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

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

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

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

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

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146 amending s. 921.0022, F.S.; conforming a provision to  
147 changes made by the act; creating s. 943.082, F.S.;  
148 requiring the Department of Law Enforcement, in  
149 collaboration with the Department of Legal Affairs, to  
150 competitively procure a mobile suspicious activity  
151 tool with certain features; requiring the department  
152 to receive certain electronic reports; requiring the  
153 reporting tool to notify the reporting party of  
154 certain information; requiring the forwarding of  
155 certain information to appropriate law enforcement  
156 agencies; requiring that certain entities be made  
157 aware of the reporting tool; requiring the department,  
158 in collaboration with certain entities, to develop and  
159 provide certain training and awareness relating to the  
160 reporting tool; creating s. 943.687, F.S.; creating  
161 the Marjory Stoneman Douglas High School Public Safety  
162 Commission within the Department of Law Enforcement;  
163 requiring the commission to convene by a certain date;  
164 specifying the composition of the commission;  
165 requiring Department of Law Enforcement staff to  
166 assist the commission; specifying meeting  
167 requirements; authorizing reimbursement for per diem  
168 and travel expenses; providing the duties and  
169 authority of the commission; requiring the commission  
170 to submit an initial report to the Governor and the  
171 Legislature within a specified time; providing for the  
172 expiration of the commission; creating s. 1001.212,  
173 F.S.; creating the Office of Safe Schools within the  
174 Department of Education; providing duties of the

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175 office; amending s. 1002.32, F.S.; conforming a cross-  
176 reference; amending s. 1006.04, F.S.; revising the  
177 purpose and duties of the educational multiagency  
178 network for students with emotional and behavioral  
179 disabilities; amending s. 1006.07, F.S.; revising  
180 district school board duties relating to student  
181 discipline and school safety; requiring students to  
182 note referrals to mental health services upon initial  
183 registration for school within a school district;  
184 authorizing a district school board to refer a student  
185 to certain mental health services under certain  
186 circumstances; revising the code of student conduct  
187 relating to the referral of certain students to  
188 certain mental health services and law enforcement;  
189 providing requirements for student crime watch  
190 programs; revising the policies and procedures for  
191 emergency drills to include drills for active shooter  
192 and hostage situations; providing requirements for  
193 such drills; revising requirements for the emergency  
194 response policy; requiring model emergency management  
195 and emergency preparedness procedures for active  
196 shooter situations; requiring school districts to  
197 establish a schedule to test emergency communication  
198 systems; requiring district school superintendents to  
199 establish certain policies and procedures relating to  
200 the prevention of violence on school grounds and  
201 designate a school safety specialist for the school  
202 district; providing requirements and duties for school  
203 safety specialists; providing school safety specialist

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



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

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

288 relating to the confidentiality of court records and  
289 exceptions to the prohibition of registration of  
290 firearms, respectively, to incorporate the amendment

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291 made to s. 790.065, F.S., in references thereto;  
292 providing appropriations; reenacting ss. 794.056 and  
293 938.085, F.S.; relating to the Rape Crises Program  
294 Trust Fund and additional cost to fund rape crises  
295 centers, respectively, to incorporate the amendment  
296 made to s. 836.10, F.S.; providing appropriations;  
297 providing effective dates.

298

299 Be It Enacted by the Legislature of the State of Florida:

300

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

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

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

315 16.555 Crime Stoppers Trust Fund; rulemaking.—

316 (5)

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

319 Section 4. Paragraph (j) is added to subsection (3) of

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320 section 20.15, Florida Statutes, to read:

321 20.15 Department of Education.—There is created a  
322 Department of Education.

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

325 (j) The Office of Safe Schools.

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

328 30.15 Powers, duties, and obligations.—

329 (1) Sheriffs, in their respective counties, in person or by  
330 deputy, shall:

331 (k) Establish, if the sheriff so chooses, a Coach Aaron  
332 Feis Guardian Program to aid in the prevention or abatement of  
333 active assailant incidents on school premises. A school guardian  
334 has no authority to act in any law enforcement capacity except  
335 to the extent necessary to prevent or abate an active assailant  
336 incident on a school premises. Excluded from participating in  
337 the Coach Aaron Feis Guardian Program are individuals who  
338 exclusively perform classroom duties as classroom teachers as  
339 defined in s. 1012.01(2) (a). This limitation does not apply to  
340 classroom teachers of a Junior Reserve Officers' Training Corps  
341 program, a current servicemember, as defined in s. 250.01, or a  
342 current or former law enforcement officer, as defined in s.  
343 943.10(1), (6), or (8). The sheriff who chooses to establish the  
344 program shall appoint as school guardians, without the power of  
345 arrest, school employees who volunteer and who:

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

347 2. Complete 132 total hours of comprehensive firearm safety  
348 and proficiency training conducted by Criminal Justice Standards

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349 and Training Commission-certified instructors, which must  
350 include:

351 a. Eighty hours of firearms instruction based on the  
352 Criminal Justice Standards and Training Commission's Law  
353 Enforcement Academy training model, which must include at least  
354 10 percent but no more than 20 percent more rounds fired than  
355 associated with academy training. Program participants must  
356 achieve an 85 percent pass rate on the firearms training.

357 b. Sixteen hours of instruction in precision pistol.

358 c. Eight hours of discretionary shooting instruction using  
359 state-of-the-art simulator exercises.

360 d. Eight hours of instruction in active shooter or  
361 assailant scenarios.

362 e. Eight hours of instruction in defensive tactics.

363 f. Twelve hours of instruction in legal issues.

364 3. Pass a psychological evaluation administered by a  
365 psychologist licensed under chapter 490 and designated by the  
366 Department of Law Enforcement and submit the results of the  
367 evaluation to the sheriff's office. The Department of Law  
368 Enforcement is authorized to provide the sheriff's office with  
369 mental health and substance abuse data for compliance with this  
370 paragraph.

371 4. Submit to and pass an initial drug test and subsequent  
372 random drug tests in accordance with the requirements of s.  
373 112.0455 and the sheriff's office.

374 5. Successfully complete ongoing training, weapon  
375 inspection, and firearm qualification on at least an annual  
376 basis.

377 6. Successfully complete at least 12 hours of a certified

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378 nationally recognized diversity training program.

379  
380 The sheriff shall issue a school guardian certificate to  
381 individuals who meet the requirements of subparagraph 2. The  
382 sheriff shall maintain documentation of weapon and equipment  
383 inspections, as well as the training, certification, inspection,  
384 and qualification records of each school guardian appointed by  
385 the sheriff.

386 Section 6. The Division of Law Revision and Information is  
387 instructed to change references from "school marshal program" to  
388 "Coach Aaron Feis Guardian Program" and references from "school  
389 marshal" to "school guardian" wherever those terms appear in  
390 this act.

391 Section 7. Paragraph (c) of subsection (9) of section  
392 121.091, Florida Statutes, is amended, and paragraph (f) is  
393 added to that subsection to read:

394 121.091 Benefits payable under the system.—Benefits may not  
395 be paid under this section unless the member has terminated  
396 employment as provided in s. 121.021(39) (a) or begun  
397 participation in the Deferred Retirement Option Program as  
398 provided in subsection (13), and a proper application has been  
399 filed in the manner prescribed by the department. The department  
400 may cancel an application for retirement benefits when the  
401 member or beneficiary fails to timely provide the information  
402 and documents required by this chapter and the department's  
403 rules. The department shall adopt rules establishing procedures  
404 for application for retirement benefits and for the cancellation  
405 of such application when the required information or documents  
406 are not received.

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407 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

408 (c) Any person whose retirement is effective on or after  
409 July 1, 2010, or whose participation in the Deferred Retirement  
410 Option Program terminates on or after July 1, 2010, who is  
411 retired under this chapter, except under the disability  
412 retirement provisions of subsection (4) or as provided in s.  
413 121.053, may be reemployed by an employer that participates in a  
414 state-administered retirement system and receive retirement  
415 benefits and compensation from that employer. However, a person  
416 may not be reemployed by an employer participating in the  
417 Florida Retirement System before meeting the definition of  
418 termination in s. 121.021 and may not receive both a salary from  
419 the employer and retirement benefits for 6 calendar months after  
420 meeting the definition of termination, except as provided in  
421 paragraph (f). However, a DROP participant shall continue  
422 employment and receive a salary during the period of  
423 participation in the Deferred Retirement Option Program, as  
424 provided in subsection (13).

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

427 2. The employer shall pay retirement contributions in an  
428 amount equal to the unfunded actuarial liability portion of the  
429 employer contribution that would be required for active members  
430 of the Florida Retirement System in addition to the  
431 contributions required by s. 121.76.

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

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436 the benefits were paid, including the Florida Retirement System  
437 Trust Fund and the Public Employee Optional Retirement Program  
438 Trust Fund, as appropriate. The employer must have a written  
439 statement from the employee that he or she is not retired from a  
440 state-administered retirement system. Retirement benefits shall  
441 remain suspended until repayment is made. Benefits suspended  
442 beyond the end of the retiree's 6-month reemployment limitation  
443 period shall apply toward the repayment of benefits received in  
444 violation of this paragraph.

445 (f) A retired law enforcement officer may be reemployed as  
446 a school resource officer by an employer that participates in  
447 the Florida Retirement System and receive compensation from that  
448 employer and retirement benefits after meeting the definition of  
449 termination in s. 121.021, but may not receive both a salary  
450 from the employer and retirement benefits for 6 calendar months  
451 immediately subsequent to the date of retirement. The reemployed  
452 retired law enforcement officer may not renew membership in the  
453 Florida Retirement System, except as provided in s. 121.122.

454 Section 8. Paragraphs (c) and (d) of subsection (2) of  
455 section 394.463, Florida Statutes, are amended to read:

456 394.463 Involuntary examination.—

457 (2) INVOLUNTARY EXAMINATION.—

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

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

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



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

469 (d)1. A law enforcement officer taking custody of a person  
470 under this subsection may seize and hold a firearm or any  
471 ammunition the person possesses at the time of taking him or her  
472 into custody if the person poses a potential danger to himself  
473 or herself or others and has made a credible threat of violence  
474 against another person.

475 2. If the law enforcement officer takes custody of the  
476 person at the person's residence and the criteria in  
477 subparagraph 1. have been met, the law enforcement officer may  
478 seek the voluntary surrender of firearms or ammunition kept in  
479 the residence which have not already been seized under  
480 subparagraph 1. If such firearms or ammunition are not  
481 voluntarily surrendered, or if the person has other firearms or  
482 ammunition that were not seized or voluntarily surrendered when  
483 he or she was taken into custody, a law enforcement officer may  
484 petition the appropriate court under s. 790.401 for a risk  
485 protection order against the person.

486 3. Firearms or ammunition seized or voluntarily surrendered  
487 under this paragraph must be made available for return no later  
488 than 24 hours after the person taken into custody can document  
489 that he or she is no longer subject to involuntary examination  
490 and has been released or discharged from any inpatient or  
491 involuntary outpatient treatment provided or ordered under  
492 paragraph (g), unless a risk protection order entered under s.  
493 790.401 directs the law enforcement agency to hold the firearms

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494 or ammunition for a longer period or the person is subject to a  
495 firearm purchase disability under s. 790.065(2), or a firearm  
496 possession and firearm ownership disability under s. 790.064.  
497 The process for the actual return of firearms or ammunition  
498 seized or voluntarily surrendered under this paragraph may not  
499 take longer than 7 days.

500 4. Law enforcement agencies must develop policies and  
501 procedures relating to the seizure, storage, and return of  
502 firearms or ammunition held under this paragraph. A law  
503 ~~enforcement officer acting in accordance with an ex parte order~~  
504 ~~issued pursuant to this subsection may use such reasonable~~  
505 ~~physical force as is necessary to gain entry to the premises,~~  
506 ~~and any dwellings, buildings, or other structures located on the~~  
507 ~~premises, and to take custody of the person who is the subject~~  
508 ~~of the ex parte order.~~

509 Section 9. Section 394.495, Florida Statutes, is amended to  
510 read:

511 394.495 Child and adolescent mental health system of care;  
512 programs and services.—

513 (1) The department shall establish, within available  
514 resources, an array of services to meet the individualized  
515 service and treatment needs of children and adolescents who are  
516 members of the target populations specified in s. 394.493, and  
517 of their families. It is the intent of the Legislature that a  
518 child or adolescent may not be admitted to a state mental health  
519 facility and such a facility may not be included within the  
520 array of services.

521 (2) The array of services must include assessment services  
522 that provide a professional interpretation of the nature of the

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523 problems of the child or adolescent and his or her family;  
524 family issues that may impact the problems; additional factors  
525 that contribute to the problems; and the assets, strengths, and  
526 resources of the child or adolescent and his or her family. The  
527 assessment services to be provided shall be determined by the  
528 clinical needs of each child or adolescent. Assessment services  
529 include, but are not limited to, evaluation and screening in the  
530 following areas:

531 (a) Physical and mental health for purposes of identifying  
532 medical and psychiatric problems.

533 (b) Psychological functioning, as determined through a  
534 battery of psychological tests.

535 (c) Intelligence and academic achievement.

536 (d) Social and behavioral functioning.

537 (e) Family functioning.

538

539 The assessment for academic achievement is the financial  
540 responsibility of the school district. The department shall  
541 cooperate with other state agencies and the school district to  
542 avoid duplicating assessment services.

543 (3) Assessments must be performed by:

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

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

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

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

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- 552 (a) Prevention services.  
553 (b) Home-based services.  
554 (c) School-based services.  
555 (d) Family therapy.  
556 (e) Family support.  
557 (f) Respite services.  
558 (g) Outpatient treatment.  
559 (h) Day treatment.  
560 (i) Crisis stabilization.  
561 (j) Therapeutic foster care.  
562 (k) Residential treatment.  
563 (l) Inpatient hospitalization.  
564 (m) Case management.  
565 (n) Services for victims of sex offenses.  
566 (o) Transitional services.  
567 (p) Trauma-informed services for children who have suffered  
568 sexual exploitation as defined in s. 39.01(71)(g).  
569 (5) In order to enhance collaboration between agencies and  
570 to facilitate the provision of services by the child and  
571 adolescent mental health treatment and support system and the  
572 school district, the local child and adolescent mental health  
573 system of care shall include the local educational multiagency  
574 network for severely emotionally disturbed students specified in  
575 s. 1006.04.  
576 (6) The department shall contract for community action  
577 treatment teams throughout the state with the managing entities.  
578 A community action treatment team shall:  
579 (a) Provide community-based behavioral health and support  
580 services to children from 11 to 13 years of age, adolescents,

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581 and young adults from 18 to 21 years of age with serious  
582 behavioral health conditions who are at risk of out-of-home  
583 placement as demonstrated by:

- 584 1. Repeated failures at less intensive levels of care;  
585 2. Two or more behavioral health hospitalizations;  
586 3. Involvement with the Department of Juvenile Justice;  
587 4. A history of multiple episodes involving law  
588 enforcement; or  
589 5. A record of poor academic performance or suspensions.

590  
591 Children younger than 11 years of age who otherwise meet the  
592 criteria in this paragraph may be candidates for such services  
593 if they demonstrate two or more of the characteristics listed in  
594 subparagraph 1.-5.

595 (b) Use an integrated service delivery approach to  
596 comprehensively address the needs of the child, adolescent, or  
597 young adult and strengthen his or her family and support systems  
598 to assist the child, adolescent, or young adult to live  
599 successfully in the community. A community action treatment team  
600 shall address the therapeutic needs of the child, adolescent, or  
601 young adult receiving services and assist parents and caregivers  
602 in obtaining services and support. The community action  
603 treatment team shall make referrals to specialized treatment  
604 providers if necessary, with follow up by the community action  
605 treatment team to ensure services are received.

