186 that prohibits an employee from keeping a legal firearm locked
1187 inside or locked to a private motor vehicle in a parking lot
1188 when such firearm is kept for lawful purposes.

1189
1190 This subsection applies to all public sector employers,
1191 including those already prohibited from regulating firearms
1192 under ~~the provisions of~~ s. 790.33.

1193 Section 16. Paragraph (c) of subsection (1) of section
1194 790.31, Florida Statutes, is amended to read:

1195 790.31 Armor-piercing or exploding ammunition or dragon's
1196 breath shotgun shells, bolo shells, or flechette shells
1197 prohibited.—

1198 (1) As used in this section, the term:

1199 ~~(c) "Handgun" means a firearm capable of being carried and~~
1200 ~~used by one hand, such as a pistol or revolver.~~

1201 Section 17. Effective upon becoming a law, section
 1202 943.6873, Florida Statutes, is created to read:
 1203 943.6873 Active assailant response policy.—For the
 1204 protection of all persons in this state, it is necessary and
 1205 required that every law enforcement agency in this state be
 1206 prepared to respond to an active assailant event. To be
 1207 adequately prepared, each law enforcement agency must create and
 1208 maintain an active assailant response policy.
 1209 (1) By October 1, 2023, each law enforcement agency in
 1210 this state shall have a written active assailant response policy
 1211 that:
 1212 (a) Is consistent with the agency's response capabilities;
 1213 and
 1214 (b) Includes response procedures specifying the command
 1215 protocol and coordination with other law enforcement agencies.
 1216 (2) (a) The department shall make the model active
 1217 assailant response policy developed by the Marjory Stoneman
 1218 Douglas High School Public Safety Commission available on its
 1219 website. The department may also make available any other
 1220 policies deemed appropriate by the executive director which may
 1221 guide a law enforcement agency in developing its active
 1222 assailant response policy.
 1223 (b) Each law enforcement agency must review the model
 1224 active assailant response policy developed by the Marjory
 1225 Stoneman Douglas High School Public Safety Commission when

1226 developing its active assailant response policy.

1227 (3) Each law enforcement agency shall ensure that all of
1228 its sworn personnel have been trained on the agency's existing
1229 active assailant response policy, or that sworn personnel are
1230 trained within 180 days after enacting a new or revised policy.

1231 Each law enforcement agency must ensure that all of its sworn
1232 personnel receive, at minimum, annual training on the active
1233 assailant response policy.

1234 (4) By October 1, 2023, each law enforcement agency shall
1235 provide written certification to the department from the head of
1236 the law enforcement agency verifying that the agency has
1237 officially adopted a written active assailant response policy.

1238 (5) By January 1, 2024, the department shall submit a
1239 report to the Governor, the President of the Senate, and the
1240 Speaker of the House of Representatives identifying each law
1241 enforcement agency that has not complied with the requirements
1242 of this section.

1243 Section 18. Effective upon becoming a law, subsections
1244 (14) through (17) of section 1001.212, Florida Statutes, are
1245 renumbered as subsections (13) through (16), respectively, and
1246 present subsections (12) and (13) are amended, to read:

1247 1001.212 Office of Safe Schools.—There is created in the
1248 Department of Education the Office of Safe Schools. The office
1249 is fully accountable to the Commissioner of Education. The
1250 office shall serve as a central repository for best practices,

1251 training standards, and compliance oversight in all matters
1252 regarding school safety and security, including prevention
1253 efforts, intervention efforts, and emergency preparedness
1254 planning. The office shall:

1255 (12) Develop a statewide behavioral threat management
1256 operational process, a Florida-specific behavioral threat
1257 assessment instrument, and a threat management portal.

1258 (a)1. By December 1, 2023, the office shall develop a
1259 statewide behavioral threat management operational process to
1260 guide school districts, schools, charter school governing
1261 boards, and charter schools through the threat management
1262 process. The process must be designed to identify, assess,
1263 manage, and monitor potential and real threats to schools. This
1264 process must include, but is not limited to:

1265 a. The establishment and duties of threat management
1266 teams.

1267 b. Defining behavioral risks and threats.

1268 c. The use of the Florida-specific behavioral threat
1269 assessment instrument developed pursuant to paragraph (b) to
1270 evaluate the behavior of students who may pose a threat to the
1271 school, school staff, or other students and to coordinate
1272 intervention and services for such students.

1273 d. Upon the availability of the threat management portal
1274 developed pursuant to paragraph (c), the use, authorized user
1275 criteria, and access specifications of the portal.

1276 e. Procedures for the implementation of interventions,
 1277 school support, and community services.
 1278 f. Guidelines for appropriate law enforcement
 1279 intervention.
 1280 g. Procedures for risk management.
 1281 h. Procedures for disciplinary actions.
 1282 i. Mechanisms for continued monitoring of potential and
 1283 real threats.
 1284 j. Procedures for referrals to mental health services
 1285 identified by the school district or charter school governing
 1286 board pursuant to s. 1012.584(4).
 1287 k. Procedures and requirements necessary for the creation
 1288 of a threat assessment report, all corresponding documentation,
 1289 and any other information required by the Florida-specific
 1290 behavioral threat assessment instrument under paragraph (b).
 1291 2. Upon availability, each school district, school,
 1292 charter school governing board, and charter school must use the
 1293 statewide behavioral threat management operational process.
 1294 3. The office shall provide training to all school
 1295 districts, schools, charter school governing boards, and charter
 1296 schools on the statewide behavioral threat management
 1297 operational process.
 1298 4. The office shall coordinate the ongoing development,
 1299 implementation, and operation of the statewide behavioral threat
 1300 management operational process.

1301 (b)1. By August 1, ~~2019~~ 2023, the office shall develop a
1302 Florida-specific standardized, statewide behavioral threat
1303 assessment instrument for school districts, schools, charter
1304 school governing boards, and charter schools to use to evaluate
1305 the behavior of students who may pose a threat to the school,
1306 school staff, or students and to coordinate intervention and
1307 services for such students. The Florida-specific behavioral
1308 threat assessment instrument must include, but is not limited
1309 to: use by all public schools, including charter schools, which
1310 addresses early identification, evaluation, early intervention,
1311 and student support.

1312 ~~(a) The standardized, statewide behavioral threat~~
1313 ~~assessment instrument must include, but need not be limited to,~~
1314 ~~components and forms that address:~~

1315 ~~a.1.~~ An assessment of the threat, which includes an
1316 assessment of the student, family, and school and social
1317 dynamics.

1318 ~~b.2.~~ An evaluation to determine whether a threat exists
1319 and if so, if the type of threat is transient or substantive.

1320 ~~c.3.~~ The response to a ~~substantive~~ threat, which includes
1321 the school response, and the role of law enforcement agencies in
1322 the response, and the response by mental health providers.

1323 ~~d.4.~~ ~~The response to a serious substantive threat,~~
1324 ~~including mental health and law enforcement referrals.~~

1325 ~~5.~~ Ongoing monitoring to assess implementation of threat

1326 management and safety strategies.

1327 e. Ongoing monitoring to evaluate interventions and
1328 support provided to the students.

1329 f. A standardized threat assessment report, which must
1330 include, but need not be limited to, all documentation
1331 associated with the evaluation, intervention, management, and
1332 any ongoing monitoring of the threat.

1333 2. A report, all corresponding documentation, and any
1334 other information required by the instrument in the threat
1335 management portal under paragraph (c) is an education record and
1336 may not be retained, maintained, or transferred, except in
1337 accordance with State Board of Education rule.

