

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Shaw offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove lines 190-1559 and insert:

5 Section 3. Section 394.495, Florida Statutes, is amended  
6 to read:

7 394.495 Child and adolescent mental health system of care;  
8 programs and services.-

9 (1) The department shall establish, within available  
10 resources, an array of services to meet the individualized  
11 service and treatment needs of children and adolescents who are  
12 members of the target populations specified in s. 394.493, and  
13 of their families. It is the intent of the Legislature that a

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

14 child or adolescent may not be admitted to a state mental health  
15 facility and such a facility may not be included within the  
16 array of services.

17 (2) The array of services must include assessment services  
18 that provide a professional interpretation of the nature of the  
19 problems of the child or adolescent and his or her family;  
20 family issues that may impact the problems; additional factors  
21 that contribute to the problems; and the assets, strengths, and  
22 resources of the child or adolescent and his or her family. The  
23 assessment services to be provided shall be determined by the  
24 clinical needs of each child or adolescent. Assessment services  
25 include, but are not limited to, evaluation and screening in the  
26 following areas:

27 (a) Physical and mental health for purposes of identifying  
28 medical and psychiatric problems.

29 (b) Psychological functioning, as determined through a  
30 battery of psychological tests.

31 (c) Intelligence and academic achievement.

32 (d) Social and behavioral functioning.

33 (e) Family functioning.

34

35 The assessment for academic achievement is the financial  
36 responsibility of the school district. The department shall  
37 cooperate with other state agencies and the school district to  
38 avoid duplicating assessment services.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

- 39 (3) Assessments must be performed by:
- 40 (a) A professional as defined in s. 394.455(5), (7), (32),
- 41 (35), or (36);
- 42 (b) A professional licensed under chapter 491; or
- 43 (c) A person who is under the direct supervision of a
- 44 qualified professional as defined in s. 394.455(5), (7), (32),
- 45 (35), or (36) or a professional licensed under chapter 491.
- 46 (4) The array of services may include, but is not limited
- 47 to:
- 48 (a) Prevention services.
- 49 (b) Home-based services.
- 50 (c) School-based services.
- 51 (d) Family therapy.
- 52 (e) Family support.
- 53 (f) Respite services.
- 54 (g) Outpatient treatment.
- 55 (h) Day treatment.
- 56 (i) Crisis stabilization.
- 57 (j) Therapeutic foster care.
- 58 (k) Residential treatment.
- 59 (l) Inpatient hospitalization.
- 60 (m) Case management.
- 61 (n) Services for victims of sex offenses.
- 62 (o) Transitional services.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

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

65 (5) In order to enhance collaboration between agencies and  
66 to facilitate the provision of services by the child and  
67 adolescent mental health treatment and support system and the  
68 school district, the local child and adolescent mental health  
69 system of care shall include the local educational multiagency  
70 network for severely emotionally disturbed students specified in  
71 s. 1006.04.

72 (6) The department shall contract for community action  
73 teams throughout the state with the managing entities. A  
74 community action team shall:

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

- 80 1. Repeated failures at less intensive levels of care;
  - 81 2. Two or more behavioral health hospitalizations;
  - 82 3. Involvement with the Department of Juvenile Justice;
  - 83 4. A history of multiple episodes involving law  
84 enforcement; or
  - 85 5. A record of poor academic performance or suspensions.
- 86

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

87 Children younger than 11 years of age otherwise meeting the  
88 criteria in this paragraph may be candidates for such services  
89 if they demonstrate two or more of the characteristics listed in  
90 subparagraphs 1.-5.

91 (b) Use an integrated service delivery approach to  
92 comprehensively address the needs of the child, adolescent, or  
93 young adult and strengthen his or her family and support systems  
94 to assist the child, adolescent, or young adult to live  
95 successfully in the community. A community action team shall  
96 address the therapeutic needs of the child, adolescent, or young  
97 adult receiving services and assist parents and caregivers in  
98 obtaining services and supports. The community action team shall  
99 make referrals to specialized treatment if necessary, with  
100 follow up by the community action team to ensure services are  
101 provided.

102 (c) Focus on engaging the child, adolescent, or young  
103 adult and his or her family as active participants in every  
104 phase of the treatment process. Community action teams shall be  
105 available to the child, adolescent, or young adult and his or  
106 her family at all times.