606 (c) Focus on engaging the child, adolescent, or young adult  
607 and his or her family as active participants in every phase of  
608 the treatment process. Community action treatment teams shall be  
609 available to the child, adolescent, or young adult and his or

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610 her family at all times.

611 (d) Coordinate with other key entities providing services  
612 and supports to the child, adolescent, or young adult and his or  
613 her family, including, but not limited to, the child's,  
614 adolescent's, or young adult's school, the local educational  
615 multiagency network for severely emotionally disturbed students  
616 under s. 1006.04, the child welfare system, and the juvenile  
617 justice system. Community action treatment teams shall also  
618 coordinate with the managing entity in their service location.

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

621 a. Alachua.

622 b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and  
623 Suwannee.

624 c. Bay.

625 d. Brevard.

626 e. Collier.

627 f. DeSoto and Sarasota.

628 g. Duval.

629 h. Escambia.

630 i. Hardee, Highlands, and Polk.

631 j. Hillsborough.

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

633 l. Lake and Sumter.

634 m. Lee.

635 n. Manatee.

636 o. Marion.

637 p. Miami-Dade.

638 q. Okaloosa.

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639 r. Orange.

640 s. Palm Beach.

641 t. Pasco.

642 u. Pinellas.

643 v. Walton.

644 2. Subject to appropriations, the department shall contract  
645 for additional teams through the managing entities to ensure the  
646 availability of community action treatment team services in the  
647 remaining areas of the state.

648 Section 10. Section 790.064, Florida Statutes, is created  
649 to read:

650 790.064 Firearm possession and firearm ownership  
651 disability.—

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

657 (2) The firearm possession and firearm ownership disability  
658 runs concurrently with the firearm purchase disability provided  
659 in s. 790.065(2).

660 (3) A person may petition the court that made the  
661 adjudication or commitment, or that ordered that the record be  
662 submitted to the Department of Law Enforcement pursuant to s.  
663 790.065(2), for relief from the firearm possession and firearm  
664 ownership disability.

665 (4) The person seeking relief must follow the procedures  
666 set forth in s. 790.065(2) for obtaining relief from the firearm  
667 purchase disability in seeking relief from the firearm

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668 possession and firearm ownership disability.

669 (5) The person may seek relief from the firearm possession  
670 and firearm ownership disability simultaneously with the relief  
671 being sought from the firearm purchase disability, if such  
672 relief is sought, pursuant to the procedure set forth in s.  
673 790.065(2).

674 Section 11. Present subsection (13) of section 790.065,  
675 Florida Statutes, is redesignated as subsection (14), and a new  
676 subsection (13) is added to that section, to read:

677 790.065 Sale and delivery of firearms.-

678 (13) A person younger than 21 years of age may not purchase  
679 a firearm. The sale or transfer of a firearm to a person younger  
680 than 21 years of age may not be made or facilitated by a  
681 licensed importer, licensed manufacturer, or licensed dealer. A  
682 person who violates this subsection commits a felony of the  
683 third degree, punishable as provided in s. 775.082, s. 775.083,  
684 or s. 775.084. The prohibitions of this subsection do not apply  
685 to the purchase of a rifle or shotgun by a law enforcement  
686 officer or correctional officer, as those terms are defined in  
687 s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a  
688 servicemember as defined in s. 250.01.

689 Section 12. Section 790.0655, Florida Statutes, is amended  
690 to read:

691 790.0655 Purchase and delivery of firearms ~~handguns~~;  
692 mandatory waiting period; exceptions; penalties.-

693 (1) (a) ~~There shall be~~ A mandatory ~~3-day~~ waiting period is  
694 imposed between the purchase and delivery of a firearm. The  
695 mandatory waiting period is, which shall be 3 days, excluding  
696 weekends and legal holidays, or expires upon the completion of



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697 the records checks required under s. 790.065, whichever occurs  
698 later between the purchase and the delivery at retail of any  
699 handgun. "Purchase" means the transfer of money or other  
700 valuable consideration to the retailer. "~~Handgun~~" ~~means a~~  
701 ~~firearm capable of being carried and used by one hand, such as a~~  
702 ~~pistol or revolver.~~ "Retailer" means and includes a licensed  
703 importer, licensed manufacturer, or licensed dealer ~~every person~~  
704 engaged in the business of making firearm sales at retail or for  
705 distribution, or use, or consumption, or storage to be used or  
706 consumed in this state, as defined in s. 212.02(13).

707 (b) Records of firearm handgun sales must be available for  
708 inspection by any law enforcement agency, as defined in s.  
709 934.02, during normal business hours.

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

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

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

715 (c) To the purchase of a rifle or shotgun, upon a person's  
716 successfully completing a minimum of a 16-hour hunter safety  
717 course and possessing a hunter safety certification card issued  
718 under s. 379.3581. A person who is exempt from the hunter safety  
719 course requirements under s. 379.3581 and holds a valid Florida  
720 hunting license, is exempt from the mandatory waiting period  
721 under this section for the purchase of a rifle or shotgun.

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

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

728 (a) For any retailer, or any employee or agent of a  
729 retailer, to deliver a firearm handgun before the expiration of  
730 the ~~3-day~~ waiting period, subject to the exceptions provided in  
731 subsection (2).

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

734 Section 13. Effective October 1, 2018, section 790.222,  
735 Florida Statutes, is created to read:

736 790.222 Bump-fire stocks prohibited.—A person may not  
737 import into this state or transfer, distribute, sell, keep for  
738 sale, offer for sale, possess, or give to another person a bump-  
739 fire stock. A person who violates this section commits a felony  
740 of the third degree, punishable as provided in s. 775.082, s.  
741 775.083, or s. 775.084. As used in this section, the term "bump-  
742 fire stock" means a conversion kit, a tool, an accessory, or a  
743 device used to alter the rate of fire of a firearm to mimic  
744 automatic weapon fire or which is used to increase the rate of  
745 fire to a faster rate than is possible for a person to fire such  
746 semiautomatic firearm unassisted by a kit, a tool, an accessory,  
747 or a device.

748 Section 14. (1) Section 790.401, Florida Statutes, is  
749 intended to temporarily prevent individuals who are at high risk  
750 of harming themselves or others from accessing firearms or  
751 ammunition by allowing law enforcement officers to obtain a  
752 court order when there is demonstrated evidence that a person  
753 poses a significant danger to himself or herself or others,  
754 including significant danger as a result of a mental health

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755 crisis or violent behavior.

756 (2) The purpose and intent of s. 790.401, Florida Statutes,  
757 is to reduce deaths and injuries as a result of certain  
758 individuals' use of firearms while respecting constitutional  
759 rights by providing a judicial procedure for law enforcement  
760 officers to obtain a court order temporarily restricting a  
761 person's access to firearms and ammunition. The process  
762 established by s. 790.401, Florida Statutes, is intended to  
763 apply only to situations in which the person poses a significant  
764 danger of harming himself or herself or others by possessing a  
765 firearm or ammunition and to include standards and safeguards to  
766 protect the rights of respondents and due process of law.

767 Section 15. Section 790.401, Florida Statutes, may be cited  
768 as "The Risk Protection Order Act."

769 Section 16. Section 790.401, Florida Statutes, is created  
770 to read:

771 790.401 Risk protection orders.—

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

773 (a) "Petitioner" means a law enforcement officer or a law  
774 enforcement agency that petitions a court for a risk protection  
775 order under this section.

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

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

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

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

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

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

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

791       (e) A petition must:

792       1. Allege that the respondent poses a significant danger of  
793 causing personal injury to himself or herself or others by  
794 having a firearm or any ammunition in his or her custody or  
795 control or by purchasing, possessing, or receiving a firearm or  
796 any ammunition, and must be accompanied by an affidavit made  
797 under oath stating the specific statements, actions, or facts  
798 that give rise to a reasonable fear of significant dangerous  
799 acts by the respondent;

800       2. Identify the quantities, types, and locations of all  
801 firearms and ammunition the petitioner believes to be in the  
802 respondent's current ownership, possession, custody, or control;  
803 and

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

807       (f) The petitioner must make a good faith effort to provide  
808 notice to a family or household member of the respondent and to  
809 any known third party who may be at risk of violence. The notice  
810 must state that the petitioner intends to petition the court for  
811 a risk protection order or has already done so and must include  
812 referrals to appropriate resources, including mental health,

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813 domestic violence, and counseling resources. The petitioner must  
814 attest in the petition to having provided such notice or must  
815 attest to the steps that will be taken to provide such notice.

816 (g) The petitioner must list the address of record on the  
817 petition as being where the appropriate law enforcement agency  
818 is located.

819 (h) A court or a public agency may not charge fees for  
820 filing or for service of process to a petitioner seeking relief  
821 under this section and must provide the necessary number of  
822 certified copies, forms, and instructional brochures free of  
823 charge.

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

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

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

829 (a) Upon receipt of a petition, the court must order a  
830 hearing to be held no later than 14 days after the date of the  
831 order and must issue a notice of hearing to the respondent for  
832 the same.

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

837 2. The court may, as provided in subsection (4), issue a  
838 temporary ex parte risk protection order pending the hearing  
839 ordered under this subsection. Such temporary ex parte order  
840 must be served concurrently with the notice of hearing and  
841 petition as provided in subsection (5).

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842       3. The court may conduct a hearing by telephone pursuant to  
843 a local court rule to reasonably accommodate a disability or  
844 exceptional circumstances. The court must receive assurances of  
845 the petitioner's identity before conducting a telephonic  
846 hearing.

847       (b) Upon notice and a hearing on the matter, if the court  
848 finds by clear and convincing evidence that the respondent poses  
849 a significant danger of causing personal injury to himself or  
850 herself or others by having in his or her custody or control, or  
851 by purchasing, possessing, or receiving, a firearm or any  
852 ammunition, the court must issue a risk protection order for a  
853 period that it deems appropriate, up to and including but not  
854 exceeding 12 months.

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

858       1. A recent act or threat of violence by the respondent  
859 against himself or herself or others, whether or not such  
860 violence or threat of violence involves a firearm.

861       2. An act or threat of violence by the respondent within  
862 the past 12 months, including, but not limited to, acts or  
863 threats of violence by the respondent against himself or herself  
864 or others.

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

867       4. A violation by the respondent of a risk protection order  
868 or a no contact order issued under s. 741.30, s. 784.046, or s.  
869 784.0485.

870       5. A previous or existing risk protection order issued

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871 against the respondent.

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

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

878 8. Whether the respondent has used, or has threatened to  
879 use, against himself or herself or others any weapons.

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

882 10. The recurring use of, or threat to use, physical force  
883 by the respondent against another person or the respondent  
884 stalking another person.

885 11. Whether the respondent, in this state or any other  
886 state, has been arrested for, convicted of, had adjudication  
887 withheld on, or pled nolo contendere to a crime involving  
888 violence or a threat of violence.

889 12. Corroborated evidence of the abuse of controlled  
890 substances or alcohol by the respondent.

891 13. Evidence of recent acquisition of firearms or  
892 ammunition by the respondent.

893 14. Any relevant information from family and household  
894 members concerning the respondent.

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

897 (d) A person, including an officer of the court, who offers  
898 evidence or recommendations relating to the cause of action  
899 either must present the evidence or recommendations in writing

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900 to the court with copies to each party and his or her attorney,  
901 if one is retained, or must present the evidence under oath at a  
902 hearing at which all parties are present.

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

906 (f) During the hearing, the court must consider whether a  
907 mental health evaluation or chemical dependency evaluation is  
908 appropriate and, if such determination is made, may order such  
909 evaluations, if appropriate.

910 (g) A risk protection order must include all of the  
911 following:

912 1. A statement of the grounds supporting the issuance of  
913 the order;

914 2. The date the order was issued;

915 3. The date the order ends;

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

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

920 6. A description of the requirements for the surrender of  
921 all firearms and ammunition that the respondent owns, under  
922 subsection (7); and

923 7. The following statement:

924  
925 "To the subject of this protection order: This order will last  
926 until the date noted above. If you have not done so already, you  
927 must surrender immediately to the (insert name of local law  
928 enforcement agency) all firearms and ammunition that you own in



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929 your custody, control, or possession and any license to carry a  
930 concealed weapon or firearm issued to you under s. 790.06,  
931 Florida Statutes. You may not have in your custody or control,  
932 or purchase, possess, receive, or attempt to purchase or  
933 receive, a firearm or ammunition while this order is in effect.  
934 You have the right to request one hearing to vacate this order,  
935 starting after the date of the issuance of this order, and to  
936 request another hearing after every extension of the order, if  
937 any. You may seek the advice of an attorney as to any matter  
938 connected with this order."

939  
940 (h) If the court issues a risk protection order, the court  
941 must inform the respondent that he or she is entitled to request  
942 a hearing to vacate the order in the manner provided by  
943 subsection (6). The court shall provide the respondent with a  
944 form to request a hearing to vacate.

945 (i) If the court denies the petitioner's request for a risk  
946 protection order, the court must state the particular reasons  
947 for the denial.

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

949 (a) A petitioner may request that a temporary ex parte risk  
950 protection order be issued before a hearing for a risk  
951 protection order, without notice to the respondent, by including  
952 in the petition detailed allegations based on personal knowledge  
953 that the respondent poses a significant danger of causing  
954 personal injury to himself or herself or others in the near  
955 future by having in his or her custody or control, or by  
956 purchasing, possessing, or receiving, a firearm or ammunition.

957 (b) In considering whether to issue a temporary ex parte

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958 risk protection order under this section, the court shall  
959 consider all relevant evidence, including the evidence described  
960 in paragraph (3) (c).

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

967 (d) The court must hold a temporary ex parte risk  
968 protection order hearing in person or by telephone on the day  
969 the petition is filed or on the business day immediately  
970 following the day the petition is filed.

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

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

974 2. The date the order was issued;

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

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

978 5. A description of the requirements for the surrender of  
979 all firearms and ammunition that the respondent owns, under  
980 subsection (7); and

981 6. The following statement:

982

983 "To the subject of this protection order: This order is valid  
984 until the date noted above. You are required to surrender all  
985 firearms and ammunition that you own in your custody, control,  
986 or possession. You may not have in your custody or control, or

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987 purchase, possess, receive, or attempt to purchase or receive, a  
988 firearm or ammunition while this order is in effect. You must  
989 surrender immediately to the (insert name of local law  
990 enforcement agency) all firearms and ammunition in your custody,  
991 control, or possession and any license to carry a concealed  
992 weapon or firearm issued to you under s. 790.06, Florida  
993 Statutes. A hearing will be held on the date and at the time  
994 noted above to determine if a risk protection order should be  
995 issued. Failure to appear at that hearing may result in a court  
996 issuing an order against you which is valid for 1 year. You may  
997 seek the advice of an attorney as to any matter connected with  
998 this order."

1000 (f) A temporary ex parte risk protection order ends upon  
1001 the hearing on the risk protection order.

1002 (g) A temporary ex parte risk protection order must be  
1003 served by a law enforcement officer in the same manner as  
1004 provided for in subsection (5) for service of the notice of  
1005 hearing and petition and must be served concurrently with the  
1006 notice of hearing and petition.

1007 (h) If the court denies the petitioner's request for a  
1008 temporary ex parte risk protection order, the court must state  
1009 the particular reasons for the denial.