1338 3. Upon availability, each school district, school,
1339 charter school governing board, and charter school must use the
1340 Florida-specific behavioral threat assessment instrument.

1341 4.6. The office shall provide training for members of
1342 threat management ~~assessment~~ teams established under s.
1343 1006.07(7) and for all school districts and charter school
1344 governing boards ~~school administrators~~ regarding the use of the
1345 Florida-specific behavioral threat assessment instrument.

1346 (c)1. By August 1, 2025, the office shall develop, host,
1347 maintain, and administer a threat management portal that will
1348 digitize the Florida-specific behavioral threat assessment
1349 instrument for use by each school district, school, charter
1350 school governing board, and charter school. The portal will also

1351 facilitate the electronic threat assessment reporting and
1352 documentation as required by the Florida-specific behavioral
1353 threat assessment instrument to evaluate the behavior of
1354 students who may pose a threat to the school, school staff, or
1355 students and to coordinate intervention and services for such
1356 students. The portal may not provide the office with access to
1357 the portal unless authorized in accordance with State Board of
1358 Education rule. The portal must include, but need not be limited
1359 to, the following functionalities:

1360 a. Workflow processes that align with the statewide
1361 behavioral threat management operational process.

1362 b. Direct data entry and file uploading as required by the
1363 Florida-specific behavioral threat assessment instrument.

1364 c. The ability to create a threat assessment report as
1365 required by the Florida-specific behavioral threat assessment
1366 instrument.

1367 d. The ability of authorized personnel to add to or update
1368 a threat assessment report, all corresponding documentation, or
1369 any other information required by the Florida-specific
1370 behavioral threat assessment instrument.

1371 e. The ability to create and remove connections between
1372 education records in the portal and authorized personnel.

1373 f. The ability to grant access to and securely transfer
1374 any education records in the portal to other schools or charter
1375 schools in the district.

1376 g. The ability to grant access to and securely transfer
1377 any education records in the portal to schools and charter
1378 schools not in the originating district.

1379 h. The ability to retain, maintain, and transfer education
1380 records in the portal in accordance with State Board of
1381 Education rule.

1382 i. The ability to restrict access to, entry of,
1383 modification of, and transfer of education records in the portal
1384 to a school district, school, charter school governing board, or
1385 charter school and authorized personnel as specified by the
1386 statewide behavioral threat management operational process.

1387 j. The ability to designate school district or charter
1388 school governing board system administrators who may grant
1389 access to authorized school district and charter school
1390 governing board personnel and school and charter school system
1391 administrators.

1392 k. The ability to designate school or charter school
1393 system administrators who may grant access to authorized school
1394 or charter school personnel.

1395 1. The ability to notify the office's system
1396 administrators and school district or charter school governing
1397 board system administrators of attempts to access any education
1398 records by unauthorized personnel.

1399 2. Upon availability, each school district, school,
1400 charter school governing board, and charter school shall use the

1401 portal.

1402 3. A threat assessment report, all corresponding
1403 documentation, and any other information required by the
1404 Florida-specific behavioral threat assessment instrument which
1405 is maintained in the portal is an education record and may not
1406 be retained, maintained, or transferred, except in accordance
1407 with State Board of Education rule.

1408 4. The office and the office system administrators may not
1409 have access to a threat assessment report, all corresponding
1410 documentation, and any other information required by the
1411 Florida-specific behavioral threat assessment instrument which
1412 is maintained in the portal.

1413 5. A school district or charter school governing board may
1414 not have access to the education records in the portal, except
1415 in accordance with State Board of Education rule.

1416 6. The parent of a student may access his or her student's
1417 education records in the portal in accordance with State Board
1418 of Education rule, but may not have access to the portal.

1419 7. The office shall develop and implement a quarterly
1420 portal access review audit process.

1421 8. Upon availability, each school district, school,
1422 charter school governing board, and charter school shall comply
1423 with the quarterly portal access review audit process developed
1424 by the office.

1425 9. By August 1, 2025, and annually thereafter, the office

1426 shall provide role-based training to all authorized school
 1427 district, school, charter school governing board, and charter
 1428 school personnel.

1429 10. Any individual who accesses, uses, or releases any
 1430 education record contained in the portal for a purpose not
 1431 specifically authorized by law commits a noncriminal infraction,
 1432 punishable by a fine not exceeding \$2,000.

1433 (d)-(b) The office shall:

1434 1. by August 1 of each year:, ~~2020,~~

1435 1. Evaluate each school district's and charter school
 1436 governing board's use of the statewide behavioral threat
 1437 management operational process, the Florida-specific behavioral
 1438 threat assessment instrument, and the threat management portal
 1439 ~~procedures~~ for compliance with this subsection.

1440 2. Notify the district school superintendent or charter
 1441 school governing board, as applicable, if the use of the
 1442 statewide behavioral threat management operational process, the
 1443 Florida-specific behavioral threat assessment instrument, and
 1444 the threat management portal is not in compliance with this
 1445 subsection.

1446 3. Report any issues of ongoing noncompliance with this
 1447 subsection to the commissioner and the district school
 1448 superintendent or the charter school governing board, as
 1449 applicable.

1450 ~~(13) Establish the Statewide Threat Assessment Database~~

1451 ~~Workgroup, composed of members appointed by the department, to~~
1452 ~~complement the work of the department and the Department of Law~~
1453 ~~Enforcement associated with the centralized integrated data~~
1454 ~~repository and data analytics resources initiative and make~~
1455 ~~recommendations regarding the development of a statewide threat-~~
1456 ~~assessment database. The database must allow authorized public~~
1457 ~~school personnel to enter information related to any threat~~
1458 ~~assessment conducted at their respective schools using the~~
1459 ~~instrument developed by the office pursuant to subsection (12),~~
1460 ~~and must provide such information to authorized personnel in~~
1461 ~~each school district and public school and to appropriate~~
1462 ~~stakeholders. By December 31, 2019, the workgroup shall provide~~
1463 ~~a report to the office with recommendations that include, but~~
1464 ~~need not be limited to:~~

1465 ~~(a) Threat assessment data that should be required to be~~
1466 ~~entered into the database.~~

1467 ~~(b) School district and public school personnel who should~~
1468 ~~be allowed to input student records to the database and view~~
1469 ~~such records.~~

1470 ~~(c) Database design and functionality, to include data~~
1471 ~~security.~~

1472 ~~(d) Restrictions and authorities on information sharing,~~
1473 ~~including:~~

1474 ~~1. Section 1002.22 and other applicable state laws.~~

1475 ~~2. The Family Educational Rights and Privacy Act (FERPA),~~

1476 ~~20 U.S.C. s. 1232g, 42 C.F.R. part 2; the Health Insurance~~
1477 ~~Portability and Accountability Act (HIPAA), 42 U.S.C. s. 1320d6,~~
1478 ~~45 C.F.R. part 164, subpart E; and other applicable federal~~
1479 ~~laws.~~

1480 ~~3. The appropriateness of interagency agreements that will~~
1481 ~~allow law enforcement to view database records.~~

1482 ~~(e) The cost to develop and maintain a statewide online~~
1483 ~~database.~~

1484 ~~(f) An implementation plan and timeline for the workgroup~~
1485 ~~recommendations.~~

1486 Section 19. Effective upon becoming a law, the State Board
1487 of Education may, and all conditions are deemed met, to adopt
1488 emergency rules pursuant to s. 120.54(4), Florida Statutes, for
1489 the purpose of implementing the amendments made to s.
1490 1001.212(12), Florida Statutes, by this act. Notwithstanding any
1491 other law, emergency rules adopted pursuant to this section are
1492 effective for 6 months after adoption and may be renewed during
1493 the pendency of procedures to adopt permanent rules addressing
1494 the subject of the emergency rules. This section expires July 1,
1495 2024.