107 (d) Coordinate with other key entities providing services  
108 and supports to the child, adolescent, or young adult and his or  
109 her family, including, but not limited to, the child's,  
110 adolescent's, or young adult's school, the local educational  
111 multiagency network for severely emotionally disturbed students

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

112 under s. 1006.04, the child welfare system, and the juvenile  
113 justice system. Community action teams shall also coordinate  
114 with the managing entity in their service location.

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

117 a. Alachua.

118 b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and  
119 Suwannee.

120 c. Bay.

121 d. Brevard.

122 e. Collier.

123 f. DeSoto and Sarasota.

124 g. Duval.

125 h. Escambia.

126 i. Hardee, Highlands, and Polk.

127 j. Hillsborough.

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

129 l. Lake and Sumter.

130 m. Lee.

131 n. Manatee.

132 o. Marion.

133 p. Miami-Dade.

134 q. Okaloosa.

135 r. Orange.

136 s. Palm Beach.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

137 t. Pasco.138 u. Pinellas.139 v. Walton.

140 2. Subject to appropriations, the department shall  
141 contract for additional teams through the managing entities to  
142 ensure the availability of community action team services in the  
143 remaining areas of the state.

144 Section 4. Paragraph (a) of subsection (1) of section  
145 790.065, Florida Statutes, is amended to read:

146 790.065 Sale and delivery of firearms.—

147 (1)(a)1. A licensed importer, licensed manufacturer, or  
148 licensed dealer may not sell or deliver from her or his  
149 inventory at her or his licensed premises any firearm to another  
150 person, other than a licensed importer, licensed manufacturer,  
151 licensed dealer, or licensed collector, who is less than 21  
152 years of age, except that a licensed importer, licensed  
153 manufacturer, or licensed dealer may sell or deliver a rifle or  
154 shotgun to a person who is 18 years of age or older and is a law  
155 enforcement officer or correctional officer as defined in s.  
156 943.10 or on active duty in the Armed Forces of the United  
157 States or full-time duty in the National Guard.

158 2. For a person 21 years of age or older, or 18 years of  
159 age or older and meeting an exception under this paragraph, a  
160 licensed importer, licensed manufacturer, or licensed dealer may  
161 not sell or deliver from her or his inventory at her or his

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

162 licensed premises any firearm to another person, other than a  
163 licensed importer, licensed manufacturer, licensed dealer, or  
164 licensed collector until she or he has:

165 ~~a.1.~~ Obtained a completed form from the potential buyer or  
166 transferee, which form shall have been promulgated by the  
167 Department of Law Enforcement and provided by the licensed  
168 importer, licensed manufacturer, or licensed dealer, which shall  
169 include the name, date of birth, gender, race, and social  
170 security number or other identification number of such potential  
171 buyer or transferee and has inspected proper identification  
172 including an identification containing a photograph of the  
173 potential buyer or transferee.

174 ~~b.2.~~ Collected a fee from the potential buyer for  
175 processing the criminal history check of the potential buyer.  
176 The fee shall be established by the Department of Law  
177 Enforcement and may not exceed \$8 per transaction. The  
178 Department of Law Enforcement may reduce, or suspend collection  
179 of, the fee to reflect payment received from the Federal  
180 Government applied to the cost of maintaining the criminal  
181 history check system established by this section as a means of  
182 facilitating or supplementing the National Instant Criminal  
183 Background Check System. The Department of Law Enforcement  
184 shall, by rule, establish procedures for the fees to be  
185 transmitted by the licensee to the Department of Law  
186 Enforcement. All such fees shall be deposited into the

248643

Approved For Filing: 2/28/2018 10:37:33 AM



Amendment No.

187 Department of Law Enforcement Operating Trust Fund, but shall be  
188 segregated from all other funds deposited into such trust fund  
189 and must be accounted for separately. Such segregated funds must  
190 not be used for any purpose other than the operation of the  
191 criminal history checks required by this section. The Department  
192 of Law Enforcement, each year prior to February 1, shall make a  
193 full accounting of all receipts and expenditures of such funds  
194 to the President of the Senate, the Speaker of the House of  
195 Representatives, the majority and minority leaders of each house  
196 of the Legislature, and the chairs of the appropriations  
197 committees of each house of the Legislature. In the event that  
198 the cumulative amount of funds collected exceeds the cumulative  
199 amount of expenditures by more than \$2.5 million, excess funds  
200 may be used for the purpose of purchasing soft body armor for  
201 law enforcement officers.