1010 (5) SERVICE.—

1011 (a) The clerk of the court shall furnish a copy of the  
1012 notice of hearing, petition, and temporary ex parte risk  
1013 protection order or risk protection order, as applicable, to the  
1014 sheriff of the county where the respondent resides or can be  
1015 found, who shall serve it upon the respondent as soon thereafter

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1016 as possible on any day of the week and at any time of the day or  
1017 night. When requested by the sheriff, the clerk of the court may  
1018 transmit a facsimile copy of a temporary ex parte risk  
1019 protection order or a risk protection order that has been  
1020 certified by the clerk of the court, and this facsimile copy may  
1021 be served in the same manner as a certified copy. Upon receiving  
1022 a facsimile copy, the sheriff must verify receipt with the  
1023 sender before attempting to serve it upon the respondent. The  
1024 clerk of the court shall be responsible for furnishing to the  
1025 sheriff information on the respondent's physical description and  
1026 location. Notwithstanding any other provision of law to the  
1027 contrary, the chief judge of each circuit, in consultation with  
1028 the appropriate sheriff, may authorize a law enforcement agency  
1029 within the jurisdiction to effect service. A law enforcement  
1030 agency effecting service pursuant to this section shall use  
1031 service and verification procedures consistent with those of the  
1032 sheriff. Service under this section takes precedence over the  
1033 service of other documents, unless the other documents are of a  
1034 similar emergency nature.

1035 (b) All orders issued, changed, continued, extended, or  
1036 vacated after the original service of documents specified in  
1037 paragraph (a) must be certified by the clerk of the court and  
1038 delivered to the parties at the time of the entry of the order.  
1039 The parties may acknowledge receipt of such order in writing on  
1040 the face of the original order. If a party fails or refuses to  
1041 acknowledge the receipt of a certified copy of an order, the  
1042 clerk shall note on the original order that service was  
1043 effected. If delivery at the hearing is not possible, the clerk  
1044 shall mail certified copies of the order to the parties at the

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1045 last known address of each party. Service by mail is complete  
1046 upon mailing. When an order is served pursuant to this  
1047 subsection, the clerk shall prepare a written certification to  
1048 be placed in the court file specifying the time, date, and  
1049 method of service and shall notify the sheriff.

1050 (6) TERMINATION AND EXTENSION OF ORDERS.—

1051 (a) The respondent may submit one written request for a  
1052 hearing to vacate a risk protection order issued under this  
1053 section, starting after the date of the issuance of the order,  
1054 and may request another hearing after every extension of the  
1055 order, if any.

1056 1. Upon receipt of the request for a hearing to vacate a  
1057 risk protection order, the court shall set a date for a hearing.  
1058 Notice of the request must be served on the petitioner in  
1059 accordance with subsection (5). The hearing must occur no sooner  
1060 than 14 days and no later than 30 days after the date of service  
1061 of the request upon the petitioner.

1062 2. The respondent shall have the burden of proving by clear  
1063 and convincing evidence that the respondent does not pose a  
1064 significant danger of causing personal injury to himself or  
1065 herself or others by having in his or her custody or control,  
1066 purchasing, possessing, or receiving a firearm or ammunition.  
1067 The court may consider any relevant evidence, including evidence  
1068 of the considerations listed in paragraph (3) (c).

1069 3. If the court finds after the hearing that the respondent  
1070 has met his or her burden of proof, the court must vacate the  
1071 order.

1072 4. The law enforcement agency holding any firearm or  
1073 ammunition or license to carry a concealed weapon or firearm

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1074 that has been surrendered pursuant to this section shall be  
1075 notified of the court order to vacate the risk protection order.

1076 (b) The court must notify the petitioner of the impending  
1077 end of a risk protection order. Notice must be received by the  
1078 petitioner at least 30 days before the date the order ends.

1079 (c) The petitioner may, by motion, request an extension of  
1080 a risk protection order at any time within 30 days before the  
1081 end of the order.

1082 1. Upon receipt of the motion to extend, the court shall  
1083 order that a hearing be held no later than 14 days after the  
1084 date the order is issued and shall schedule such hearing.

1085 a. The court may schedule a hearing by telephone in the  
1086 manner provided by subparagraph (3) (a) 3.

1087 b. The respondent must be personally serviced in the same  
1088 manner provided by subsection (5).

1089 2. In determining whether to extend a risk protection order  
1090 issued under this section, the court may consider all relevant  
1091 evidence, including evidence of the considerations listed in  
1092 paragraph (3) (c).

1093 3. If the court finds by clear and convincing evidence that  
1094 the requirements for issuance of a risk protection order as  
1095 provided in subsection (3) continue to be met, the court must  
1096 extend the order. However, if, after notice, the motion for  
1097 extension is uncontested and no modification of the order is  
1098 sought, the order may be extended on the basis of a motion or  
1099 affidavit stating that there has been no material change in  
1100 relevant circumstances since entry of the order and stating the  
1101 reason for the requested extension.

1102 4. The court may extend a risk protection order for a

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1103 period that it deems appropriate, up to and including but not  
1104 exceeding 12 months, subject to an order to vacate as provided  
1105 in paragraph (a) or to another extension order by the court.

1106 (7) SURRENDER OF FIREARMS AND AMMUNITION.—

1107 (a) Upon issuance of a risk protection order under this  
1108 section, including a temporary ex parte risk protection order,  
1109 the court shall order the respondent to surrender to the local  
1110 law enforcement agency all firearms and ammunition owned by the  
1111 respondent in the respondent's custody, control, or possession  
1112 except as provided in subsection (9), and any license to carry a  
1113 concealed weapon or firearm issued under s. 790.06, held by the  
1114 respondent.

1115 (b) The law enforcement officer serving a risk protection  
1116 order under this section, including a temporary ex parte risk  
1117 protection order, shall request that the respondent immediately  
1118 surrender all firearms and ammunition owned by the respondent in  
1119 his or her custody, control, or possession and any license to  
1120 carry a concealed weapon or firearm issued under s. 790.06, held  
1121 by the respondent. The law enforcement officer shall take  
1122 possession of all firearms and ammunition owned by the  
1123 respondent and any license to carry a concealed weapon or  
1124 firearm issued under s. 790.06, held by the respondent, which  
1125 are surrendered. Alternatively, if personal service by a law  
1126 enforcement officer is not possible or is not required because  
1127 the respondent was present at the risk protection order hearing,  
1128 the respondent must surrender any firearms and ammunition owned  
1129 by the respondent and any license to carry a concealed weapon or  
1130 firearm issued under s. 790.06, held by the respondent, in a  
1131 safe manner to the control of the local law enforcement agency

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1132 immediately after being served with the order by service or  
1133 immediately after the hearing at which the respondent was  
1134 present. Notwithstanding ss. 933.02 and 933.18, a law  
1135 enforcement officer may seek a search warrant from a court of  
1136 competent jurisdiction to conduct a search for firearms or  
1137 ammunition owned by the respondent if the officer has probable  
1138 cause to believe that there are firearms or ammunition owned by  
1139 the respondent in the respondent's custody, control, or  
1140 possession which have not been surrendered.

1141 (c) At the time of surrender, a law enforcement officer  
1142 taking possession of any firearm or ammunition owned by the  
1143 respondent, or a license to carry a concealed weapon or firearm  
1144 issued under s. 790.06, held by the respondent shall issue a  
1145 receipt identifying all firearms and the quantity and type of  
1146 ammunition that have been surrendered, and any license  
1147 surrendered and shall provide a copy of the receipt to the  
1148 respondent. Within 72 hours after service of the order, the law  
1149 enforcement officer serving the order shall file the original  
1150 receipt with the court and shall ensure that his or her law  
1151 enforcement agency retains a copy of the receipt.

1152 (d) Notwithstanding ss. 933.02 and 933.18, upon the sworn  
1153 statement or testimony of any person alleging that the  
1154 respondent has failed to comply with the surrender of firearms  
1155 or ammunition owned by the respondent, as required by an order  
1156 issued under this section, the court shall determine whether  
1157 probable cause exists to believe that the respondent has failed  
1158 to surrender all firearms or ammunition owned by the respondent  
1159 in the respondent's custody, control, or possession. If the  
1160 court finds that probable cause exists, the court must issue a



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1161 warrant describing the firearms or ammunition owned by the  
1162 respondent and authorizing a search of the locations where the  
1163 firearms or ammunition owned by the respondent are reasonably  
1164 believed to be found and the seizure of any firearms or  
1165 ammunition owned by the respondent discovered pursuant to such  
1166 search.

1167 (e) If a person other than the respondent claims title to  
1168 any firearms or ammunition surrendered pursuant to this section  
1169 and he or she is determined by the law enforcement agency to be  
1170 the lawful owner of the firearm or ammunition, the firearm or  
1171 ammunition shall be returned to him or her, if:

1172 1. The lawful owner agrees to store the firearm or  
1173 ammunition in a manner such that the respondent does not have  
1174 access to or control of the firearm or ammunition.

1175 2. The firearm or ammunition is not otherwise unlawfully  
1176 possessed by the owner.

1177 (f) Upon the issuance of a risk protection order, the court  
1178 shall order a new hearing date and require the respondent to  
1179 appear no later than 3 business days after the issuance of the  
1180 order. The court shall require proof that the respondent has  
1181 surrendered any firearms or ammunition owned by the respondent  
1182 in the respondent's custody, control, or possession. The court  
1183 may cancel the hearing upon a satisfactory showing that the  
1184 respondent is in compliance with the order.

1185 (g) All law enforcement agencies must develop policies and  
1186 procedures regarding the acceptance, storage, and return of  
1187 firearms, ammunition, or licenses required to be surrendered  
1188 under this section.

1189 (8) RETURN AND DISPOSAL OF FIREARMS AND AMMUNITION.-

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1190       (a) If a risk protection order is vacated or ends without  
1191 extension, a law enforcement agency holding a firearm or any  
1192 ammunition owned by the respondent or a license to carry a  
1193 concealed weapon or firearm issued under s. 790.06, held by the  
1194 respondent, that has been surrendered or seized pursuant to this  
1195 section must return such surrendered firearm, ammunition, or  
1196 license to carry a concealed weapon or firearm issued under s.  
1197 790.06, as requested by a respondent only after confirming  
1198 through a background check that the respondent is currently  
1199 eligible to own or possess firearms and ammunition under federal  
1200 and state law and after confirming with the court that the risk  
1201 protection order has been vacated or has ended without  
1202 extension.

1203       (b) If a risk protection order is vacated or ends without  
1204 extension, the Department of Agriculture and Consumer Services,  
1205 if it has suspended a license to carry a concealed weapon or  
1206 firearm pursuant to this section, must reinstate such license  
1207 only after confirming that the respondent is currently eligible  
1208 to have a license to carry a concealed weapon or firearm  
1209 pursuant to s. 790.06.

1210       (c) A law enforcement agency must provide notice to any  
1211 family or household members of the respondent before the return  
1212 of any surrendered firearm and ammunition owned by the  
1213 respondent.

1214       (d) Any firearm and ammunition surrendered by a respondent  
1215 pursuant to subsection (7) which remains unclaimed for 1 year by  
1216 the lawful owner after an order to vacate the risk protection  
1217 order shall be disposed of in accordance with the law  
1218 enforcement agency's policies and procedures for the disposal of

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1219 firearms in police custody.

1220 (9) TRANSFER OF FIREARMS AND AMMUNITION.—A respondent may  
1221 elect to transfer all firearms and ammunition owned by the  
1222 respondent that have been surrendered to or seized by a local  
1223 law enforcement agency pursuant to subsection (7) to another  
1224 person who is willing to receive the respondent's firearms and  
1225 ammunition. The law enforcement agency must allow such a  
1226 transfer only if it is determined that the chosen recipient:

1227 (a) Currently is eligible to own or possess a firearm and  
1228 ammunition under federal and state law after confirmation  
1229 through a background check;

1230 (b) Attests to storing the firearms and ammunition in a  
1231 manner such that the respondent does not have access to or  
1232 control of the firearms and ammunition until the risk protection  
1233 order against the respondent is vacated or ends without  
1234 extension; and

1235 (c) Attests not to transfer the firearms or ammunition back  
1236 to the respondent until the risk protection order against the  
1237 respondent is vacated or ends without extension.

1238 (10) REPORTING OF ORDERS.—

1239 (a) Within 24 hours after issuance, the clerk of the court  
1240 shall enter any risk protection order or temporary ex parte risk  
1241 protection order issued under this section into the uniform case  
1242 reporting system.

1243 (b) Within 24 hours after issuance, the clerk of the court  
1244 shall forward a copy of an order issued under this section to  
1245 the appropriate law enforcement agency specified in the order.  
1246 Upon receipt of the copy of the order, the law enforcement  
1247 agency shall enter the order into the Florida Crime Information

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1248 Center and National Crime Information Center. The order must  
1249 remain in each system for the period stated in the order, and  
1250 the law enforcement agency may only remove an order from the  
1251 systems which has ended or been vacated. Entry of the order into  
1252 the Florida Crime Information Center and National Crime  
1253 Information Center constitutes notice to all law enforcement  
1254 agencies of the existence of the order. The order is fully  
1255 enforceable in any county in this state.

1256 (c) The issuing court shall, within 3 business days after  
1257 issuance of a risk protection order or temporary ex parte risk  
1258 protection order, forward all available identifying information  
1259 concerning the respondent, along with the date of order  
1260 issuance, to the Department of Agriculture and Consumer  
1261 Services. Upon receipt of the information, the department shall  
1262 determine if the respondent has a license to carry a concealed  
1263 weapon or firearm. If the respondent does have a license to  
1264 carry a concealed weapon or firearm, the department must  
1265 immediately suspend the license.

1266 (d) If a risk protection order is vacated before its end  
1267 date, the clerk of the court shall, on the day of the order to  
1268 vacate, forward a copy of the order to the Department of  
1269 Agriculture and Consumer Services and the appropriate law  
1270 enforcement agency specified in the order to vacate. Upon  
1271 receipt of the order, the law enforcement agency shall promptly  
1272 remove the order from any computer-based system in which it was  
1273 entered pursuant to paragraph (b).

1274 (11) PENALTIES.—

1275 (a) A person who makes a false statement, which he or she  
1276 does not believe to be true, under oath in a hearing under this

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1277 section in regard to any material matter commits a felony of the  
1278 third degree, punishable as provided in s. 775.082, s. 775.083,  
1279 or s. 775.084.

1280 (b) A person who has in his or her custody or control a  
1281 firearm or any ammunition or who purchases, possesses, or  
1282 receives a firearm or any ammunition with knowledge that he or  
1283 she is prohibited from doing so by an order issued under this  
1284 section commits a felony of the third degree, punishable as  
1285 provided in s. 775.082, s. 775.083, or s. 775.084.

1286 (12) LAW ENFORCEMENT RETAINS OTHER AUTHORITY.—This section  
1287 does not affect the ability of a law enforcement officer to  
1288 remove a firearm or ammunition or license to carry a concealed  
1289 weapon or concealed firearm from any person or to conduct any  
1290 search and seizure for firearms or ammunition pursuant to other  
1291 lawful authority.

1292 (13) LIABILITY.—Except as provided in subsection (8) or  
1293 subsection (11), this section does not impose criminal or civil  
1294 liability on any person or entity for acts or omissions related  
1295 to obtaining a risk protection order or temporary ex parte risk  
1296 protection order, including, but not limited to, providing  
1297 notice to the petitioner, a family or household member of the  
1298 respondent, and any known third party who may be at risk of  
1299 violence or failure to provide such notice, or reporting,  
1300 declining to report, investigating, declining to investigate,  
1301 filing, or declining to file, a petition under this section.