1496 Section 20. Subsection (18) is added to section 1002.42,
1497 Florida Statutes, to read:

1498 1002.42 Private schools.—

1499 (18) SAFE SCHOOL OFFICERS.—

1500 (a) A private school may partner with a law enforcement

1501 agency or a security agency to establish or assign one or more
 1502 safe-school officers established in s. 1006.12(1)-(4). The
 1503 private school is responsible for the full cost of implementing
 1504 any such option, which includes all training costs under the
 1505 Coach Aaron Feis Guardian Program under s. 30.15(1) (k).

1506 (b) A private school that establishes a safe-school
 1507 officer must comply with the requirements of s. 1006.12.
 1508 References to a school district, district school board, or
 1509 district school superintendent in s. 1006.12(1)-(5) shall also
 1510 mean a private school governing board or private school head of
 1511 school, as applicable. References to a school district employee
 1512 in s. 1006.12(3) shall also mean a private school employee.

1513 Section 21. Effective upon becoming a law, subsection (2)
 1514 of section 1003.25, Florida Statutes, is amended to read:

1515 1003.25 Procedures for maintenance and transfer of student
 1516 records.—

1517 (2) The procedure for transferring and maintaining records
 1518 of students who transfer from school to school is ~~shall be~~
 1519 prescribed by rules of the State Board of Education. The
 1520 transfer of records must ~~shall~~ occur within 3 school days. The
 1521 records must ~~shall~~ include, if applicable:

1522 (a) Verified reports of serious or recurrent behavior
 1523 patterns, including any threat assessment report, all
 1524 corresponding documentation, and any other information required
 1525 by the Florida-specific behavioral threat assessment instrument

1526 pursuant to s. 1001.212(12) which contains the evaluation,
 1527 evaluations and intervention, and management of the threat
 1528 assessment evaluations and intervention services.

1529 (b) Psychological evaluations, including therapeutic
 1530 treatment plans and therapy or progress notes created or
 1531 maintained by school district or charter school staff, as
 1532 appropriate.

1533 Section 22. Effective upon becoming a law, paragraph (b)
 1534 of subsection (4), paragraph (b) of subsection (6), and
 1535 subsections (7) and (9) of section 1006.07, Florida Statutes,
 1536 are amended to read:

1537 1006.07 District school board duties relating to student
 1538 discipline and school safety.—The district school board shall
 1539 provide for the proper accounting for all students, for the
 1540 attendance and control of students at school, and for proper
 1541 attention to health, safety, and other matters relating to the
 1542 welfare of students, including:

1543 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

1544 (b) Provide timely notification to parents of threats
 1545 pursuant to policies adopted under subsection (7) and the
 1546 following unlawful acts or significant emergencies that occur on
 1547 school grounds, during school transportation, or during school-
 1548 sponsored activities:

1549 1. Weapons possession or use when there is intended harm
 1550 toward another person, hostage, and active assailant situations.

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

1557 2. Murder, homicide, or manslaughter.

1558 3. Sex offenses, including rape, sexual assault, or sexual
 1559 misconduct with a student by school personnel.

1560 4. Natural emergencies, including hurricanes, tornadoes,
 1561 and severe storms.

1562 5. Exposure as a result of a manmade emergency.

1563 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district
 1564 school superintendent shall establish policies and procedures
 1565 for the prevention of violence on school grounds, including the
 1566 assessment of and intervention with individuals whose behavior
 1567 poses a threat to the safety of the school community.

1568 (b) Mental health coordinator.—Each district school board
 1569 shall identify a mental health coordinator for the district. The
 1570 mental health coordinator shall serve as the district's primary
 1571 point of contact regarding the district's coordination,
 1572 communication, and implementation of student mental health
 1573 policies, procedures, responsibilities, and reporting,
 1574 including:

1575 1. Coordinating with the Office of Safe Schools,

1576 | established pursuant to s. 1001.212.

1577 | 2. Maintaining records and reports regarding student
1578 | mental health as it relates to school safety and the mental
1579 | health assistance allocation under s. 1011.62(14).

1580 | 3. Facilitating the implementation of school district
1581 | policies relating to the respective duties and responsibilities
1582 | of the school district, the superintendent, and district school
1583 | principals.

1584 | 4. Coordinating with the school safety specialist on the
1585 | staffing and training of threat management ~~assessment~~ teams and
1586 | facilitating referrals to mental health services, as
1587 | appropriate, for students and their families.

1588 | 5. Coordinating with the school safety specialist on the
1589 | training and resources for students and school district staff
1590 | relating to youth mental health awareness and assistance.

1591 | 6. Reviewing annually the school district's policies and
1592 | procedures related to student mental health for compliance with
1593 | state law and alignment with current best practices and making
1594 | recommendations, as needed, for amending such policies and
1595 | procedures to the superintendent and the district school board.

1596 | (7) ~~THREAT MANAGEMENT ASSESSMENT TEAMS.~~—Each district
1597 | school board and charter school governing board shall establish
1598 | ~~a adopt policies for the establishment of threat management team~~
1599 | ~~assessment teams~~ at each school whose duties include the
1600 | coordination of resources and assessment and intervention with

1601 students ~~individuals~~ whose behavior may pose a threat to the
1602 safety of the school, school staff, or students ~~consistent with~~
1603 ~~the model policies developed by the Office of Safe Schools. Such~~
1604 ~~policies must include procedures for referrals to mental health~~
1605 ~~services identified by the school district pursuant to s.~~
1606 ~~1012.584(4), when appropriate, and procedures for behavioral~~
1607 ~~threat assessments in compliance with the instrument developed~~
1608 ~~pursuant to s. 1001.212(12).~~

1609 (a) Upon the availability of a statewide behavioral threat
1610 management operational process developed pursuant to s.
1611 1001.212(12), all threat management teams shall use the
1612 operational process.

1613 (b)-(a) A threat management ~~assessment~~ team shall include
1614 persons with expertise in counseling, instruction, school
1615 administration, and law enforcement, and at least one
1616 instructional or administrative personnel, pursuant to s.
1617 1012.01(2) and (3), who is personally familiar with the
1618 individual who is the subject of the threat assessment. All
1619 members of the threat management ~~assessment~~ team must be
1620 involved in the threat assessment and threat management process
1621 and final decisionmaking.

1622 (c) The threat management team ~~assessment teams~~ shall
1623 identify members of the school community to whom threatening
1624 behavior should be reported and provide guidance to students,
1625 faculty, and staff regarding recognition of threatening or

1626 aberrant behavior that may represent a threat to the community,
1627 school, or self.

1628 (d) Upon the availability of the Florida-specific
1629 behavioral threat assessment instrument developed pursuant to s.
1630 1001.212(12), all the threat management teams assessment team
1631 shall use that instrument when evaluating the behavior of
1632 students who may pose a threat to the school, school staff, or
1633 students and to coordinate intervention and services for such
1634 students.