202 ~~c.3.~~ Requested, by means of a toll-free telephone call,  
203 the Department of Law Enforcement to conduct a check of the  
204 information as reported and reflected in the Florida Crime  
205 Information Center and National Crime Information Center systems  
206 as of the date of the request.

207 ~~d.4.~~ Received a unique approval number for that inquiry  
208 from the Department of Law Enforcement, and recorded the date  
209 and such number on the consent form.

210 Section 5. Section 790.0655, Florida Statutes, is amended  
211 to read:

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

212           790.0655 Purchase and delivery of firearms handguns;  
213 mandatory waiting period; exceptions; penalties.—  
214           (1) (a) There shall be a mandatory 3-day waiting period,  
215 which shall be 3 days, excluding weekends and legal holidays,  
216 between the purchase and the delivery at retail of any firearm  
217 ~~handgun~~. "Purchase" means the transfer of money or other  
218 valuable consideration to the retailer. "~~Handgun~~" means a  
219 ~~firearm capable of being carried and used by one hand, such as a~~  
220 ~~pistol or revolver~~. "Retailer" means and includes every person  
221 engaged in the business of making sales at retail or for  
222 distribution, or use, or consumption, or storage to be used or  
223 consumed in this state, as defined in s. 212.02(13).  
224           (b) Records of firearm handgun sales must be available for  
225 inspection by any law enforcement agency, as defined in s.  
226 934.02, during normal business hours.  
227           (2) The 3-day waiting period shall not apply in the  
228 following circumstances:  
229           (a) When a firearm handgun is being purchased by a holder  
230 of a concealed weapons permit as defined in s. 790.06.  
231           (b) To a trade-in of another firearm handgun.  
232           (c) For the purchase of a rifle or shotgun, upon  
233 successfully completing a hunter safety course and possessing a  
234 hunter safety certification card issued under s. 379.3581. A  
235 person who is exempt from the hunter safety course requirement  
236 under s. 379.3581 and holds a valid Florida hunting license as

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

237 of March 1, 2018, is exempt from the 3-day waiting period under  
238 this section for purchase of a rifle or shotgun.

239 (d) When a rifle or shotgun is being purchased by a law  
240 enforcement officer or correctional officer, as defined in s.  
241 943.10, or a person on active duty in the Armed Forces of the  
242 United States or full-time duty in the National Guard.

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

245 (a) For any retailer, or any employee or agent of a  
246 retailer, to deliver a firearm ~~handgun~~ before the expiration of  
247 the 3-day waiting period, subject to the exceptions provided in  
248 subsection (2).

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

251 Section 6. Section 790.0656, Florida Statutes, is created  
252 to read:

253 790.0656 Seizure of firearms from persons subject to  
254 involuntary examination.-

255 (1) A law enforcement agency taking custody of a person  
256 who meets the criteria for involuntary examination under s.  
257 394.463 and who makes a credible threat of violence against  
258 another person shall seize each firearm and all ammunition owned  
259 by the person that is in his or her possession, custody, or  
260 control. The law enforcement agency shall report the date and  
261 time of the start of the involuntary examination period to the

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

262 Department of Law Enforcement. The department shall include the  
263 person's name, age, date of birth, last known address, the date  
264 and time of the beginning of the involuntary examination period,  
265 and the date and time of the maximum duration of the involuntary  
266 examination period in the Florida Crime Information Center  
267 database.

268 (2) The law enforcement agency shall hold each firearm and  
269 ammunition for 72 hours, and return the property to the person  
270 within 7 days of the expiration of that time period unless a  
271 temporary injunction has been issued under subsection (3), and  
272 subject to the policies and procedures developed by the law  
273 enforcement agency under subsection (6). The person may not own,  
274 possess, or purchase a firearm during the 72-hour period. If the  
275 person is adjudicated mentally defective or committed to a  
276 mental institution, as each of those terms is defined in s.  
277 790.065(2)(a)4., following the involuntary examination under s.  
278 394.463, the agency shall retain each firearm and ammunition  
279 indefinitely until a court of competent jurisdiction orders the  
280 person's relief from firearm ownership disability, allowing him  
281 or her to possess or purchase a firearm.