1302 (14) INSTRUCTIONAL AND INFORMATIONAL MATERIAL.—

1303 (a) The Office of the State Courts Administrator shall  
1304 develop and prepare instructions and informational brochures,  
1305 standard petitions and risk protection order forms, and a court

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1306 staff handbook on the risk protection order process. The  
1307 standard petition and order forms must be used after January 1,  
1308 2019, for all petitions filed and orders issued pursuant to this  
1309 section. The office shall determine the significant non-English-  
1310 speaking or limited English-speaking populations in the state  
1311 and prepare the instructions and informational brochures and  
1312 standard petitions and risk protection order forms in such  
1313 languages. The instructions, brochures, forms, and handbook must  
1314 be prepared in consultation with interested persons, including  
1315 representatives of gun violence prevention groups, judges, and  
1316 law enforcement personnel. Materials must be based on best  
1317 practices and must be available online to the public.

1318 1. The instructions must be designed to assist petitioners  
1319 in completing the petition and must include a sample of a  
1320 standard petition and order for protection forms.

1321 2. The instructions and standard petition must include a  
1322 means for the petitioner to identify, with only layman's  
1323 knowledge, the firearms or ammunition the respondent may own,  
1324 possess, receive, or have in his or her custody or control. The  
1325 instructions must provide pictures of types of firearms and  
1326 ammunition that the petitioner may choose from to identify the  
1327 relevant firearms or ammunition, or must provide an equivalent  
1328 means to allow petitioners to identify firearms or ammunition  
1329 without requiring specific or technical knowledge regarding the  
1330 firearms or ammunition.

1331 3. The informational brochure must describe the use of and  
1332 the process for obtaining, extending, and vacating a risk  
1333 protection order under this section and must provide relevant  
1334 forms.

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1335       4. The risk protection order form must include, in a  
1336 conspicuous location, notice of criminal penalties resulting  
1337 from violation of the order and the following statement: "You  
1338 have the sole responsibility to avoid or refrain from violating  
1339 this order's provisions. Only the court can change the order and  
1340 only upon written request."

1341       5. The court staff handbook must allow for the addition of  
1342 a community resource list by the clerk of the court.

1343       (b) Any clerk of court may create a community resource list  
1344 of crisis intervention, mental health, substance abuse,  
1345 interpreter, counseling, and other relevant resources serving  
1346 the county in which the court is located. The court may make the  
1347 community resource list available as part of or in addition to  
1348 the informational brochures described in paragraph (a).

1349       (c) The Office of the State Courts Administrator shall  
1350 distribute a master copy of the petition and order forms,  
1351 instructions, and informational brochures to the clerks of  
1352 court. Distribution of all documents shall, at a minimum, be in  
1353 an electronic format or formats accessible to all courts and  
1354 clerks of court in the state.

1355       (d) Within 90 days after receipt of the master copy from  
1356 the Office of the State Courts Administrator, the clerk of the  
1357 court shall make available the standardized forms, instructions,  
1358 and informational brochures required by this subsection.

1359       (e) The Office of the State Courts Administrator shall  
1360 update the instructions, brochures, standard petition and risk  
1361 protection order forms, and court staff handbook as necessary,  
1362 including when changes in the law make an update necessary.

1363       Section 17. Section 836.10, Florida Statutes, is amended to

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1364 read:

1365 836.10 Written threats to kill, ~~or~~ do bodily injury, or  
1366 conduct a mass shooting or an act of terrorism; punishment.—Any  
1367 person who writes or composes and also sends or procures the  
1368 sending of any letter, inscribed communication, or electronic  
1369 communication, whether such letter or communication be signed or  
1370 anonymous, to any person, containing a threat to kill or to do  
1371 bodily injury to the person to whom such letter or communication  
1372 is sent, or a threat to kill or do bodily injury to any member  
1373 of the family of the person to whom such letter or communication  
1374 is sent, or any person who makes, posts, or transmits a threat  
1375 in a writing or other record, including an electronic record, to  
1376 conduct a mass shooting or an act of terrorism, in any manner  
1377 that would allow another person to view the threat, commits a  
1378 felony of the second degree, punishable as provided in s.  
1379 775.082, s. 775.083, or s. 775.084.

1380 Section 18. Paragraph (f) of subsection (3) of section  
1381 921.0022, Florida Statutes, is amended to read:

1382 921.0022 Criminal Punishment Code; offense severity ranking  
1383 chart.—

1384 (3) OFFENSE SEVERITY RANKING CHART

1385 (f) LEVEL 6

1386

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.

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1388	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
1389	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
1390	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
1391	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
1392	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
1393	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
1394	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without

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1395			intent to kill.
1395	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
1396			
1396	784.041	3rd	Felony battery; domestic battery by strangulation.
1397			
1397	784.048 (3)	3rd	Aggravated stalking; credible threat.
1398			
1398	784.048 (5)	3rd	Aggravated stalking of person under 16.
1399			
1399	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
1400			
1400	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
1401			
1401	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
1402			
1402	784.081 (2)	2nd	Aggravated assault on specified official or

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1403			employee.
1403	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
1404	784.083 (2)	2nd	Aggravated assault on code inspector.
1405	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
1406	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
1407	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
1408	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use

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1409			of firearms in violent manner.
1409	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
1410			
1410	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
1411			
1411	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
1412			
1412	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
1413			
1413	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
1414			
1414	806.031 (2)	2nd	Arson resulting in great bodily harm to

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1415			firefighter or any other person.
1416	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
1417	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
1418	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
1419	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
1420	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
1421	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.

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1422	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
1423	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
1424	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
1425	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
1426	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
1427	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.

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1428	827.03 (2) (c)	3rd	Abuse of a child.
1429	827.03 (2) (d)	3rd	Neglect of a child.
1430	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1431	836.05	2nd	Threats; extortion.
1432	836.10	2nd	Written threats to kill, <del>or</del> <u>do bodily injury, or conduct a mass shooting or an act of terrorism.</u>
1433	843.12	3rd	Aids or assists person to escape.
1434	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
1435	847.012	3rd	Knowingly using a minor in the production of

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1436			materials harmful to minors.
1436	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
1437	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
1438	944.35 (3) (a) 2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
1439	944.40	2nd	Escapes.
1440	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
1441			



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1442 944.47(1)(a)5. 2nd Introduction of  
contraband (firearm,  
weapon, or explosive)  
into correctional  
facility.

1443 951.22(1) 3rd Intoxicating drug,  
1444 firearm, or weapon  
1445 introduced into county  
1446 facility.

1447 Section 19. Section 943.082, Florida Statutes, is created  
1448 to read:

1449 943.082 School Safety Awareness Program.—

1450 (1) In collaboration with the Department of Legal Affairs,  
1451 the department shall competitively procure a mobile suspicious  
1452 activity reporting tool that allows students and the community  
1453 to relay information anonymously concerning unsafe, potentially  
1454 harmful, dangerous, violent, or criminal activities, or the  
1455 threat of these activities, to appropriate public safety  
1456 agencies and school officials. As recommended by students of  
1457 Marjory Stoneman Douglas High School, the program shall be named  
1458 “FortifyFL.” At a minimum, the department must receive reports  
1459 electronically through the mobile suspicious activity reporting  
1460 tool that is available on both Android and Apple devices.

1461 (2) The reporting tool must notify the reporting party of  
the following information:

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1462       (a) That the reporting party may provide his or her report  
1463 anonymously.

1464       (b) That if the reporting party chooses to disclose his or  
1465 her identity, that information shall be shared with the  
1466 appropriate law enforcement agency and school officials;  
1467 however, the law enforcement agency and school officials shall  
1468 be required to maintain the information as confidential.

1469       (3) Information reported using the tool must be promptly  
1470 forwarded to the appropriate law enforcement agency or school  
1471 official.

1472       (4) Law enforcement dispatch centers, school districts,  
1473 schools, and other entities identified by the department shall  
1474 be made aware of the mobile suspicious activity reporting tool.

1475       (5) The department, in collaboration with the Division of  
1476 Victims Services within the Office of the Attorney General and  
1477 the Office of Safe Schools within the Department of Education,  
1478 shall develop and provide a comprehensive training and awareness  
1479 program on the use of the mobile suspicious activity reporting  
1480 tool.

1481       Section 20. Section 943.687, Florida Statutes, is created  
1482 to read:

1483       943.687 Marjory Stoneman Douglas High School Public Safety  
1484 Commission.—

1485       (1) There is created within the Department of Law  
1486 Enforcement the Marjory Stoneman Douglas High School Public  
1487 Safety Commission, a commission as defined in s. 20.03.

1488       (2) (a) The commission shall convene no later than June 1,  
1489 2018, and shall be composed of 16 members. Five members shall be  
1490 appointed by the President of the Senate, five members shall be

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1491 appointed by the Speaker of the House of Representatives, and  
1492 five members shall be appointed by the Governor. From the  
1493 members of the commission, the Governor shall appoint the chair.  
1494 Appointments must be made by April 30, 2018. The Commissioner of  
1495 the Department of Law Enforcement shall serve as a member of the  
1496 commission. The Secretary of Children and Families, the  
1497 Secretary of Juvenile Justice, the Secretary of Health Care  
1498 Administration, and the Commissioner of Education shall serve as  
1499 ex officio, nonvoting members of the commission. Members shall  
1500 serve at the pleasure of the officer who appointed the member. A  
1501 vacancy on the commission shall be filled in the same manner as  
1502 the original appointment.

1503 (b) The General Counsel of the Department of Law  
1504 Enforcement shall serve as the general counsel for the  
1505 commission.

1506 (c) The Department of Law Enforcement staff, as assigned by  
1507 the chair, shall assist the commission in performing its duties.

1508 (d) The commission shall meet as necessary to conduct its  
1509 work at the call of the chair and at the time designated by him  
1510 or her at locations throughout the state. The commission may  
1511 conduct its meetings through teleconferences or other similar  
1512 means.

1513 (e) Members of the commission are entitled to receive  
1514 reimbursement for per diem and travel expenses pursuant to s.  
1515 112.061.

1516 (3) The commission shall investigate system failures in the  
1517 Marjory Stoneman Douglas High School shooting and prior mass  
1518 violence incidents in this state and develop recommendations for  
1519 system improvements. At a minimum, the commission shall analyze

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1520 information and evidence from the Marjory Stoneman Douglas High  
1521 School shooting and other mass violence incidents in this state.

1522 At a minimum the commission shall:

1523 (a) Develop a timeline of the incident, incident response,  
1524 and all relevant events preceding the incident, with particular  
1525 attention to all perpetrator contacts with local, state and  
1526 national government agencies and entities and any contract  
1527 providers of such agencies and entities.

1528 (b) Investigate any failures in incident responses by local  
1529 law enforcement agencies and school resource officers.

1530 1. Identify existing policies and procedures for active  
1531 assailant incidents on school premises and evaluate the  
1532 compliance with such policies and procedures in the execution of  
1533 incident responses.

1534 2. Evaluate existing policies and procedures for active  
1535 assailant incidents on school premises in comparison with  
1536 national best practices.

1537 3. Evaluate the extent to which any failures in policy,  
1538 procedure, or execution contributed to an inability to prevent  
1539 deaths and injuries.

1540 4. Make specific recommendations for improving law  
1541 enforcement and school resource officer incident response in the  
1542 future.

1543 5. Make specific recommendations for determining the  
1544 appropriate ratio of school resource officers per school by  
1545 school type. At a minimum, the methodology for determining the  
1546 ratio should include the school location, student population,  
1547 and school design.

1548 (c) Investigate any failures in interactions with

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1549 perpetrators preceding mass violence incidents.

1550 1. Identify the history of interactions between  
1551 perpetrators and governmental entities such as schools, law  
1552 enforcement agencies, courts and social service agencies, and  
1553 identify any failures to adequately communicate or coordinate  
1554 regarding indicators of risk or possible threats.

1555 2. Evaluate the extent to which any such failures  
1556 contributed to an inability to prevent deaths and injuries.

1557 3. Make specific recommendations for improving  
1558 communication and coordination among entities with knowledge of  
1559 indicators of risk or possible threats of mass violence in the  
1560 future.

1561 4. Identify available state and local tools and resources  
1562 for enhancing communication and coordination regarding  
1563 indicators of risk or possible threats, including, but not  
1564 limited to, the Department of Law Enforcement Fusion Center or  
1565 Judicial Inquiry System, and make specific recommendations for  
1566 using such tools and resources more effectively in the future.

1567 (4) The commission has the power to investigate. The  
1568 commission may delegate to its investigators the authority to  
1569 administer oaths and affirmations.

1570 (5) The Commissioner of the Department of Law Enforcement  
1571 shall use his or her subpoena power to compel the attendance of  
1572 witnesses to testify before the commission. The Commissioner of  
1573 the Department of Law Enforcement shall use his or her subpoena  
1574 power to compel the production of any books, papers, records,  
1575 documentary evidence, and other items, including confidential  
1576 information, relevant to the performance of the duties of the  
1577 commission or to the exercise of its powers. The chair or any

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1578 other member of the commission may administer all oaths and  
1579 affirmations in the manner prescribed by law to witnesses who  
1580 appear before the commission for the purpose of testifying in  
1581 any matter of which the commission desires evidence. In the case  
1582 of a refusal to obey a subpoena, the commission may make  
1583 application to any circuit court of this state having  
1584 jurisdiction to order the witness to appear before the  
1585 commission and to produce evidence, if so ordered, or to give  
1586 testimony relevant to the matter in question. Failure to obey  
1587 the order may be punished by the court as contempt.

1588 (6) The commission may call upon appropriate agencies of  
1589 state government for such professional assistance as may be  
1590 needed in the discharge of its duties, and such agencies shall  
1591 provide such assistance in a timely manner.

1592 (7) Notwithstanding any other law, the commission may  
1593 request and shall be provided with access to any information or  
1594 records, including exempt or confidential and exempt information  
1595 or records, which pertain to the Marjory Stoneman Douglas High  
1596 School shooting and prior mass violence incidents in Florida  
1597 being reviewed by the commission and which are necessary for the  
1598 commission to carry out its duties. Information or records  
1599 obtained by the commission which are otherwise exempt or  
1600 confidential and exempt shall retain such exempt or confidential  
1601 and exempt status and the commission may not disclose any such  
1602 information or records.

1603 (8) The commission shall submit an initial report on its  
1604 findings and recommendations to the Governor, President of the  
1605 Senate, and Speaker of the House of Representatives by January  
1606 1, 2019, and may issue reports annually thereafter. The

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1607 commission shall sunset July 1, 2023, and this section is  
1608 repealed on that date.

1609 Section 21. Section 1001.212, Florida Statutes, is created  
1610 to read:

1611 1001.212 Office of Safe Schools.—There is created in the  
1612 Department of Education the Office of Safe Schools. The office  
1613 is fully accountable to the Commissioner of Education. The  
1614 office shall serve as a central repository for best practices,  
1615 training standards, and compliance oversight in all matters  
1616 regarding school safety and security, including prevention  
1617 efforts, intervention efforts, and emergency preparedness  
1618 planning. The office shall:

1619 (1) Establish and update as necessary a school security  
1620 risk assessment tool for use by school districts pursuant to s.  
1621 1006.07(6). The office shall make the security risk assessment  
1622 tool available for use by charter schools.

1623 (2) Provide ongoing professional development opportunities  
1624 to school district personnel.

1625 (3) Provide a coordinated and interdisciplinary approach to  
1626 providing technical assistance and guidance to school districts  
1627 on safety and security and recommendations to address findings  
1628 identified pursuant to s. 1006.07(6).

1629 (4) Develop and implement a School Safety Specialist  
1630 Training Program for school safety specialists appointed  
1631 pursuant to s. 1006.07(6). The office shall develop the training  
1632 program which shall be based on national and state best  
1633 practices on school safety and security and must include active  
1634 shooter training. The office shall develop training modules in  
1635 traditional or online formats. A school safety specialist

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1636 certificate of completion shall be awarded to a school safety  
1637 specialist who satisfactorily completes the training required by  
1638 rules of the office.