1635 (e)-(b) Upon a preliminary determination that a student
1636 poses a threat of violence or physical harm to himself or
1637 herself or others, a threat management assessment team shall
1638 immediately report its determination to the superintendent or
1639 his or her designee. The superintendent or his or her designee
1640 or the charter school administrator or his or her designee shall
1641 immediately attempt to notify the student's parent or legal
1642 guardian. Nothing in this subsection precludes ~~shall preclude~~
1643 school district or charter school governing board personnel from
1644 acting immediately to address an imminent threat.

1645 (f)-(e) Upon a preliminary determination by the threat
1646 management assessment team that a student poses a threat of
1647 violence to himself or herself or others or exhibits
1648 significantly disruptive behavior or need for assistance,
1649 authorized members of the threat management assessment team may
1650 obtain criminal history record information pursuant to s.

1651 985.04(1). A member of a threat management ~~assessment~~ team may
1652 not disclose any criminal history record information obtained
1653 pursuant to this section or otherwise use any record of an
1654 individual beyond the purpose for which such disclosure was made
1655 to the threat management ~~assessment~~ team.

1656 (g) ~~(d)~~ Notwithstanding any other provision of law, all
1657 state and local agencies and programs that provide services to
1658 students experiencing or at risk of an emotional disturbance or
1659 a mental illness, including the school districts, charter
1660 schools, school personnel, state and local law enforcement
1661 agencies, the Department of Juvenile Justice, the Department of
1662 Children and Families, the Department of Health, the Agency for
1663 Health Care Administration, the Agency for Persons with
1664 Disabilities, the Department of Education, the Statewide
1665 Guardian Ad Litem Office, and any service or support provider
1666 contracting with such agencies, may share with each other
1667 records or information that are confidential or exempt from
1668 disclosure under chapter 119 if the records or information are
1669 reasonably necessary to ensure access to appropriate services
1670 for the student or to ensure the safety of the student or
1671 others. All such state and local agencies and programs shall
1672 communicate, collaborate, and coordinate efforts to serve such
1673 students.

1674 (h) ~~(e)~~ If an immediate mental health or substance abuse
1675 crisis is suspected, school personnel shall follow steps

1676 ~~policies~~ established by the threat management assessment team to
1677 engage behavioral health crisis resources. Behavioral health
1678 crisis resources, including, but not limited to, mobile crisis
1679 teams and school resource officers trained in crisis
1680 intervention, shall provide emergency intervention and
1681 assessment, make recommendations, and refer the student for
1682 appropriate services. Onsite school personnel shall report all
1683 such situations and actions taken to the threat management
1684 ~~assessment~~ team, which shall contact the other agencies involved
1685 with the student and any known service providers to share
1686 information and coordinate any necessary followup actions. Upon
1687 the student's transfer to a different school, the threat
1688 management assessment team shall verify that any intervention
1689 services provided to the student remain in place until the
1690 threat management assessment team of the receiving school
1691 independently determines the need for intervention services.

1692 (i) The threat management team shall prepare a threat
1693 assessment report required by the Florida-specific behavioral
1694 threat assessment instrument developed pursuant to s.
1695 1001.212(12). A threat assessment report, all corresponding
1696 documentation, and any other information required by the
1697 Florida-specific behavioral threat assessment instrument in the
1698 threat management portal is an education record.

1699 (j)(f) Each threat management assessment team established
1700 ~~pursuant to this subsection~~ shall report quantitative data on

1701 its activities to the Office of Safe Schools in accordance with
1702 guidance from the office ~~and shall utilize the threat assessment~~
1703 ~~database developed pursuant to s. 1001.212(13) upon the~~
1704 ~~availability of the database.~~

1705 (9) SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING.—Each
1706 district school board shall adopt policies to ensure the
1707 accurate and timely reporting of incidents related to school
1708 safety and discipline. The district school superintendent is
1709 responsible for school environmental safety incident reporting.
1710 A district school superintendent who fails to comply with this
1711 subsection is subject to the penalties specified in law,
1712 including, but not limited to, s. 1001.42(13) (b) or s.
1713 1001.51(12) (b), as applicable. The State Board of Education
1714 shall adopt rules establishing the requirements for the school
1715 environmental safety incident report, including those incidents
1716 that must be reported to a law enforcement agency. Annually, the
1717 department shall publish on its website the most recently
1718 available school environmental safety incident data along with
1719 other school accountability and performance data in a uniform,
1720 statewide format that is easy to read and understand.

1721 Section 23. Effective upon becoming a law:

1722 (1) The State Board of Education is authorized, and all
1723 conditions are deemed met, to adopt emergency rules pursuant to
1724 s. 120.54(4), Florida Statutes, for the purpose of implementing
1725 the amendments made to s. 1006.07(9), Florida Statutes. The

1726 Legislature finds that school district discretion over reporting
 1727 criminal incidents to law enforcement has resulted in
 1728 significant under-reporting of serious crimes. The Legislature
 1729 further finds that emergency rulemaking authority is necessary
 1730 to ensure that all reportable incidents that are crimes are
 1731 reported to law enforcement as soon as practicable starting in
 1732 the 2023-2024 school year. Emergency rules adopted under this
 1733 section are exempt from s. 120.54(4)(c), Florida Statutes and
 1734 shall remain in effect until replaced by rules adopted under the
 1735 nonemergency rulemaking procedures of chapter 120, Florida
 1736 Statutes which must occur no later than July 1, 2024.

1737 (2) Notwithstanding any other provision of law, emergency
 1738 rules adopted pursuant to subsection (1) are effective for 6
 1739 months after adoption and may be renewed during the pendency of
 1740 procedures to adopt permanent rules addressing the subject of
 1741 the emergency rules.

1742 Section 24. Effective upon becoming a law, section
 1743 1006.121, Florida Statutes, is created to read:

1744 1006.121 Florida Safe Schools Canine Program.—

1745 (1) CREATION AND PURPOSE.—

1746 (a) The Department of Education, through the Office of
 1747 Safe Schools pursuant to s. 1001.212, shall establish the
 1748 Florida Safe Schools Canine Program for the purpose of
 1749 designating a person, school, or business entity as a Florida
 1750 Safe Schools Canine Partner if the person, school, or business

1751 entity provides a monetary or in-kind donation to a law
1752 enforcement agency to purchase, train, or care for a firearm
1753 detection canine. The office shall consult with the Florida
1754 Police Chiefs Association and the Florida Sheriffs Association
1755 in creating the program.

1756 (b) The presence of firearm detection canines at K-12
1757 schools contributes to a safe school community, furthering a
1758 communitywide investment and engagement in school safety and
1759 public safety initiatives. The program seeks to foster
1760 relationships between schools, local businesses, and law
1761 enforcement, promoting trust and confidence in the ability of
1762 law enforcement to keep schools and communities safe. Firearm
1763 detection canines act as liaisons between students and law
1764 enforcement agencies and serve as ambassadors for a law
1765 enforcement agency to improve community engagement. K-12 schools
1766 and students are encouraged to partner with law enforcement to
1767 raise funds in the local community for the monetary or in-kind
1768 donations needed to purchase, train, or care for a firearm
1769 detection canine. This includes building relationships with
1770 local businesses that support school safety by providing
1771 monetary or in-kind donations to help with the ongoing care and
1772 expenses of a firearm detection canine which include, but are
1773 not limited to, veterinary care such as wellness checks and
1774 medicine; food; interactive and training toys; grooming; and
1775 necessary equipment such as collars and leads.

1776 (2) DEFINITION.—As used in this section, the term "firearm
1777 detection canine" means any canine that is owned or the service
1778 of which is employed by a law enforcement agency for use in K-12
1779 schools for the primary purpose of aiding in the detection of
1780 firearms and ammunition.