282 (3)(a) Before the expiration of the 72-hour period, the  
283 law enforcement agency may petition a court of competent  
284 jurisdiction for an ex parte temporary injunction to retain each  
285 firearm and all ammunition for 60 days upon showing by clear and  
286 convincing evidence that the person remains a credible threat of

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

287 committing violence against another person. In determining  
288 whether there is such clear and convincing evidence, the court  
289 shall consider all relevant factors, including, but not limited  
290 to:

291 1. Whether the person has:

292 a. A history of threats, harassment, stalking, physical  
293 abuse, or violence.

294 b. A criminal history involving violence or the threat of  
295 violence.

296 c. Intentionally attempted to harm or intentionally harmed  
297 another person.

298 d. Threatened to harm, either orally or in writing,  
299 another person.

300 e. Used, or has threatened to use, any weapons such as  
301 firearms or knives in a violent manner.

302 f. Intentionally and unlawfully injured or killed an  
303 animal.

304 2. The person's medical and mental health history.

305 3. The person's school disciplinary history.

306 (b) The clerk of the court shall furnish a copy of the  
307 temporary injunction to the sheriff or a law enforcement agency  
308 of the county where the person resides or can be found, who  
309 shall serve it upon the person as soon thereafter as possible.  
310 Notwithstanding any other provision of law, the chief judge of  
311 each circuit, in consultation with the appropriate sheriff, may

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

312 authorize a law enforcement agency within the jurisdiction to  
313 effect service. A law enforcement agency serving an injunction  
314 pursuant to this subsection shall use service procedures  
315 consistent with those of the sheriff.

316 (c) The law enforcement agency that obtains the temporary  
317 injunction shall report the date and time of issuance and  
318 person's identifying information, including his or her name,  
319 age, date of birth, and last known address, to the Department of  
320 Law Enforcement. The department shall include such information  
321 in the Florida Crime Information Center database. A person  
322 subject to a temporary injunction under this subsection may not  
323 own, possess, or purchase a firearm while the injunction is in  
324 effect.

325 (4) At the expiration of the 60-day period, the agency  
326 shall return each firearm and all ammunition to the person  
327 within 7 days, subject to the policies and procedures developed  
328 under subsection (6). The law enforcement agency may petition  
329 the court for one 60-day extension of the temporary injunction  
330 upon showing by clear and convincing evidence that the person  
331 presents a continuing credible threat of committing violence  
332 against another person. The court shall consider the factors in  
333 subsection (3) when deciding an extension of the temporary  
334 injunction.

335 (5) A person who is subject to a temporary injunction  
336 under subsection (3) may petition the court to terminate the

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

337 injunction upon showing by clear and convincing evidence that he  
338 or she no longer presents a credible threat of committing  
339 violence against another person.

340 (6) Law enforcement agencies shall develop policies and  
341 procedures for seizing, storing, and returning firearms and  
342 ammunition under this section, and may not charge a fee for  
343 seizing, storing, or returning any firearm or ammunition under  
344 this section.

345 Section 7. Section 790.0657, Florida Statutes, is created  
346 to read:

347 790.0657 Possession of firearms or ammunition prohibited.—

348 (1) A person adjudicated mentally defective or committed  
349 to a mental institution, as those terms are defined in s.  
350 790.065(2)(a)4., may not own, possess, or purchase a firearm or  
351 ammunition unless he or she has obtained relief from firearm  
352 ownership disability from a court of competent jurisdiction. A  
353 person may not petition for such relief until 60 days after his  
354 or her release from involuntary commitment under part I of ch.  
355 394.

356 (2) A person who violates this section shall forfeit each  
357 firearm and all ammunition in his or her possession, custody, or  
358 control to a law enforcement agency. If a person fails to  
359 forfeit his or her firearm and ammunition as required under this  
360 section, a law enforcement agency shall seize such property and  
361 retain it indefinitely until ordered to return it by a court.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

362 Law enforcement agencies shall develop policies and procedures  
363 for seizing, storing, and returning firearms and ammunition  
364 under this section.