1639 (5) Review and provide recommendations on the security risk  
1640 assessments. The department may contract with security  
1641 personnel, consulting engineers, architects, or other safety and  
1642 security experts the department deems necessary for safety and  
1643 security consultant services.

1644 (6) Coordinate with the Department of Law Enforcement to  
1645 provide a centralized integrated data repository and data  
1646 analytics resources to improve access to timely, complete and  
1647 accurate information integrating data from, at a minimum, but  
1648 not limited to, the following data sources by December 1, 2018:

1649 (a) Social Media;

1650 (b) Department of Children and Families;

1651 (c) Department of Law Enforcement;

1652 (d) Department of Juvenile Justice; and

1653 (e) Local law enforcement.

1654 (7) Data that is exempt or confidential and exempt from  
1655 public records requirements retains its exempt or confidential  
1656 and exempt status when incorporated into the centralized  
1657 integrated data repository.

1658 (8) To maintain the confidentiality requirements attached  
1659 to the information provided to the centralized integrated data  
1660 repository by the various state and local agencies, data  
1661 governance and security shall ensure compliance with all  
1662 applicable state and federal data privacy requirements through  
1663 the use of user authorization and role based security, data  
1664 anonymization and aggregation and auditing capabilities.



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1665       (9) To maintain the confidentiality requirements attached  
1666 to the information provided to the centralized integrated data  
1667 repository by the various state and local agencies, each source  
1668 agency providing data for the repository shall be the sole  
1669 custodian of the data for the purpose of any request for  
1670 inspection or copies thereof under ch. 119. The department shall  
1671 only allow access to data from the source agencies in accordance  
1672 with rules adopted by the respective source agencies.

1673       (10) Award grants to schools to improve the safety and  
1674 security of school buildings based upon recommendations of the  
1675 security risk assessment developed pursuant to subsection (1).

1676       (11) Disseminate, in consultation with the Department of  
1677 Law Enforcement, to participating schools awareness and  
1678 education materials on the School Safety Awareness Program  
1679 developed pursuant to s. 943.082.

1680       Section 22. Paragraph (a) of subsection (10) of section  
1681 1002.32, Florida Statutes, is amended to read:

1682       1002.32 Developmental research (laboratory) schools.—

1683       (10) EXCEPTIONS TO LAW.—To encourage innovative practices  
1684 and facilitate the mission of the lab schools, in addition to  
1685 the exceptions to law specified in s. 1001.23(2), the following  
1686 exceptions shall be permitted for lab schools:

1687       (a) The methods and requirements of the following statutes  
1688 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;  
1689 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;  
1690 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;  
1691 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;  
1692 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;  
1693 1001.49; 1001.50; 1001.51; 1006.12(2) ~~1006.12(1)~~; 1006.21(3),

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1694 (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;  
1695 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;  
1696 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3),  
1697 (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;  
1698 1011.72; 1011.73; and 1011.74.

1699 Section 23. Subsection (1) of section 1006.04, Florida  
1700 Statutes, is amended to read:

1701 1006.04 Educational multiagency services for students with  
1702 severe emotional disturbance.—

1703 (1) (a) The multiagency network for students with emotional  
1704 and behavioral disabilities works with education, mental health,  
1705 child welfare, and juvenile justice professionals, along with  
1706 other agencies and families, to provide children with mental  
1707 illness or emotional and behavioral problems and their families  
1708 with access to the services and supports they need to succeed ~~An~~  
1709 ~~intensive, integrated educational program; a continuum of mental~~  
1710 ~~health treatment services; and, when needed, residential~~  
1711 ~~services are necessary to enable students with severe emotional~~  
1712 ~~disturbance to develop appropriate behaviors and demonstrate~~  
1713 ~~academic and career education skills. The small incidence of~~  
1714 ~~severe emotional disturbance in the total school population~~  
1715 ~~requires multiagency programs to provide access to appropriate~~  
1716 ~~services for all students with severe emotional disturbance.~~  
1717 District school boards should provide educational programs, and  
1718 state departments and agencies administering children's mental  
1719 health funds should provide mental health treatment and  
1720 residential services when needed, as part of the forming a  
1721 multiagency network to provide support for students with severe  
1722 emotional disturbance.

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1723 (b) The purpose of the multiagency network is to: ~~The~~  
1724 ~~program goals for each component of the multiagency network are~~  
1725 ~~to~~

1726 1. Enable students with severe emotional disturbance to  
1727 learn appropriate behaviors, reduce dependency, and fully  
1728 participate in all aspects of school and community living. ~~;~~ ~~to~~

1729 2. Develop individual programs for students with severe  
1730 emotional disturbance, including necessary educational,  
1731 residential, and mental health treatment services. ~~;~~ ~~to~~

1732 3. Provide programs and services as close as possible to  
1733 the student's home in the least restrictive manner consistent  
1734 with the student's needs. ~~;~~ ~~and~~ ~~to~~

1735 4. Integrate a wide range of services necessary to support  
1736 students with severe emotional disturbance and their families.

1737 (c) The multiagency network shall:

1738 1. Support and represent the needs of students in each  
1739 school district in joint planning with fiscal agents of  
1740 children's mental health funds, including the expansion of  
1741 school-based mental health services, transition services, and  
1742 integrated education and treatment programs.

1743 2. Improve coordination of services for children with or at  
1744 risk of emotional or behavioral disabilities and their families  
1745 by assisting multi-agency collaborative initiatives to identify  
1746 critical issues and barriers of mutual concern and develop local  
1747 response systems that increase home and school connections and  
1748 family engagement.

1749 3. Increase parent and youth involvement and development  
1750 with local systems of care.

1751 4. Facilitate student and family access to effective

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1752 services and programs for students with and at risk of emotional  
1753 or behavioral disabilities that include necessary educational,  
1754 residential, and mental health treatment services, enabling  
1755 these students to learn appropriate behaviors, reduce  
1756 dependency, and fully participate in all aspects of school and  
1757 community living.

1758 Section 24. Paragraph (b) of subsection (1), paragraphs (k)  
1759 through (m) of subsection (2), and subsections (3), (4), and (6)  
1760 of section 1006.07, Florida Statutes, are amended, and  
1761 subsections (7) and (8) are added to that section to read:

1762 1006.07 District school board duties relating to student  
1763 discipline and school safety.—The district school board shall  
1764 provide for the proper accounting for all students, for the  
1765 attendance and control of students at school, and for proper  
1766 attention to health, safety, and other matters relating to the  
1767 welfare of students, including:

1768 (1) CONTROL OF STUDENTS.—

1769 (b) Require each student at the time of initial  
1770 registration for school in the school district to note previous  
1771 school expulsions, arrests resulting in a charge, ~~and~~ juvenile  
1772 justice actions, and referrals to mental health services the  
1773 student has had, and have the authority as the district school  
1774 board of a receiving school district to honor the final order of  
1775 expulsion or dismissal of a student by any in-state or out-of-  
1776 state public district school board or private school, or lab  
1777 school, for an act which would have been grounds for expulsion  
1778 according to the receiving district school board's code of  
1779 student conduct, in accordance with the following procedures:

1780 1. A final order of expulsion shall be recorded in the

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1781 records of the receiving school district.

1782 2. The expelled student applying for admission to the  
1783 receiving school district shall be advised of the final order of  
1784 expulsion.

1785 3. The district school superintendent of the receiving  
1786 school district may recommend to the district school board that  
1787 the final order of expulsion be waived and the student be  
1788 admitted to the school district, or that the final order of  
1789 expulsion be honored and the student not be admitted to the  
1790 school district. If the student is admitted by the district  
1791 school board, with or without the recommendation of the district  
1792 school superintendent, the student may be placed in an  
1793 appropriate educational program and referred to mental health  
1794 services identified by the school district pursuant to s.  
1795 1012.584(4), when appropriate, at the direction of the district  
1796 school board.

1797 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
1798 conduct for elementary schools and a code of student conduct for  
1799 middle and high schools and distribute the appropriate code to  
1800 all teachers, school personnel, students, and parents, at the  
1801 beginning of every school year. Each code shall be organized and  
1802 written in language that is understandable to students and  
1803 parents and shall be discussed at the beginning of every school  
1804 year in student classes, school advisory council meetings, and  
1805 parent and teacher association or organization meetings. Each  
1806 code shall be based on the rules governing student conduct and  
1807 discipline adopted by the district school board and shall be  
1808 made available in the student handbook or similar publication.  
1809 Each code shall include, but is not limited to:

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1810 (k) Policies to be followed for the assignment of violent  
1811 or disruptive students to an alternative educational program or  
1812 referral of such students to mental health services identified  
1813 by the school district pursuant to s. 1012.584(4).

1814 (l) Notice that any student who is determined to have  
1815 brought a firearm or weapon, as defined in chapter 790, to  
1816 school, to any school function, or onto any school-sponsored  
1817 transportation, or to have possessed a firearm at school, will  
1818 be expelled, with or without continuing educational services,  
1819 from the student's regular school for a period of not less than  
1820 1 full year and referred to mental health services identified by  
1821 the school district pursuant to s. 1012.584(4) and the criminal  
1822 justice or juvenile justice system. District school boards may  
1823 assign the student to a disciplinary program or second chance  
1824 school for the purpose of continuing educational services during  
1825 the period of expulsion. District school superintendents may  
1826 consider the 1-year expulsion requirement on a case-by-case  
1827 basis and request the district school board to modify the  
1828 requirement by assigning the student to a disciplinary program  
1829 or second chance school if the request for modification is in  
1830 writing and it is determined to be in the best interest of the  
1831 student and the school system.

1832 (m) Notice that any student who is determined to have made  
1833 a threat or false report, as defined by ss. 790.162 and 790.163,  
1834 respectively, involving school or school personnel's property,  
1835 school transportation, or a school-sponsored activity will be  
1836 expelled, with or without continuing educational services, from  
1837 the student's regular school for a period of not less than 1  
1838 full year and referred for criminal prosecution and mental

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1839 health services identified by the school district pursuant to s.  
1840 1012.584(4) for evaluation or treatment, when appropriate.  
1841 District school boards may assign the student to a disciplinary  
1842 program or second chance school for the purpose of continuing  
1843 educational services during the period of expulsion. District  
1844 school superintendents may consider the 1-year expulsion  
1845 requirement on a case-by-case basis and request the district  
1846 school board to modify the requirement by assigning the student  
1847 to a disciplinary program or second chance school if it is  
1848 determined to be in the best interest of the student and the  
1849 school system.

1850 (3) STUDENT CRIME WATCH PROGRAM.—By resolution of the  
1851 district school board, implement a student crime watch program  
1852 to promote responsibility among students and improve school  
1853 safety. The student crime watch program shall allow students and  
1854 the community to anonymously relay information concerning unsafe  
1855 and potentially harmful, dangerous, violent, or criminal  
1856 activities, or the threat of these activities, to appropriate  
1857 public safety agencies and school officials ~~to assist in the~~  
1858 ~~control of criminal behavior within the schools.~~

1859 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

1860 (a) Formulate and prescribe policies and procedures, in  
1861 consultation with the appropriate public safety agencies, for  
1862 emergency drills and for actual emergencies, including, but not  
1863 limited to, fires, natural disasters, active shooter and hostage  
1864 situations, and bomb threats, for all students and faculty at  
1865 all the public schools of the district comprised of which  
1866 ~~comprise~~ grades K-12. Drills for active shooter and hostage  
1867 situations shall be conducted at least as often as other

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1868 emergency drills. District school board policies shall include  
1869 commonly used alarm system responses for specific types of  
1870 emergencies and verification by each school that drills have  
1871 been provided as required by law and fire protection codes. The  
1872 emergency response policy shall identify the individuals  
1873 responsible for contacting the primary emergency response agency  
1874 and the emergency response agency that is responsible for  
1875 notifying the school district for each type of emergency ~~must be~~  
1876 ~~listed in the district's emergency response policy.~~

1877 (b) Establish model emergency management and emergency  
1878 preparedness procedures, including emergency notification  
1879 procedures pursuant to paragraph (a), for the following life-  
1880 threatening emergencies:

1881 1. Weapon-use, and hostage, and active shooter situations.  
1882 The active shooter situation training for each school must  
1883 engage the participation of the district school safety  
1884 specialist, threat assessment team members, faculty, staff, and  
1885 students and must be conducted by the law enforcement agency or  
1886 agencies that are designated as first responders to the school's  
1887 campus.

1888 2. Hazardous materials or toxic chemical spills.

1889 3. Weather emergencies, including hurricanes, tornadoes,  
1890 and severe storms.

1891 4. Exposure as a result of a manmade emergency.

1892 (c) Establish a schedule to test the functionality and  
1893 coverage capacity of all emergency communication systems and  
1894 determine if adequate signal strength is available in all areas  
1895 of the school's campus.

1896 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district



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1897 school superintendent shall establish policies and procedures  
1898 for the prevention of violence on school grounds, including the  
1899 assessment of and intervention with individuals whose behavior  
1900 poses a threat to the safety of the school community.

1901 (a) Each district school superintendent shall designate a  
1902 school administrator as a school safety specialist for the  
1903 district. The school safety specialist must earn a certificate  
1904 of completion of the school safety specialist training provided  
1905 by the Office of Safe Schools within 1 year after appointment  
1906 and is responsible for the supervision and oversight for all  
1907 school safety and security personnel, policies, and procedures  
1908 in the school district. The school safety specialist shall:

1909 1. Review policies and procedures for compliance with state  
1910 law and rules.

1911 2. Provide the necessary training and resources to students  
1912 and school district staff in matters relating to youth mental  
1913 health awareness and assistance; emergency procedures, including  
1914 active shooter training; and school safety and security.

1915 3. Serve as the school district liaison with local public  
1916 safety agencies and national, state, and community agencies and  
1917 organizations in matters of school safety and security.

1918 4. Conduct a school security risk assessment in accordance  
1919 with s. 1006.1493 at each public school using the school  
1920 security risk assessment tool developed by the Office of Safe  
1921 Schools Use the Safety and Security Best Practices developed by  
1922 the Office of Program Policy Analysis and Government  
1923 Accountability to conduct a self-assessment of the school  
1924 districts' current safety and security practices. Based on the  
1925 assessment these self-assessment findings, the district's school

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1926 safety specialist ~~district school superintendent~~ shall provide  
1927 recommendations to the district school board which identify  
1928 strategies and activities that the district school board should  
1929 implement in order to improve school safety and security.  
1930 Annually, each district school board must receive such findings  
1931 and the school safety specialist's recommendations ~~the self-~~  
1932 ~~assessment results~~ at a publicly noticed district school board  
1933 meeting to provide the public an opportunity to hear the  
1934 district school board members discuss and take action on the  
1935 ~~report~~ findings and recommendations. Each school safety  
1936 specialist ~~district school superintendent~~ shall report such  
1937 findings ~~the self-assessment results~~ and school board action to  
1938 the Office of Safe Schools ~~commissioner~~ within 30 days after the  
1939 district school board meeting.

1940 (b) Each school safety specialist shall coordinate with the  
1941 appropriate public safety agencies, as defined in s. 365.171,  
1942 that are designated as first responders to a school's campus to  
1943 conduct a tour of such campus once every 3 years and provide  
1944 recommendations related to school safety. The recommendations by  
1945 the public safety agencies must be considered as part of the  
1946 recommendations by the school safety specialist pursuant to  
1947 paragraph (a).