1781 (3) CANINE REQUIREMENTS.—A firearm detection canine must
1782 be trained to interact with children and must complete behavior
1783 and temperament training. A firearm detection canine may also be
1784 trained as an animal-assisted therapy canine.

1785 (4) ELIGIBILITY.—

1786 (a) A law enforcement agency may nominate a person,
1787 school, or business entity to be designated as a Florida Safe
1788 Schools Canine Partner, or such person, school, or business
1789 entity may apply to the office to be designated as a Florida
1790 Safe Schools Canine Partner if a monetary or in-kind donation is
1791 made to a law enforcement agency for the purchase, training, or
1792 care of a firearm detection canine.

1793 (b) The nomination or application to the office for
1794 designation as a Florida Safe Schools Canine Partner must, at
1795 minimum, include all of the following:

1796 1. The name, address, and contact information of the
1797 person, school, or business entity.

1798 2. The name, address, and contact information of the law
1799 enforcement agency.

1800 3. Whether the donation was monetary or in-kind.

1801 4. The amount of the donation or type of in-kind donation.
 1802 5. Documentation from the law enforcement agency
 1803 certifying:
 1804 a. The date of receipt of the monetary or in-kind donation
 1805 by the person, school, or business entity; and
 1806 b. The monetary or in-kind donation by person, school, or
 1807 business entity is for the purchase, training, or care of a
 1808 firearm detection canine.
 1809 (c) The office shall adopt procedures for the nomination
 1810 and application processes for a Florida Safe Schools Canine
 1811 Partner.
 1812 (5) DESIGNATION AND AWARD.—
 1813 (a) The office shall determine whether a person, school,
 1814 or business entity, based on the information provided in the
 1815 nomination or application, meets the requirements in subsection
 1816 (4). The office may request additional information from the
 1817 person, school, or business entity.
 1818 (b)1. A nominated person, school, or business entity that
 1819 meets the requirements shall be notified by the office regarding
 1820 the nominee's eligibility to be awarded a designation as a
 1821 Florida Safe Schools Canine Partner.
 1822 2. The nominee shall have 30 days after receipt of the
 1823 notice to certify that the information in the notice is true and
 1824 accurate and accept the nomination, to provide corrected
 1825 information for consideration by the office and indicate an

1826 intention to accept the nomination, or to decline the
1827 nomination. If the nominee accepts the nomination, the office
1828 shall award the designation. The office may not award the
1829 designation if the nominee declines the nomination or has not
1830 accepted the nomination within 30 days after receiving notice.

1831 (c) An applicant person, school, or business entity that
1832 meets the requirements shall be notified and awarded a
1833 designation as a Florida Safe Schools Canine Partner.

1834 (d) The office shall adopt procedures for the designation
1835 process of a Florida Safe Schools Canine Partner. Designation as
1836 a Florida Safe Schools Canine Partner does not establish or
1837 involve licensure, does not affect the substantial interests of
1838 a party, and does not constitute a final agency action. The
1839 Florida Safe Schools Canine Program and designation are not
1840 subject to chapter 120.

1841 (6) LOGO DEVELOPMENT.—

1842 (a) The office shall develop a logo that identifies a
1843 person, school, or business entity that is designated as a
1844 Florida Safe Schools Canine Partner.

1845 (b) The office shall adopt guidelines and requirements for
1846 the use of the logo, including how the logo may be used in
1847 advertising. The office may allow a person, school, or business
1848 entity to display a Florida Safe Schools Canine Partner logo
1849 upon designation. A person, school, or business entity that has
1850 not been designated as a Florida Safe Schools Canine Partner or

1851 has elected to discontinue its designated status may not display
 1852 the logo.

1853 (7) WEBSITE.—The office shall establish a page on the
 1854 department's website for the Florida Safe Schools Canine
 1855 Program. At a minimum, the page must provide a list, updated
 1856 quarterly, of persons, schools, or business entities, by county,
 1857 which currently have the Florida Safe Schools Canine Partner
 1858 designation and information regarding the eligibility
 1859 requirements for the designation and the method of application
 1860 or nomination.

1861 (8) RULES.—The State Board of Education shall adopt rules
 1862 to administer this section.

1863 Section 25. Effective upon becoming a law, subsections
 1864 (1), (2), and (8) of section 1006.13, Florida Statutes, are
 1865 amended to read:

1866 1006.13 Policy of zero tolerance for crime and
 1867 victimization.—

1868 (1) District school boards shall promote a safe and
 1869 supportive learning environment in schools by protecting
 1870 students and staff from conduct that poses a threat to school
 1871 safety. A threat management ~~assessment~~ team may use alternatives
 1872 to expulsion or referral to law enforcement agencies to address
 1873 disruptive behavior through restitution, civil citation, teen
 1874 court, neighborhood restorative justice, or similar programs.
 1875 Zero-tolerance policies may not be rigorously applied to petty

1876 acts of misconduct. Zero-tolerance policies must apply equally
 1877 to all students regardless of their economic status, race, or
 1878 disability.

1879 (2) Each district school board shall adopt a policy of
 1880 zero tolerance that:

1881 (a) Identifies acts that are required to be reported under
 1882 the school environmental safety incident reporting pursuant to
 1883 s. 1006.07(9) ~~Defines criteria for reporting to a law~~
 1884 ~~enforcement agency any act that poses a threat to school safety~~
 1885 ~~that occurs whenever or wherever students are within the~~
 1886 ~~jurisdiction of the district school board.~~

1887 (b) Defines acts that pose a threat to school safety.

1888 (c) Defines petty acts of misconduct which are not a
 1889 threat to school safety and do not require consultation with law
 1890 enforcement.

1891 (d) Minimizes the victimization of students, staff, or
 1892 volunteers, including taking all steps necessary to protect the
 1893 victim of any violent crime from any further victimization.

1894 (e) Establishes a procedure that provides each student
 1895 with the opportunity for a review of the disciplinary action
 1896 imposed pursuant to s. 1006.07.

1897 (f) Requires the threat management ~~assessment~~ team to
 1898 consult with law enforcement when a student exhibits a pattern
 1899 of behavior, based upon previous acts or the severity of an act,
 1900 that would pose a threat to school safety.

1901 (8) A threat management ~~assessment~~ team may use
 1902 alternatives to expulsion or referral to law enforcement
 1903 agencies unless the use of such alternatives will pose a threat
 1904 to school safety.

1905 Section 26. Section 790.1612, Florida Statutes, is amended
 1906 to read:

1907 790.1612 Authorization for governmental manufacture,
 1908 possession, and use of destructive devices.—The governing body
 1909 of any municipality or county and the Division of State Fire
 1910 Marshal of the Department of Financial Services have the power
 1911 to authorize the manufacture, possession, and use of destructive
 1912 devices as defined in s. 790.001 ~~s. 790.001(4)~~.

1913 Section 27. Subsection (1) of section 810.095, Florida
 1914 Statutes, is amended to read:

1915 810.095 Trespass on school property with firearm or other
 1916 weapon prohibited.—

1917 (1) It is a felony of the third degree, punishable as
 1918 provided in s. 775.082, s. 775.083, or s. 775.084, for a person
 1919 who is trespassing upon school property to bring onto, or to
 1920 possess on, such school property any weapon as defined in s.
 1921 790.001 ~~s. 790.001(13)~~ or any firearm.

1922 Section 28. Paragraph (e) of subsection (3) of section
 1923 921.0022, Florida Statutes, is amended to read:

1924 921.0022 Criminal Punishment Code; offense severity
 1925 ranking chart.—

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1926	(3)	OFFENSE SEVERITY RANKING CHART	
1927	(e)	LEVEL 5	
1928			
	Florida	Felony	Description
	Statute	Degree	
1929			
	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
1930			
	316.1935(4) (a)	2nd	Aggravated fleeing or eluding.
1931			
	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
1932			
	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
1933			
	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
1934			
	379.365 (2) (c) 1.	3rd	Violation of rules relating to:

willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

1935

379.367 (4)

3rd

Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

1936

379.407 (5) (b) 3.

3rd

Possession of 100 or more undersized spiny lobsters.

1937

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1938	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
1939	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
1940	440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
1941	440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
1942	624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
1943	626.902(1)(c)	2nd	Representing an unauthorized insurer; repeat offender.
	<u>790.01(3)</u>	3rd	<u>Unlawful</u> carrying <u>of</u> a concealed

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1944	790.01(2)		firearm.
	790.162	2nd	Threat to throw or discharge destructive device.
1945			
	790.163(1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
1946			
	790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
1947			
	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
1948			
	796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
1949			
	800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
1950			
	800.04(7)(b)	2nd	Lewd or lascivious exhibition;

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1951			offender 18 years of age or older.
	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
1952			
	812.0145(2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
1953			
	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
1954			
	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
1955			
	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
1956			
	812.081 (3)	2nd	Trafficking in trade secrets.
1957			
	812.131 (2) (b)	3rd	Robbery by sudden snatching.

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1958	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
1959	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
1960	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
1961	817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
1962	817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification

			information of 10 or more persons.
1963	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
1964	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
1965	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
1966	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
1967	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.

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1968	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
1969	836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
1970	839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
1971	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
1972	847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
1973			

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1974	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
1975	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
1976	874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
1977	874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
1978	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs).
1978	893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6.,

1979	893.13(1)(d)1.	1st	<p>(2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p> <p>Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.</p>
1980	893.13(1)(e)2.	2nd	<p>Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.</p>

1994 court for sentencing. Four (4) sentence points are assessed for
 1995 an offender's legal status.
 1996
 1997 Community sanction violation points are assessed when a
 1998 community sanction violation is before the court for sentencing.
 1999 Six (6) sentence points are assessed for each community sanction
 2000 violation and each successive community sanction violation,
 2001 unless any of the following apply:
 2002 1. If the community sanction violation includes a new
 2003 felony conviction before the sentencing court, twelve (12)
 2004 community sanction violation points are assessed for the
 2005 violation, and for each successive community sanction violation
 2006 involving a new felony conviction.
 2007 2. If the community sanction violation is committed by a
 2008 violent felony offender of special concern as defined in s.
 2009 948.06:
 2010 a. Twelve (12) community sanction violation points are
 2011 assessed for the violation and for each successive violation of
 2012 felony probation or community control where:
 2013 I. The violation does not include a new felony conviction;
 2014 and
 2015 II. The community sanction violation is not based solely
 2016 on the probationer or offender's failure to pay costs or fines
 2017 or make restitution payments.
 2018 b. Twenty-four (24) community sanction violation points

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2019 are assessed for the violation and for each successive violation
2020 of felony probation or community control where the violation
2021 includes a new felony conviction.

2022
2023 Multiple counts of community sanction violations before the
2024 sentencing court shall not be a basis for multiplying the
2025 assessment of community sanction violation points.

2026
2027 Prior serious felony points: If the offender has a primary
2028 offense or any additional offense ranked in level 8, level 9, or
2029 level 10, and one or more prior serious felonies, a single
2030 assessment of thirty (30) points shall be added. For purposes of
2031 this section, a prior serious felony is an offense in the
2032 offender's prior record that is ranked in level 8, level 9, or
2033 level 10 under s. 921.0022 or s. 921.0023 and for which the
2034 offender is serving a sentence of confinement, supervision, or
2035 other sanction or for which the offender's date of release from
2036 confinement, supervision, or other sanction, whichever is later,
2037 is within 3 years before the date the primary offense or any
2038 additional offense was committed.

2039
2040 Prior capital felony points: If the offender has one or more
2041 prior capital felonies in the offender's criminal record, points
2042 shall be added to the subtotal sentence points of the offender
2043 equal to twice the number of points the offender receives for

2044 the primary offense and any additional offense. A prior capital
 2045 felony in the offender's criminal record is a previous capital
 2046 felony offense for which the offender has entered a plea of nolo
 2047 contendere or guilty or has been found guilty; or a felony in
 2048 another jurisdiction which is a capital felony in that
 2049 jurisdiction, or would be a capital felony if the offense were
 2050 committed in this state.

2051
 2052 Possession of a firearm, semiautomatic firearm, or machine gun:
 2053 If the offender is convicted of committing or attempting to
 2054 commit any felony other than those enumerated in s. 775.087(2)
 2055 while having in his or her possession: a firearm as defined in
 2056 s. 790.001 ~~s. 790.001(6)~~, an additional eighteen (18) sentence
 2057 points are assessed; or if the offender is convicted of
 2058 committing or attempting to commit any felony other than those
 2059 enumerated in s. 775.087(3) while having in his or her
 2060 possession a semiautomatic firearm as defined in s. 775.087(3)
 2061 or a machine gun as defined in s. 790.001 ~~s. 790.001(9)~~, an
 2062 additional twenty-five (25) sentence points are assessed.

2063
 2064 Sentencing multipliers:

2065
 2066 Drug trafficking: If the primary offense is drug trafficking
 2067 under s. 893.135, the subtotal sentence points are multiplied,
 2068 at the discretion of the court, for a level 7 or level 8

2069 offense, by 1.5. The state attorney may move the sentencing
2070 court to reduce or suspend the sentence of a person convicted of
2071 a level 7 or level 8 offense, if the offender provides
2072 substantial assistance as described in s. 893.135(4).

2073
2074 Law enforcement protection: If the primary offense is a
2075 violation of the Law Enforcement Protection Act under s.
2076 775.0823(2), (3), or (4), the subtotal sentence points are
2077 multiplied by 2.5. If the primary offense is a violation of s.
2078 775.0823(5), (6), (7), (8), or (9), the subtotal sentence points
2079 are multiplied by 2.0. If the primary offense is a violation of
2080 s. 784.07(3) or s. 775.0875(1), or of the Law Enforcement
2081 Protection Act under s. 775.0823(10) or (11), the subtotal
2082 sentence points are multiplied by 1.5.

2083
2084 Grand theft of a motor vehicle: If the primary offense is grand
2085 theft of the third degree involving a motor vehicle and in the
2086 offender's prior record, there are three or more grand thefts of
2087 the third degree involving a motor vehicle, the subtotal
2088 sentence points are multiplied by 1.5.

2089
2090 Offense related to a criminal gang: If the offender is convicted
2091 of the primary offense and committed that offense for the
2092 purpose of benefiting, promoting, or furthering the interests of
2093 a criminal gang as defined in s. 874.03, the subtotal sentence

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2094 points are multiplied by 1.5. If applying the multiplier results
2095 in the lowest permissible sentence exceeding the statutory
2096 maximum sentence for the primary offense under chapter 775, the
2097 court may not apply the multiplier and must sentence the
2098 defendant to the statutory maximum sentence.