1948 (7) THREAT ASSESSMENT TEAMS.—Each district school board  
1949 shall adopt policies for the establishment of threat assessment  
1950 teams at each school whose duties include the coordination of  
1951 resources and assessment and intervention with individuals whose  
1952 behavior may pose a threat to the safety of school staff or  
1953 students consistent with the model policies developed by the  
1954 Office of Safe Schools. Such policies shall include procedures

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1955 for referrals to mental health services identified by the school  
1956 district pursuant to s. 1012.584(4), when appropriate.

1957 (a) A threat assessment team shall include persons with  
1958 expertise in counseling, instruction, school administration, and  
1959 law enforcement. The threat assessment teams shall identify  
1960 members of the school community to whom threatening behavior  
1961 should be reported and provide guidance to students, faculty,  
1962 and staff regarding recognition of threatening or aberrant  
1963 behavior that may represent a threat to the community, school,  
1964 or self.

1965 (b) Upon a preliminary determination that a student poses a  
1966 threat of violence or physical harm to himself or herself or  
1967 others, a threat assessment team shall immediately report its  
1968 determination to the superintendent or his or her designee. The  
1969 superintendent or his or her designee shall immediately attempt  
1970 to notify the student's parent or legal guardian. Nothing in  
1971 this subsection shall preclude school district personnel from  
1972 acting immediately to address an imminent threat.

1973 (c) Upon a preliminary determination by the threat  
1974 assessment team that a student poses a threat of violence to  
1975 himself or herself or others or exhibits significantly  
1976 disruptive behavior or need for assistance, the threat  
1977 assessment team may obtain criminal history record information,  
1978 as provided in s. 985.047. A member of a threat assessment team  
1979 may not disclose any criminal history record information  
1980 obtained pursuant to this section or otherwise use any record of  
1981 an individual beyond the purpose for which such disclosure was  
1982 made to the threat assessment team.

1983 (d) Notwithstanding any other provision of law, all state

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1984 and local agencies and programs that provide services to  
1985 students experiencing or at risk of an emotional disturbance or  
1986 a mental illness, including the school districts, school  
1987 personnel, state and local law enforcement agencies, the  
1988 Department of Juvenile Justice, the Department of Children and  
1989 Families, the Department of Health, the Agency for Health Care  
1990 Administration, the Agency for Persons with Disabilities, the  
1991 Department of Education, the Statewide Guardian Ad Litem Office,  
1992 and any service or support provider contracting with such  
1993 agencies, may share with each other records or information that  
1994 are confidential or exempt from disclosure under chapter 119 if  
1995 the records or information are reasonably necessary to ensure  
1996 access to appropriate services for the student or to ensure the  
1997 safety of the student or others. All such state and local  
1998 agencies and programs shall communicate, collaborate, and  
1999 coordinate efforts to serve such students.

2000 (e) If an immediate mental health or substance abuse crisis  
2001 is suspected, school personnel shall follow policies established  
2002 by the threat assessment team to engage behavioral health crisis  
2003 resources. Behavioral health crisis resources, including, but  
2004 not limited to, mobile crisis teams and school resource officers  
2005 trained in crisis intervention, shall provide emergency  
2006 intervention and assessment, make recommendations, and refer the  
2007 student for appropriate services. Onsite school personnel shall  
2008 report all such situations and actions taken to the threat  
2009 assessment team, which shall contact the other agencies involved  
2010 with the student and any known service providers to share  
2011 information and coordinate any necessary followup actions.

2012 (f) Each threat assessment team established pursuant to

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2013 this subsection shall report quantitative data on its activities  
2014 to the Office of Safe Schools in accordance with guidance from  
2015 the office.

2016 (8) SAFETY IN CONSTRUCTION PLANNING.—A district school  
2017 board must allow the law enforcement agency or agencies that are  
2018 designated as first responders to the district's campus and  
2019 school's campuses to tour such campuses once every 3 years. Any  
2020 changes related to school safety and emergency issues  
2021 recommended by a law enforcement agency based on a campus tour  
2022 must be documented by the district school board.

2023 Section 25. Subsection (2) of section 1006.08, Florida  
2024 Statutes, is amended to read:

2025 1006.08 District school superintendent duties relating to  
2026 student discipline and school safety.—

2027 (2) Notwithstanding the provisions of s. 985.04(7) or any  
2028 other provision of law to the contrary, the court shall, within  
2029 48 hours of the finding, notify the appropriate district school  
2030 superintendent of the name and address of any student found to  
2031 have committed a delinquent act, or who has had adjudication of  
2032 a delinquent act withheld which, if committed by an adult, would  
2033 be a felony, ~~or~~ the name and address of any student found guilty  
2034 of a felony, or the name and address of any student the court  
2035 refers to mental health services. Notification shall include the  
2036 specific delinquent act found to have been committed or for  
2037 which adjudication was withheld, or the specific felony for  
2038 which the student was found guilty.

2039 Section 26. Section 1006.12, Florida Statutes, is amended  
2040 to read:

2041 1006.12 Safe-school ~~school resource~~ officers at each public

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2042 school and school safety officers. For the protection and safety  
2043 of school personnel, property, students, and visitors, each  
2044 district school board and school district superintendent shall  
2045 partner with law enforcement agencies to establish or assign one  
2046 or more safe-school officers at each school facility within the  
2047 district by implementing any combination of the following  
2048 options which best meets the needs of the school district:

2049 (1) ~~District school boards may~~ Establish school resource  
2050 officer programs, through a cooperative agreement with law  
2051 enforcement agencies ~~or in accordance with subsection (2).~~

2052 (a) School resource officers shall undergo criminal  
2053 background checks, drug testing, and a psychological evaluation  
2054 and be certified law enforcement officers, as defined in s.  
2055 943.10(1), who are employed by a law enforcement agency as  
2056 defined in s. 943.10(4). The powers and duties of a law  
2057 enforcement officer shall continue throughout the employee's  
2058 tenure as a school resource officer.

2059 (b) School resource officers shall abide by district school  
2060 board policies and shall consult with and coordinate activities  
2061 through the school principal, but shall be responsible to the  
2062 law enforcement agency in all matters relating to employment,  
2063 subject to agreements between a district school board and a law  
2064 enforcement agency. Activities conducted by the school resource  
2065 officer which are part of the regular instructional program of  
2066 the school shall be under the direction of the school principal.

2067 (c) Complete mental health crisis intervention training  
2068 using a curriculum developed by a national organization with  
2069 expertise in mental health crisis intervention. The training  
2070 shall improve officers' knowledge and skills as first responders

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2071 to incidents involving students with emotional disturbance or  
2072 mental illness, including de-escalation skills to ensure student  
2073 and officer safety.

2074 (2) Commission one or more school safety officers for the  
2075 protection and safety of school personnel, property, and  
2076 students within the school district. The district school  
2077 superintendent may recommend, and the district school board may  
2078 appoint, one or more school safety officers.

2079 ~~(2)~~(a) School safety officers shall undergo criminal  
2080 background checks, drug testing, and a psychological evaluation  
2081 and be law enforcement officers, as defined in s. 943.10(1),  
2082 certified under the provisions of chapter 943 and employed by  
2083 either a law enforcement agency or by the district school board.  
2084 If the officer is employed by the district school board, the  
2085 district school board is the employing agency for purposes of  
2086 chapter 943, and must comply with the provisions of that  
2087 chapter.

2088 ~~(b) A district school board may commission one or more~~  
2089 ~~school safety officers for the protection and safety of school~~  
2090 ~~personnel, property, and students within the school district.~~  
2091 ~~The district school superintendent may recommend and the~~  
2092 ~~district school board may appoint one or more school safety~~  
2093 ~~officers.~~

2094 (b)(e) A school safety officer has and shall exercise the  
2095 power to make arrests for violations of law on district school  
2096 board property and to arrest persons, whether on or off such  
2097 property, who violate any law on such property under the same  
2098 conditions that deputy sheriffs are authorized to make arrests.  
2099 A school safety officer has the authority to carry weapons when

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2100 performing his or her official duties.

2101 (c)~~(d)~~ A district school board may enter into mutual aid  
2102 agreements with one or more law enforcement agencies as provided  
2103 in chapter 23. A school safety officer's salary may be paid  
2104 jointly by the district school board and the law enforcement  
2105 agency, as mutually agreed to.

2106 (3) At the school district's discretion, participate in the  
2107 school marshal program if such program is established pursuant  
2108 to s. 30.15, to meet the requirement of establishing a safe-  
2109 school officer.

2110 Section 27. Subsection (1), paragraph (c) of subsection  
2111 (4), and subsection (8) of section 1006.13, Florida Statutes,  
2112 are amended, and paragraph (f) is added to subsection (2) of  
2113 that section, to read:

2114 1006.13 Policy of zero tolerance for crime and  
2115 victimization.—

2116 (1) District school boards shall ~~It is the intent of the~~  
2117 ~~Legislature to~~ promote a safe and supportive learning  
2118 environment in schools by protecting, ~~to protect~~ students and  
2119 staff from conduct that poses a serious threat to school safety.  
2120 A threat assessment team may, ~~and to encourage schools to use~~  
2121 alternatives to expulsion or referral to law enforcement  
2122 agencies to address ~~by addressing~~ disruptive behavior through  
2123 restitution, civil citation, teen court, neighborhood  
2124 restorative justice, or similar programs. Zero-tolerance ~~The~~  
2125 ~~Legislature finds that zero-tolerance policies~~ may are not  
2126 ~~intended to~~ be rigorously applied to petty acts of misconduct  
2127 and misdemeanors, including, but not limited to, minor fights or  
2128 disturbances. Zero-tolerance policies ~~The Legislature finds that~~



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2129 ~~zero-tolerance policies~~ must apply equally to all students  
2130 regardless of their economic status, race, or disability.

2131 (2) Each district school board shall adopt a policy of zero  
2132 tolerance that:

2133 (f) Requires the threat assessment team to consult with law  
2134 enforcement when a student exhibits a pattern of behavior, based  
2135 upon previous acts or the severity of an act, that would pose a  
2136 threat to school safety.

2137 (4)

2138 (c) Zero-tolerance policies do not require the reporting of  
2139 petty acts of misconduct and misdemeanors to a law enforcement  
2140 agency, including, but not limited to, disorderly conduct,  
2141 ~~disrupting a school function,~~ simple assault or battery, affray,  
2142 theft of less than \$300, trespassing, and vandalism of less than  
2143 \$1,000. However, if a student commits more than one misdemeanor,  
2144 the threat assessment team must consult with law enforcement to  
2145 determine if the act should be reported to law enforcement.

2146 (8) A threat assessment team may ~~School districts are~~  
2147 ~~encouraged to~~ use alternatives to expulsion or referral to law  
2148 enforcement agencies unless the use of such alternatives will  
2149 pose a threat to school safety.

2150 Section 28. Section 1006.1493, Florida Statutes, is created  
2151 to read:

2152 1006.1493 Florida Safe Schools Assessment Tool.-

2153 (1) The department through the Office of Safe Schools  
2154 pursuant s. 1001.212 shall contract with a security consulting  
2155 firm that specializes in the development of risk assessment  
2156 software solutions and has experience in conducting security  
2157 assessments of public facilities to develop, update, and

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2158 implement a risk assessment tool, which shall be known as the  
2159 Florida Safe Schools Assessment Tool (FSSAT). The FSSAT must be  
2160 used by school officials at each school district and public  
2161 school site in the state in conducting security assessments for  
2162 use by school officials at each school district and public  
2163 school site in the state.

2164 (2) The FSSAT must help school officials identify threats,  
2165 vulnerabilities, and appropriate safety controls for the schools  
2166 that they supervise, pursuant to the security risk assessment  
2167 requirements of s. 1006.07(6).

2168 (a) At a minimum, the FSSAT must address all of the  
2169 following components:

2170 1. School emergency and crisis preparedness planning;

2171 2. Security, crime, and violence prevention policies and  
2172 procedures;

2173 3. Physical security measures;

2174 4. Professional development training needs;

2175 5. An examination of support service roles in school  
2176 safety, security, and emergency planning;

2177 6. School security and school police staffing, operational  
2178 practices, and related services;

2179 7. School and community collaboration on school safety; and

2180 8. A return on investment analysis of the recommended  
2181 physical security controls.

2182 (b) The department shall require by contract that the  
2183 security consulting firm:

2184 1. Generate written automated reports on assessment  
2185 findings for review by the department and school and district  
2186 officials;

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2187 2. Provide training to the department and school officials  
2188 in the use of the FSSAT and other areas of importance identified  
2189 by the department; and

2190 3. Advise in the development and implementation of  
2191 templates, formats, guidance, and other resources necessary to  
2192 facilitate the implementation of this section at state,  
2193 district, school, and local levels.

2194 (3) By December 1, 2018, and annually by that date  
2195 thereafter, the department must report to the Governor, the  
2196 President of the Senate, and the Speaker of the House of  
2197 Representatives on the status of implementation across school  
2198 districts and schools. The report must include a summary of the  
2199 positive school safety measures in place at the time of the  
2200 assessment and any recommendations for policy changes or funding  
2201 needed to facilitate continued school safety planning,  
2202 improvement, and response at the state, district, or school  
2203 levels.

2204 (4) In accordance with ss. 119.071(3)(a) and 281.301, data  
2205 and information related to security risk assessments  
2206 administered pursuant to this section and s. 1006.07(6) and the  
2207 security information contained in the annual report required  
2208 pursuant to subsection (3) are confidential and exempt from  
2209 public records requirements.

2210 Section 29. Subsections (16) and (17) of section 1011.62,  
2211 Florida Statutes, are redesignated as subsections (17) and (18),  
2212 respectively, paragraph (a) of subsection (4), paragraph (b) of  
2213 subsection (6), subsection (14), and subsection (15) of that  
2214 section are amended, and a new subsection (16) is added to that  
2215 section, to read:

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2216 1011.62 Funds for operation of schools.—If the annual  
2217 allocation from the Florida Education Finance Program to each  
2218 district for operation of schools is not determined in the  
2219 annual appropriations act or the substantive bill implementing  
2220 the annual appropriations act, it shall be determined as  
2221 follows:

2222 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The  
2223 Legislature shall prescribe the aggregate required local effort  
2224 for all school districts collectively as an item in the General  
2225 Appropriations Act for each fiscal year. The amount that each  
2226 district shall provide annually toward the cost of the Florida  
2227 Education Finance Program for kindergarten through grade 12  
2228 programs shall be calculated as follows:

2229 (a) *Estimated taxable value calculations.*—

2230 1.a. Not later than 2 working days before July 19, the  
2231 Department of Revenue shall certify to the Commissioner of  
2232 Education its most recent estimate of the taxable value for  
2233 school purposes in each school district and the total for all  
2234 school districts in the state for the current calendar year  
2235 based on the latest available data obtained from the local  
2236 property appraisers. The value certified shall be the taxable  
2237 value for school purposes for that year, and no further  
2238 adjustments shall be made, except those made pursuant to  
2239 paragraphs (c) and (d), or an assessment roll change required by  
2240 final judicial decisions as specified in paragraph (17) (b)  
2241 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education  
2242 shall compute a millage rate, rounded to the next highest one  
2243 one-thousandth of a mill, which, when applied to 96 percent of  
2244 the estimated state total taxable value for school purposes,

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2245 would generate the prescribed aggregate required local effort  
2246 for that year for all districts. The Commissioner of Education  
2247 shall certify to each district school board the millage rate,  
2248 computed as prescribed in this subparagraph, as the minimum  
2249 millage rate necessary to provide the district required local  
2250 effort for that year.

2251       b. The General Appropriations Act shall direct the  
2252 computation of the statewide adjusted aggregate amount for  
2253 required local effort for all school districts collectively from  
2254 ad valorem taxes to ensure that no school district's revenue  
2255 from required local effort millage will produce more than 90  
2256 percent of the district's total Florida Education Finance  
2257 Program calculation as calculated and adopted by the  
2258 Legislature, and the adjustment of the required local effort  
2259 millage rate of each district that produces more than 90 percent  
2260 of its total Florida Education Finance Program entitlement to a  
2261 level that will produce only 90 percent of its total Florida  
2262 Education Finance Program entitlement in the July calculation.

2263       2. On the same date as the certification in sub-  
2264 subparagraph 1.a., the Department of Revenue shall certify to  
2265 the Commissioner of Education for each district:

2266       a. Each year for which the property appraiser has certified  
2267 the taxable value pursuant to s. 193.122(2) or (3), if  
2268 applicable, since the prior certification under sub-subparagraph  
2269 1.a.

2270       b. For each year identified in sub-subparagraph a., the  
2271 taxable value certified by the appraiser pursuant to s.  
2272 193.122(2) or (3), if applicable, since the prior certification  
2273 under sub-subparagraph 1.a. This is the certification that

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2274 reflects all final administrative actions of the value  
2275 adjustment board.

2276 (6) CATEGORICAL FUNDS.—

2277 (b) If a district school board finds and declares in a  
2278 resolution adopted at a regular meeting of the school board that  
2279 the funds received for any of the following categorical  
2280 appropriations are urgently needed to maintain school board  
2281 specified academic classroom instruction or improve school  
2282 safety, the school board may consider and approve an amendment  
2283 to the school district operating budget transferring the  
2284 identified amount of the categorical funds to the appropriate  
2285 account for expenditure:

2286 1. Funds for student transportation.

2287 ~~2. Funds for safe schools.~~

2288 ~~2.3.~~ Funds for supplemental academic instruction if the  
2289 required additional hour of instruction beyond the normal school  
2290 day for each day of the entire school year has been provided for  
2291 the students in each low-performing elementary school in the  
2292 district pursuant to paragraph (1)(f).

2293 ~~3.4.~~ Funds for research-based reading instruction if the  
2294 required additional hour of instruction beyond the normal school  
2295 day for each day of the entire school year has been provided for  
2296 the students in each low-performing elementary school in the  
2297 district pursuant to paragraph (9)(a).

2298 ~~4.5.~~ Funds for instructional materials if all instructional  
2299 material purchases necessary to provide updated materials that  
2300 are aligned with applicable state standards and course  
2301 descriptions and that meet statutory requirements of content and  
2302 learning have been completed for that fiscal year, but no sooner

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2303 than March 1. Funds available after March 1 may be used to  
2304 purchase hardware for student instruction.

2305 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may  
2306 annually in the General Appropriations Act determine a  
2307 percentage increase in funds per K-12 unweighted FTE as a  
2308 minimum guarantee to each school district. The guarantee shall  
2309 be calculated from prior year base funding per unweighted FTE  
2310 student which shall include the adjusted FTE dollars as provided  
2311 in subsection (17) ~~(16)~~, quality guarantee funds, and actual  
2312 nonvoted discretionary local effort from taxes. From the base  
2313 funding per unweighted FTE, the increase shall be calculated for  
2314 the current year. The current year funds from which the  
2315 guarantee shall be determined shall include the adjusted FTE  
2316 dollars as provided in subsection (17) ~~(16)~~ and potential  
2317 nonvoted discretionary local effort from taxes. A comparison of  
2318 current year funds per unweighted FTE to prior year funds per  
2319 unweighted FTE shall be computed. For those school districts  
2320 which have less than the legislatively assigned percentage  
2321 increase, funds shall be provided to guarantee the assigned  
2322 percentage increase in funds per unweighted FTE student. Should  
2323 appropriated funds be less than the sum of this calculated  
2324 amount for all districts, the commissioner shall prorate each  
2325 district's allocation. This provision shall be implemented to  
2326 the extent specifically funded.

2327 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is  
2328 created to provide funding to assist school districts in their  
2329 compliance with s. 1006.07 ~~ss. 1006.07-1006.148~~, with priority  
2330 given to implementing the district's ~~establishing a school~~  
2331 resource officer program pursuant to s. 1006.12. Each school

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2332 district shall receive a minimum safe schools allocation in an  
2333 amount provided in the General Appropriations Act. Of the  
2334 remaining balance of the safe schools allocation, two-thirds  
2335 shall be allocated to school districts based on the most recent  
2336 official Florida Crime Index provided by the Department of Law  
2337 Enforcement and one-third shall be allocated based on each  
2338 school district's proportionate share of the state's total  
2339 unweighted full-time equivalent student enrollment. Any  
2340 additional funds appropriated to this allocation in the 2018-  
2341 2019 fiscal year to the school resource officer program  
2342 established pursuant to s. 1006.12 shall be used exclusively for  
2343 employing or contracting for school resource officers, which  
2344 shall be in addition to the number of officers employed or  
2345 contracted for in the 2017-2018 fiscal year.

2346 (16) MENTAL HEALTH ASSISTANCE ALLOCATION.-The mental health  
2347 assistance allocation is created to provide funding to assist  
2348 school districts in establishing or expanding school-based  
2349 mental health care. These funds shall be allocated annually in  
2350 the General Appropriations Act or other law to each eligible  
2351 school district. Each school district shall receive a minimum of  
2352 \$100,000 with the remaining balance allocated based on each  
2353 school district's proportionate share of the state's total  
2354 unweighted full-time equivalent student enrollment. Eligible  
2355 charter schools are entitled to a proportionate share of  
2356 district funding. At least 90 percent of a district's allocation  
2357 must be expended on the elements specified in subparagraphs  
2358 (b)1. and 2. The allocated funds may not supplant funds that are  
2359 provided for this purpose from other operating funds and may not  
2360 be used to increase salaries or provide bonuses. School



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2361 districts are encouraged to maximize third party health  
2362 insurance benefits and Medicaid claiming for services, where  
2363 appropriate.

2364 (a) Before the distribution of the allocation:

2365 1. The school district must develop and submit a detailed  
2366 plan outlining the local program and planned expenditures to the  
2367 district school board for approval.

2368 2. A charter school must develop and submit a detailed plan  
2369 outlining the local program and planned expenditures to its  
2370 governing body for approval. After the plan is approved by the  
2371 governing body, it must be provided to the charter school's  
2372 sponsor.

2373 (b) The plans required under paragraph (a) must be focused  
2374 on delivering evidence-based mental health care treatment to  
2375 children and include the following elements:

2376 1. Provision of mental health assessment, diagnosis,  
2377 intervention, treatment, and recovery services to students with  
2378 one or more mental health or co-occurring substance abuse  
2379 diagnoses and students at high risk of such diagnoses.

2380 2. Coordination of such services with a student's primary  
2381 care provider and with other mental health providers involved in  
2382 the student's care.

2383 3. Direct employment of such service providers, or a  
2384 contract-based collaborative effort or partnership with one or  
2385 more local community mental health programs, agencies, or  
2386 providers.

2387 (c) School districts shall submit approved plans, including  
2388 approved plans of each charter school in the district, to the  
2389 commissioner by August 1 of each fiscal year.

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2390           (d) Beginning September 30, 2019, and annually by September  
2391 30 thereafter, each school district shall submit to the  
2392 Department of Education a report on its program outcomes and  
2393 expenditures for the previous fiscal year that, at a minimum,  
2394 must include the number of each of the following:

2395           1. Students who receive screenings or assessments.  
2396           2. Students who are referred for services or assistance.  
2397           3. Students who receive services or assistance.  
2398           4. Direct employment service providers employed by each  
2399 school district.

2400           5. Contract-based collaborative efforts or partnerships  
2401 with community mental health programs, agencies, or providers.

2402           Section 30. Section 1012.584, Florida Statutes, is created  
2403 to read:

2404           1012.584 Continuing education and inservice training for  
2405 youth mental health awareness and assistance.—

2406           (1) Beginning with the 2018-2019 school year, the  
2407 Department of Education shall establish an evidence-based youth  
2408 mental health awareness and assistance training program to help  
2409 school personnel identify and understand the signs of emotional  
2410 disturbance, mental illness, and substance use disorders and  
2411 provide such personnel with the skills to help a person who is  
2412 developing or experiencing an emotional disturbance, mental  
2413 health, or substance use problem.

2414           (2) The Department of Education shall select a national  
2415 authority on youth mental health awareness and assistance to  
2416 facilitate providing youth mental health awareness and  
2417 assistance training, using a trainer certification model, to all  
2418 school personnel in elementary, middle, and high schools. Each

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2419 school safety specialist shall earn, or designate one or more  
2420 individuals to earn, certification as a youth mental health  
2421 awareness and assistance trainer. The school safety specialist  
2422 shall ensure that all school personnel within his or her school  
2423 district receive youth mental health awareness and assistance  
2424 training.

2425 (3) The training program shall include, but is not limited  
2426 to:

2427 (a) An overview of mental illnesses and substance use  
2428 disorders and the need to reduce the stigma of mental illness.

2429 (b) Information on the potential risk factors and warning  
2430 signs of emotional disturbance, mental illness, or substance use  
2431 disorders, including, but not limited to, depression, anxiety,  
2432 psychosis, eating disorders, and self-injury, as well as common  
2433 treatments for those conditions and how to assess those risks.

2434 (c) Information on how to engage at-risk students with the  
2435 skills, resources, and knowledge required to assess the  
2436 situation, and how to identify and encourage the student to use  
2437 appropriate professional help and other support strategies,  
2438 including, but not limited to, peer, social, or self-help care.

2439 (4) Each school district shall notify all school personnel  
2440 who have received training pursuant to this section of mental  
2441 health services that are available in the school district, and  
2442 the individual to contact if a student needs services. The term  
2443 "mental health services" includes, but is not limited to,  
2444 community mental health services, health care providers, and  
2445 services provided under ss. 1006.04 and 1011.62(17).

2446 Section 31. Subsection (6) of section 1013.64, Florida  
2447 Statutes, is amended to read:

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2448           1013.64 Funds for comprehensive educational plant needs;  
2449 construction cost maximums for school district capital  
2450 projects.—Allocations from the Public Education Capital Outlay  
2451 and Debt Service Trust Fund to the various boards for capital  
2452 outlay projects shall be determined as follows:

2453           (6) (a) Each district school board must meet all educational  
2454 plant space needs of its elementary, middle, and high schools  
2455 before spending funds from the Public Education Capital Outlay  
2456 and Debt Service Trust Fund or the School District and Community  
2457 College District Capital Outlay and Debt Service Trust Fund for  
2458 any ancillary plant or any other new construction, renovation,  
2459 or remodeling of ancillary space. Expenditures to meet such  
2460 space needs may include expenditures for site acquisition; new  
2461 construction of educational plants; renovation, remodeling, and  
2462 maintenance and repair of existing educational plants, including  
2463 auxiliary facilities; and the directly related costs of such  
2464 services of school district personnel. It is not the intent of  
2465 the Legislature to preclude the use of capital outlay funding  
2466 for the labor costs necessary to accomplish the authorized uses  
2467 for the capital outlay funding. Day-labor contracts or any other  
2468 educational facilities contracting and construction techniques  
2469 pursuant to s. 1013.45 are authorized. Additionally, if a school  
2470 district has salaried maintenance staff whose duties consist  
2471 solely of performing the labor necessary to accomplish the  
2472 authorized uses for the capital outlay funding, such funding may  
2473 be used for those salaries; however, if a school district has  
2474 salaried staff whose duties consist partially of performing the  
2475 labor necessary to accomplish the authorized uses for the  
2476 capital outlay funding, the district shall prorate the portion

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2477 of salary of each such employee that is based on labor for  
2478 authorized capital outlay funding, and such funding may be used  
2479 to pay that portion.

2480 (b)1. A district school board may not use funds from the  
2481 following sources: Public Education Capital Outlay and Debt  
2482 Service Trust Fund; School District and Community College  
2483 District Capital Outlay and Debt Service Trust Fund; Classrooms  
2484 First Program funds provided in s. 1013.68; nonvoted 1.5-mill  
2485 levy of ad valorem property taxes provided in s. 1011.71(2);  
2486 Classrooms for Kids Program funds provided in s. 1013.735;  
2487 District Effort Recognition Program funds provided in s.  
2488 1013.736; or High Growth District Capital Outlay Assistance  
2489 Grant Program funds provided in s. 1013.738 for any new  
2490 construction of educational plant space with a total cost per  
2491 student station, including change orders, that equals more than:

- 2492 a. \$17,952 for an elementary school,
- 2493 b. \$19,386 for a middle school, or
- 2494 c. \$25,181 for a high school,

2495  
2496 (January 2006) as adjusted annually to reflect increases or  
2497 decreases in the Consumer Price Index.

2498 2. School districts shall maintain accurate documentation  
2499 related to the costs of all new construction of educational  
2500 plant space reported to the Department of Education pursuant to  
2501 paragraph (d). The Auditor General shall review the  
2502 documentation maintained by the school districts and verify  
2503 compliance with the limits under this paragraph during its  
2504 scheduled operational audits of the school district. The  
2505 department shall make the final determination on district

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2506 compliance based on the recommendation of the Auditor General.

2507       3. The Office of Economic and Demographic Research, in  
2508 consultation with the department, shall conduct a study of the  
2509 cost per student station amounts using the most recent available  
2510 information on construction costs. In this study, the costs per  
2511 student station should represent the costs of classroom  
2512 construction and administrative offices as well as the  
2513 supplemental costs of core facilities, including required media  
2514 centers, gymnasiums, music rooms, cafeterias and their  
2515 associated kitchens and food service areas, vocational areas,  
2516 and other defined specialty areas, including exceptional student  
2517 education areas. The study must take into account appropriate  
2518 cost-effectiveness factors in school construction and should  
2519 include input from industry experts. The Office of Economic and  
2520 Demographic Research must provide the results of the study and  
2521 recommendations on the cost per student station to the Governor,  
2522 the President of the Senate, and the Speaker of the House of  
2523 Representatives no later than January 31, 2017.

2524       4. The Office of Program Policy Analysis and Government  
2525 Accountability (OPPAGA) shall conduct a study of the State  
2526 Requirements for Education Facilities (SREF) to identify current  
2527 requirements that can be eliminated or modified in order to  
2528 decrease the cost of construction of educational facilities  
2529 while ensuring student safety. OPPAGA must provide the results  
2530 of the study, and an overall recommendation as to whether SREF  
2531 should be retained, to the Governor, the President of the  
2532 Senate, and the Speaker of the House of Representatives no later  
2533 than January 31, 2017.

2534       5. Effective July 1, 2017, in addition to the funding

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2535 sources listed in subparagraph 1., a district school board may  
2536 not use funds from any sources for new construction of  
2537 educational plant space with a total cost per student station,  
2538 including change orders, which equals more than the current  
2539 adjusted amounts provided in sub-subparagraphs 1.a.-c. which  
2540 shall subsequently be adjusted annually to reflect increases or  
2541 decreases in the Consumer Price Index. However, if a contract  
2542 has been executed for architectural and design services or for  
2543 construction management services before July 1, 2017, a district  
2544 school board may use funds from any source for the new  
2545 construction of educational plant space and such funds are  
2546 exempt from the total cost per student station requirements.

2547 6. A district school board must not use funds from the  
2548 Public Education Capital Outlay and Debt Service Trust Fund or  
2549 the School District and Community College District Capital  
2550 Outlay and Debt Service Trust Fund for any new construction of  
2551 an ancillary plant that exceeds 70 percent of the average cost  
2552 per square foot of new construction for all schools.