2099
2100 Domestic violence in the presence of a child: If the offender is
2101 convicted of the primary offense and the primary offense is a
2102 crime of domestic violence, as defined in s. 741.28, which was
2103 committed in the presence of a child under 16 years of age who
2104 is a family or household member as defined in s. 741.28(3) with
2105 the victim or perpetrator, the subtotal sentence points are
2106 multiplied by 1.5.

2107
2108 Adult-on-minor sex offense: If the offender was 18 years of age
2109 or older and the victim was younger than 18 years of age at the
2110 time the offender committed the primary offense, and if the
2111 primary offense was an offense committed on or after October 1,
2112 2014, and is a violation of s. 787.01(2) or s. 787.02(2), if the
2113 violation involved a victim who was a minor and, in the course
2114 of committing that violation, the defendant committed a sexual
2115 battery under chapter 794 or a lewd act under s. 800.04 or s.
2116 847.0135(5) against the minor; s. 787.01(3)(a)2. or 3.; s.
2117 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s.
2118 800.04; or s. 847.0135(5), the subtotal sentence points are

2119 multiplied by 2.0. If applying the multiplier results in the
2120 lowest permissible sentence exceeding the statutory maximum
2121 sentence for the primary offense under chapter 775, the court
2122 may not apply the multiplier and must sentence the defendant to
2123 the statutory maximum sentence.

2124 Section 30. Paragraph (b) of subsection (3) of section
2125 943.051, Florida Statutes, is amended to read:

2126 943.051 Criminal justice information; collection and
2127 storage; fingerprinting.—

2128 (3)

2129 (b) A minor who is charged with or found to have committed
2130 the following offenses shall be fingerprinted and the
2131 fingerprints shall be submitted electronically to the
2132 department, unless the minor is issued a civil citation pursuant
2133 to s. 985.12:

2134 1. Assault, as defined in s. 784.011.

2135 2. Battery, as defined in s. 784.03.

2136 3. Carrying a concealed weapon, as defined in s. 790.01(2)
2137 ~~s. 790.01(1)~~.

2138 4. Unlawful use of destructive devices or bombs, as
2139 defined in s. 790.1615(1).

2140 5. Neglect of a child, as defined in s. 827.03(1)(e).

2141 6. Assault or battery on a law enforcement officer, a
2142 firefighter, or other specified officers, as defined in s.
2143 784.07(2)(a) and (b).

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2144 7. Open carrying of a weapon, as defined in s. 790.053.
 2145 8. Exposure of sexual organs, as defined in s. 800.03.
 2146 9. Unlawful possession of a firearm, as defined in s.
 2147 790.22(5).

2148 10. Petit theft, as defined in s. 812.014(3).

2149 11. Cruelty to animals, as defined in s. 828.12(1).

2150 12. Arson, as defined in s. 806.031(1).

2151 13. Unlawful possession or discharge of a weapon or
 2152 firearm at a school-sponsored event or on school property, as
 2153 provided in s. 790.115.

2154 Section 31. Paragraph (d) of subsection (1) of section
 2155 943.0585, Florida Statutes, is amended to read:

2156 943.0585 Court-ordered expunction of criminal history
 2157 records.—

2158 (1) ELIGIBILITY.—A person is eligible to petition a court
 2159 to expunge a criminal history record if:

2160 (d) The person has never, as of the date the application
 2161 for a certificate of expunction is filed, been adjudicated
 2162 guilty in this state of a criminal offense or been adjudicated
 2163 delinquent in this state for committing any felony or any of the
 2164 following misdemeanors, unless the record of such adjudication
 2165 of delinquency has been expunged pursuant to s. 943.0515:

2166 1. Assault, as defined in s. 784.011;

2167 2. Battery, as defined in s. 784.03;

2168 3. Assault on a law enforcement officer, a firefighter, or

2169 other specified officers, as defined in s. 784.07(2)(a);
 2170 4. Carrying a concealed weapon, as defined in s. 790.01(2)
 2171 ~~s. 790.01(1)~~;
 2172 5. Open carrying of a weapon, as defined in s. 790.053;
 2173 6. Unlawful possession or discharge of a weapon or firearm
 2174 at a school-sponsored event or on school property, as defined in
 2175 s. 790.115;
 2176 7. Unlawful use of destructive devices or bombs, as
 2177 defined in s. 790.1615(1);
 2178 8. Unlawful possession of a firearm, as defined in s.
 2179 790.22(5);
 2180 9. Exposure of sexual organs, as defined in s. 800.03;
 2181 10. Arson, as defined in s. 806.031(1);
 2182 11. Petit theft, as defined in s. 812.014(3);
 2183 12. Neglect of a child, as defined in s. 827.03(1)(e); or
 2184 13. Cruelty to animals, as defined in s. 828.12(1).
 2185 Section 32. Paragraph (b) of subsection (1) of section
 2186 943.059, Florida Statutes, is amended to read:
 2187 943.059 Court-ordered sealing of criminal history
 2188 records.—
 2189 (1) ELIGIBILITY.—A person is eligible to petition a court
 2190 to seal a criminal history record when:
 2191 (b) The person has never, before the date the application
 2192 for a certificate of eligibility is filed, been adjudicated
 2193 guilty in this state of a criminal offense, or been adjudicated

2194 delinquent in this state for committing any felony or any of the
 2195 following misdemeanor offenses, unless the record of such
 2196 adjudication of delinquency has been expunged pursuant to s.
 2197 943.0515:

- 2198 1. Assault, as defined in s. 784.011;
- 2199 2. Battery, as defined in s. 784.03;
- 2200 3. Assault on a law enforcement officer, a firefighter, or
- 2201 other specified officers, as defined in s. 784.07(2)(a);
- 2202 4. Carrying a concealed weapon, as defined in s. 790.01(2)
- 2203 ~~s. 790.01(1)~~;
- 2204 5. Open carrying of a weapon, as defined in s. 790.053;
- 2205 6. Unlawful possession or discharge of a weapon or firearm
- 2206 at a school-sponsored event or on school property, as defined in
- 2207 s. 790.115;
- 2208 7. Unlawful use of destructive devices or bombs, as
- 2209 defined in s. 790.1615(1);
- 2210 8. Unlawful possession of a firearm by a minor, as defined
- 2211 in s. 790.22(5);
- 2212 9. Exposure of sexual organs, as defined in s. 800.03;
- 2213 10. Arson, as defined in s. 806.031(1);
- 2214 11. Petit theft, as defined in s. 812.014(3);
- 2215 12. Neglect of a child, as defined in s. 827.03(1)(e); or
- 2216 13. Cruelty to animals, as defined in s. 828.12(1).

2217 Section 33. Paragraph (b) of subsection (1) of section
 2218 985.11, Florida Statutes, is amended to read:

2219 | 985.11 Fingerprinting and photographing.—

2220 | (1)

2221 | (b) Unless the child is issued a civil citation or is

2222 | participating in a similar diversion program pursuant to s.

2223 | 985.12, a child who is charged with or found to have committed

2224 | one of the following offenses shall be fingerprinted, and the

2225 | fingerprints shall be submitted to the Department of Law

2226 | Enforcement as provided in s. 943.051(3)(b):

2227 | 1. Assault, as defined in s. 784.011.

2228 | 2. Battery, as defined in s. 784.03.

2229 | 3. Carrying a concealed weapon, as defined in s. 790.01(2)

2230 | ~~s. 790.01(1)~~.

2231 | 4. Unlawful use of destructive devices or bombs, as

2232 | defined in s. 790.1615(1).

2233 | 5. Neglect of a child, as defined in s. 827.03(1)(e).

2234 | 6. Assault on a law enforcement officer, a firefighter, or

2235 | other specified officers, as defined in s. 784.07(2)(a).

2236 | 7. Open carrying of a weapon, as defined in s. 790.053.

2237 | 8. Exposure of sexual organs, as defined in s. 800.03.

2238 | 9. Unlawful possession of a firearm, as defined in s.

2239 | 790.22(5).

2240 | 10. Petit theft, as defined in s. 812.014.

2241 | 11. Cruelty to animals, as defined in s. 828.12(1).

2242 | 12. Arson, resulting in bodily harm to a firefighter, as

2243 | defined in s. 806.031(1).

2244 13. Unlawful possession or discharge of a weapon or
2245 firearm at a school-sponsored event or on school property as
2246 defined in s. 790.115.

2247
2248 A law enforcement agency may fingerprint and photograph a child
2249 taken into custody upon probable cause that such child has
2250 committed any other violation of law, as the agency deems
2251 appropriate. Such fingerprint records and photographs shall be
2252 retained by the law enforcement agency in a separate file, and
2253 these records and all copies thereof must be marked "Juvenile
2254 Confidential." These records are not available for public
2255 disclosure and inspection under s. 119.07(1) except as provided
2256 in ss. 943.053 and 985.04(2), but shall be available to other
2257 law enforcement agencies, criminal justice agencies, state
2258 attorneys, the courts, the child, the parents or legal
2259 custodians of the child, their attorneys, and any other person
2260 authorized by the court to have access to such records. In
2261 addition, such records may be submitted to the Department of Law
2262 Enforcement for inclusion in the state criminal history records
2263 and used by criminal justice agencies for criminal justice
2264 purposes. These records may, in the discretion of the court, be
2265 open to inspection by anyone upon a showing of cause. The
2266 fingerprint and photograph records shall be produced in the
2267 court whenever directed by the court. Any photograph taken
2268 pursuant to this section may be shown by a law enforcement

2269 officer to any victim or witness of a crime for the purpose of
 2270 identifying the person who committed such crime.

2271 Section 34. Paragraph (b) of subsection (16) of section
 2272 1002.33, Florida Statutes, is amended to read:

2273 1002.33 Charter schools.—

2274 (16) EXEMPTION FROM STATUTES.—

2275 (b) Additionally, a charter school shall be in compliance
 2276 with the following statutes:

2277 1. Section 286.011, relating to public meetings and
 2278 records, public inspection, and criminal and civil penalties.

2279 2. Chapter 119, relating to public records.

2280 3. Section 1003.03, relating to the maximum class size,
 2281 except that the calculation for compliance pursuant to s.
 2282 1003.03 shall be the average at the school level.

2283 4. Section 1012.22(1)(c), relating to compensation and
 2284 salary schedules.

2285 5. Section 1012.33(5), relating to workforce reductions.

2286 6. Section 1012.335, relating to contracts with
 2287 instructional personnel hired on or after July 1, 2011.

2288 7. Section 1012.34, relating to the substantive
 2289 requirements for performance evaluations for instructional
 2290 personnel and school administrators.

2291 8. Section 1006.12, relating to safe-school officers.

2292 9. Section 1006.07(7), relating to threat management
 2293 ~~assessment~~ teams.

2294 10. Section 1006.07(9), relating to School Environmental
 2295 Safety Incident Reporting.

2296 11. Section 1006.07(10), relating to reporting of
 2297 involuntary examinations.

2298 12. Section 1006.1493, relating to the Florida Safe
 2299 Schools Assessment Tool.

2300 13. Section 1006.07(6)(d), relating to adopting an active
 2301 assailant response plan.

2302 14. Section 943.082(4)(b), relating to the mobile
 2303 suspicious activity reporting tool.

2304 15. Section 1012.584, relating to youth mental health
 2305 awareness and assistance training.

2306 Section 35. For the 2023-2024 fiscal year, the sum of \$1.5
 2307 million in recurring funds from the General Revenue Fund is
 2308 appropriated to the Department of Law Enforcement to implement a
 2309 grant program for local law enforcement agencies to provide
 2310 firearm safety training. The department shall develop a process
 2311 and guidelines for the disbursement of funds appropriated in
 2312 this section. Local law enforcement grant recipients shall
 2313 report documentation on the use of training funds, in a form and
 2314 manner determined by the department.

2315 Section 36. For the 2023-2024 fiscal year, eight full-time
 2316 equivalent positions, with associated salary rate of 582,000,
 2317 are authorized and the sums of \$1,207,321 in recurring funds and
 2318 \$70,525 in nonrecurring funds from the General Revenue Fund are

2319 appropriated to the Department of Education to fund new and
2320 existing positions and additional workload expenses within the
2321 Office of Safe Schools.

2322 Section 37. For the 2023-2024 fiscal year, the sum of
2323 \$400,000 in recurring funds from the General Revenue Fund is
2324 appropriated to the Department of Education to fund the Office
2325 of Safe Schools to update the existing school safety training
2326 infrastructure.

2327 Section 38. For the 2023-2024 fiscal year, the sums of \$5
2328 million in recurring funds and \$7 million in nonrecurring funds
2329 from the General Revenue Fund are appropriated to the Department
2330 of Education to competitively procure for the development or
2331 acquisition of a cloud-based secure statewide information
2332 sharing system that meets the requirements of the threat
2333 management portal as prescribed in this act.

2334 Section 39. For the 2023-2024 fiscal year, the sums of
2335 \$1.5 million in recurring funds and \$1.5 million in nonrecurring
2336 funds from the General Revenue Fund are appropriated to the
2337 Department of Education to competitively procure for the
2338 development or acquisition of a cloud-based secure School
2339 Environmental Safety Incident Reporting (SESIR) system.

2340 Section 40. For the 2023-2024 fiscal year, the sum of \$42
2341 million in nonrecurring funds from the General Revenue Fund is
2342 appropriated to the Department of Education for school hardening
2343 grant programs to improve the physical security of school

2344 buildings based on the security risk assessment required
2345 pursuant to s. 1006.1493, Florida Statutes. By December 31,
2346 2023, school districts and charter schools receiving school
2347 hardening grant program funds shall report to the Department of
2348 Education, in a format prescribed by the department, the total
2349 estimated costs of their unmet school campus hardening needs as
2350 identified by the Florida Safe Schools Assessment Tool (FSSAT)
2351 conducted pursuant to s. 1006.1493, Florida Statutes. The report
2352 should include a prioritized list of school hardening project
2353 needs by each school district or charter school and an expected
2354 timeframe for implementing those projects. In accordance with
2355 ss. 119.071(3) (a) and 281.301, Florida Statutes, data and
2356 information related to security risk assessments administered
2357 pursuant to s. 1006.1493, Florida Statutes, are confidential and
2358 exempt from public records requirements. Funds may be used only
2359 for capital expenditures. Funds shall be allocated initially
2360 based on each district's capital outlay full-time equivalent
2361 (FTE) and charter school FTE. A district shall not be allocated
2362 less than \$42,000. Funds shall be provided based on a district's
2363 application, which must be submitted to the Department of
2364 Education by February 1, 2024.

2365 Section 41. Except as otherwise expressly provided in this
2366 act and except for this section, which shall take effect upon
2367 this act becoming a law, this act shall take effect July 1,
2368 2023.