2553 (c) Except as otherwise provided, new construction for  
2554 which a contract has been executed for architectural and design  
2555 services or for construction management services by a district  
2556 school board on or after July 1, 2017, may not exceed the cost  
2557 per student station as provided in paragraph (b). A school  
2558 district that exceeds the cost per student station provided in  
2559 paragraph (b), as determined by the Auditor General, shall be  
2560 subject to sanctions. If the Auditor General determines that the  
2561 cost per student station overage is de minimus or due to  
2562 extraordinary circumstances outside the control of the district,  
2563 the sanctions shall not apply. The sanctions are as follows:

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2564           1. The school district shall be ineligible for allocations  
2565 from the Public Education Capital Outlay and Debt Service Trust  
2566 Fund for the next 3 years in which the school district would  
2567 have received allocations had the violation not occurred.

2568           2. The school district shall be subject to the supervision  
2569 of a district capital outlay oversight committee. The oversight  
2570 committee is authorized to approve all capital outlay  
2571 expenditures of the school district, including new construction,  
2572 renovations, and remodeling, for 3 fiscal years following the  
2573 violation.

2574           a. Each oversight committee shall be composed of the  
2575 following:

2576           (I) One appointee of the Commissioner of Education who has  
2577 significant financial management, school facilities  
2578 construction, or related experience.

2579           (II) One appointee of the office of the state attorney with  
2580 jurisdiction over the district.

2581           (III) One appointee of the Chief Financial Officer who is a  
2582 licensed certified public accountant.

2583           b. An appointee to the oversight committee may not be  
2584 employed by the school district; be a relative, as defined in s.  
2585 1002.33(24)(a)2., of any school district employee; or be an  
2586 elected official. Each appointee must sign an affidavit  
2587 attesting to these conditions and affirming that no conflict of  
2588 interest exists in his or her oversight role.

2589           (d) The department shall:

2590           1. Compute for each calendar year the statewide average  
2591 construction costs for facilities serving each instructional  
2592 level, for relocatable educational facilities, for



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2593 administrative facilities, and for other ancillary and auxiliary  
2594 facilities. The department shall compute the statewide average  
2595 costs per student station for each instructional level.

2596 2. Annually review the actual completed construction costs  
2597 of educational facilities in each school district. For any  
2598 school district in which the total actual cost per student  
2599 station, including change orders, exceeds the statewide limits  
2600 established in paragraph (b), the school district shall report  
2601 to the department the actual cost per student station and the  
2602 reason for the school district's inability to adhere to the  
2603 limits established in paragraph (b). The department shall  
2604 collect all such reports and shall provide these reports to the  
2605 Auditor General for verification purposes.

2606  
2607 Cost per student station includes contract costs, legal and  
2608 administrative costs, fees of architects and engineers,  
2609 furniture and equipment, and site improvement costs. Cost per  
2610 student station does not include the cost of purchasing or  
2611 leasing the site for the construction or the cost of related  
2612 offsite improvements. Cost per student station also does not  
2613 include the cost for securing entries, checkpoint construction,  
2614 lighting specifically designed for entry point security,  
2615 security cameras, automatic locks and locking devices,  
2616 electronic security systems, fencing designed to prevent  
2617 intruder entry into a building, bullet-proof glass, or other  
2618 capital construction items approved by the school safety  
2619 specialist to ensure building security for new educational,  
2620 auxiliary, or ancillary facilities; costs for these items must  
2621 be below 2 percent per student station.

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2622           Section 32. For the purpose of incorporating the amendment  
2623 made by this act to section 790.065, Florida Statutes, in a  
2624 reference thereto, subsection (2) of section 397.6760, Florida  
2625 Statutes, is reenacted to read:

2626           397.6760 Court records; confidentiality.—

2627           (2) This section does not preclude the clerk of the court  
2628 from submitting the information required by s. 790.065 to the  
2629 Department of Law Enforcement.

2630           Section 33. For the purpose of incorporating the amendment  
2631 made by this act to section 790.065, Florida Statutes, in a  
2632 reference thereto, paragraph (e) of subsection (3) of section  
2633 790.335, Florida Statutes, is reenacted to read:

2634           790.335 Prohibition of registration of firearms; electronic  
2635 records.—

2636           (3) EXCEPTIONS.—The provisions of this section shall not  
2637 apply to:

2638           (e)1. Records kept pursuant to the recordkeeping provisions  
2639 of s. 790.065; however, nothing in this section shall be  
2640 construed to authorize the public release or inspection of  
2641 records that are made confidential and exempt from the  
2642 provisions of s. 119.07(1) by s. 790.065(4) (a).

2643           2. Nothing in this paragraph shall be construed to allow  
2644 the maintaining of records containing the names of purchasers or  
2645 transferees who receive unique approval numbers or the  
2646 maintaining of records of firearm transactions.

2647           Section 34. For the purpose of incorporating the amendment  
2648 made by this act to section 836.10, Florida Statutes, in a  
2649 reference thereto, subsection (1) of section 794.056, Florida  
2650 Statutes, is reenacted to read:

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2651           794.056 Rape Crisis Program Trust Fund.—  
2652           (1) The Rape Crisis Program Trust Fund is created within  
2653 the Department of Health for the purpose of providing funds for  
2654 rape crisis centers in this state. Trust fund moneys shall be  
2655 used exclusively for the purpose of providing services for  
2656 victims of sexual assault. Funds credited to the trust fund  
2657 consist of those funds collected as an additional court  
2658 assessment in each case in which a defendant pleads guilty or  
2659 nolo contendere to, or is found guilty of, regardless of  
2660 adjudication, an offense provided in s. 775.21(6) and (10)(a),  
2661 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.  
2662 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.  
2663 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.  
2664 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;  
2665 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.  
2666 796.06; s. 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s.  
2667 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.  
2668 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.  
2669 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),  
2670 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust  
2671 fund also shall include revenues provided by law, moneys  
2672 appropriated by the Legislature, and grants from public or  
2673 private entities.

2674           Section 35. For the purpose of incorporating the amendment  
2675 made by this act to section 836.10, Florida Statutes, in a  
2676 reference thereto, section 938.085, Florida Statutes, is  
2677 reenacted to read:

2678           938.085 Additional cost to fund rape crisis centers.—In  
2679 addition to any sanction imposed when a person pleads guilty or

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2680 nolo contendere to, or is found guilty of, regardless of  
2681 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and  
2682 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;  
2683 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.  
2684 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.  
2685 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.  
2686 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.  
2687 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.  
2688 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.  
2689 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.  
2690 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and  
2691 (14)(c); or s. 985.701(1), the court shall impose a surcharge of  
2692 \$151. Payment of the surcharge shall be a condition of  
2693 probation, community control, or any other court-ordered  
2694 supervision. The sum of \$150 of the surcharge shall be deposited  
2695 into the Rape Crisis Program Trust Fund established within the  
2696 Department of Health by chapter 2003-140, Laws of Florida. The  
2697 clerk of the court shall retain \$1 of each surcharge that the  
2698 clerk of the court collects as a service charge of the clerk's  
2699 office.

2700 Section 36. For the 2018-2019 fiscal year, the sum of \$69,  
2701 237,286 in recurring funds is appropriated from the General  
2702 Revenue Fund to the Department of Education in the Aid to Local  
2703 Governments Grants and Aids - Florida Education Finance Program  
2704 to fund the mental health assistance allocation created pursuant  
2705 to s. 1011.62(16), Florida Statutes.

2706 Section 37. For the 2018-2019 fiscal year, the sums of  
2707 \$500,000 in recurring funds and \$6,200,000 in nonrecurring funds  
2708 are appropriated from the General Revenue Fund to the Department

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2709 of Education to implement the youth mental health awareness and  
2710 assistance training as directed pursuant to s. 1012.584, Florida  
2711 Statutes.

2712 Section 38. For the 2018-2019 fiscal year, the sum of \$1  
2713 million in nonrecurring funds is appropriated from the General  
2714 Revenue Fund to the Department of Education for the design and  
2715 construction of a memorial honoring those who lost their lives  
2716 on February 14, 2018, at Marjory Stoneman Douglas High School in  
2717 Broward County. The department shall collaborate with the  
2718 students and faculty of Marjory Stoneman Douglas High School,  
2719 the families of the victims, the Broward County School District,  
2720 and other relevant entities of the Parkland community on the  
2721 design and placement of the memorial.

2722 Section 39. For the 2018-2019 fiscal year, the sum of  
2723 \$25,262,714 in nonrecurring funds is appropriated from the  
2724 General Revenue Fund to the Department of Education for the  
2725 purpose of replacing Building 12, as listed in the Florida  
2726 Inventory of School Houses, at Marjory Stoneman Douglas High  
2727 School in Broward County.

2728 Section 40. For the 2018-2019 fiscal year, the sums of  
2729 \$500,000 in recurring funds and \$67 million in nonrecurring  
2730 funds are appropriated from the General Revenue Fund to the  
2731 Department of Education to allocate to sheriffs' offices who  
2732 establish a school marshal program pursuant to s. 30.15, Florida  
2733 Statutes. The funds shall be used for screening-related and  
2734 training-related costs and providing a one-time stipend of \$500  
2735 to school marshals who participate in the school marshal  
2736 program.

2737 Section 41. For the 2018-2019 fiscal year, three full-time

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2738 equivalent positions, with associated salary rate of 150,000,  
2739 are authorized, and the sum of \$344,393 in recurring funds is  
2740 appropriated from the General Revenue Fund to the Department of  
2741 Education to fund the Office of Safe Schools created pursuant to  
2742 s. 1001.212, Florida Statutes.

2743 Section 42. For the 2018-2019 fiscal year, the sum of  
2744 \$97,500,000 in recurring funds is appropriated from the General  
2745 Revenue Fund to the Department of Education in the Aid to Local  
2746 Governments Grants and Aids - Florida Education Finance Program  
2747 category for the safe schools allocation. These funds are in  
2748 addition to the safe schools allocation funds appropriated in  
2749 the Florida Education Finance Program in the Fiscal Year 2018-  
2750 2019 General Appropriations Act. From these funds, \$187,340  
2751 shall be distributed to each school district and developmental  
2752 research school to increase each school districts' minimum  
2753 amount to \$250,000 when combined with the minimum amount  
2754 appropriated in the 2018-2019 General Appropriations Act.  
2755 Notwithstanding s. 1011.62(15), Florida Statutes, the balance of  
2756 the funds appropriated in this section shall be distributed to  
2757 school districts based on each district's proportionate share of  
2758 the state's total unweighted full-time equivalent student  
2759 enrollment. Each school district must use these funds  
2760 exclusively for hiring or contracting for school resource  
2761 officers pursuant to s. 1006.12, Florida Statutes.

2762 Section 43. For the 2018-2019 fiscal year, the sum of  
2763 \$100,000 in recurring funds is appropriated from the General  
2764 Revenue Fund to the Department of Education to competitively  
2765 procure the active shooter training component of the school  
2766 safety specialist training program pursuant to s. 1001.212,

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2767 Florida Statutes.

2768       Section 44. For the 2018-2019 fiscal year, the sum of  
2769 \$98,962,286 in nonrecurring funds is appropriated from the  
2770 General Revenue Fund to the Department of Education to implement  
2771 a grant program that will provide awards to schools to fund, in  
2772 whole or in part, the fixed capital outlay costs associated with  
2773 improving the physical security of school buildings as  
2774 identified by a security risk assessment completed before August  
2775 1, 2018, by a school district or charter school. By August 31,  
2776 2018, the department shall submit the grant guidelines, which  
2777 must include an application submission deadline of no later than  
2778 December 1, 2018, and the specific evaluation criteria, to all  
2779 school districts and charter schools. The department shall award  
2780 grants no later than January 15, 2019, based upon the evaluation  
2781 criteria set forth in the application guidelines.

2782       Section 45. For the 2018-2019 fiscal year, the sums of  
2783 \$300,000 in nonrecurring funds and \$100,000 in recurring funds  
2784 are appropriated from the General Revenue Fund to the Department  
2785 of Law Enforcement to competitively procure proposals for the  
2786 development or acquisition of the mobile suspicious activity  
2787 reporting tool pursuant to s. 943.082, Florida Statutes. The  
2788 tool shall be implemented no later than January 31, 2019.

2789       Section 46. For the 2018-2019 fiscal year, five full-time  
2790 equivalent positions, with associated salary rate of 345,000,  
2791 are authorized and the recurring sum of \$600,000 and the  
2792 nonrecurring sum of \$50,000 are appropriated from the General  
2793 Revenue Fund to the Department of Law Enforcement to fund the  
2794 operations of the Marjory Stoneman Douglas High School Public  
2795 Safety Commission.

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2796           Section 47. For the 2018-2019 fiscal year, the sum of  
2797 \$9,800,000 in recurring funds is appropriated from the General  
2798 Revenue Fund to the Department of Children and Families to  
2799 competitively procure for additional community action treatment  
2800 teams to ensure reasonable access among all counties. The  
2801 department shall consider the geographic location of existing  
2802 community action treatment teams and select providers to serve  
2803 the areas of greatest need.

2804           Section 48. For the 2018-2019 fiscal year, the sums of  
2805 \$18,300,000 in recurring funds are appropriated from the General  
2806 Revenue Fund to the Department of Children and Families to  
2807 competitively procure proposals for additional mobile crisis  
2808 teams to ensure reasonable access among all counties. The  
2809 department shall consider the geographic location of existing  
2810 mobile crisis teams and select providers to serve the areas of  
2811 greatest need.

2812           Section 49. For the 2018-2019 fiscal year, the sums of  
2813 \$18,321 in recurring funds and \$225,000 in nonrecurring funds  
2814 are appropriated from the General Revenue Fund to the Department  
2815 of Education in the Special Categories - Teacher and School  
2816 Administrator Death Benefits category to provide for the  
2817 benefits awarded pursuant to s. 112.1915, Florida Statutes, to  
2818 the eligible recipients of the three Marjory Stoneman Douglas  
2819 High School staff members who lost their lives on February 14,  
2820 2018.

2821           Section 50. For the 2018-2019 fiscal year, the sum of \$3  
2822 million in recurring funds is appropriated from the General  
2823 Revenue Fund to the Department of Education to competitively  
2824 procure for the development or acquisition of the centralized



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2825 data repository and analytics resources pursuant to s. 1001.212,  
2826 Florida Statutes. The department shall collaborate with the  
2827 Department of Law Enforcement and school districts to identify  
2828 the requirements and functionality of the data repository and  
2829 analytics resources and shall make such resources available to  
2830 the school districts no later than December 1, 2018.

2831 Section 51. For the 2018-2019 fiscal year, the sum of \$1  
2832 million in nonrecurring funds is appropriated from the General  
2833 Revenue Fund to the Department of Education to competitively  
2834 procure a contract with a third-party security consultant with  
2835 experience in conducting security risk assessments of public  
2836 schools. Contract funds shall be used to review and analyze the  
2837 department's current security risk assessment tool known as the  
2838 Florida Safe Schools Assessment Tool (FSSAT) and a sample of  
2839 self-assessments conducted by school districts using the FSSAT  
2840 to determine the effectiveness of the recommendations produced  
2841 based upon the FSSAT. The review shall include any recommended  
2842 updates and enhancements with associated costs for their  
2843 implementation to aid districts in developing recommendations to  
2844 address safety and security issues discovered by the FSSAT. The  
2845 department shall submit the completed review to the State Board  
2846 of Education, the Executive Office of the Governor's Office of  
2847 Policy and Budget, the chair of the Senate Committee on  
2848 Appropriations, and the House of Representatives Appropriations  
2849 Committee no later than January 1, 2019.

2850 Section 52. Except as otherwise expressly provided in this  
2851 act, this act shall take effect upon becoming a law.