365 Section 8. Effective October 1, 2018, section 790.222,  
366 Florida Statutes, is created to read:

367 790.222 Bump-fire stocks prohibited.—A person may not  
368 import into this state or transfer, distribute, sell, keep for  
369 sale, offer for sale, possess, or give to another person a bump-  
370 fire stock. A person who violates this section commits a felony  
371 of the third degree, punishable as provided in s. 775.082, s.  
372 775.083, or s. 775.084. As used in this section, the term "bump-  
373 fire stock" means any device used with or attached to a firearm  
374 which uses the recoil action of the firearm to increase its  
375 cyclic firing rate to a nearly automatic rate of fire or to  
376 increase the rate of fire to a faster rate than is possible for  
377 an individual to operate the firearm unassisted by such a  
378 device.

379 Section 9. Section 943.082, Florida Statutes, is created  
380 to read:

381 943.082 School Safety Awareness Program.—

382 (1) The department shall competitively procure a mobile  
383 suspicious activity reporting tool that allows students and the  
384 community to relay information anonymously concerning unsafe,  
385 potentially harmful, dangerous, violent, or criminal activities,  
386 or the threat of these activities, to appropriate public safety

248643

Approved For Filing: 2/28/2018 10:37:33 AM



Amendment No.

387 agencies and school officials. At a minimum, the department must  
388 receive reports electronically through the mobile suspicious  
389 activity reporting tool that is available on both Android and  
390 Apple devices.

391 (2) The tool shall notify the reporting party of the  
392 following information:

393 (a) That the reporting party may provide his or her report  
394 anonymously.

395 (b) That if the reporting party chooses to disclose his or  
396 her identity, that information shall be shared with the  
397 appropriate law enforcement agency and school officials;  
398 however, the law enforcement agency and school officials shall  
399 be required to maintain the information as confidential.

400 (3) Information received by the tool must be promptly  
401 forwarded to an appropriate law enforcement agency or school  
402 official.

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

406 (5) The department, in collaboration with the Office of  
407 Safe Schools within the Department of Education, shall develop  
408 and provide a comprehensive training and awareness program on  
409 the use of the mobile suspicious activity reporting tool.

410 Section 10. Section 943.687, Florida Statutes, is created  
411 to read:

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

412 943.687 Marjory Stoneman Douglas High School Public Safety  
413 Commission.—

414 (1) There is created within the department the Marjory  
415 Stoneman Douglas High School Public Safety Commission, a  
416 commission as defined in s. 20.03.

417 (2) (a) The commission shall be composed of 15 voting  
418 members. The Governor, the President of the Senate, and the  
419 Speaker of the House of Representatives shall each appoint 5  
420 members, and the Governor shall appoint the chair of the  
421 commission. Appointments must be made by April 30, 2018. The  
422 Secretary of Children and Families, the Secretary of Juvenile  
423 Justice, the Secretary of Health Care Administration, the  
424 Commissioner of Education, and the executive director shall  
425 serve as ex officio, nonvoting members of the commission.

426 (b) The commission shall meet as necessary to conduct its  
427 work at the call of the chair and at the time designated by him  
428 or her at locations throughout the state. The commission may  
429 conduct its meetings through teleconferences or other similar  
430 means. Members of the commission shall serve without  
431 compensation, but shall be reimbursed for per diem and travel  
432 expenses pursuant to s. 112.061.

433 (c) The commission is authorized to hire staff, subject to  
434 appropriations, which shall include a general counsel and staff  
435 experienced in investigations.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

436 (3) The commission shall investigate system failures in  
437 the Marjory Stoneman Douglas High School shooting and prior mass  
438 violence incidents in this state and develop recommendations for  
439 system improvements. At a minimum, the commission shall analyze  
440 information and evidence about the Marjory Stoneman Douglas High  
441 School shooting and other mass violence incidents in this state.  
442 At a minimum, the commission shall:

443 (a) Develop a timeline of the incident, incident response,  
444 and all relevant events preceding the incident, with particular  
445 attention to all perpetrator contacts with local, state, and  
446 national government agencies and entities and any contract  
447 providers of such agencies and entities.

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

450 1. Identify existing policies and procedures for active  
451 assailant incidents on school premises and evaluate the  
452 compliance with such policies and procedures in the execution of  
453 incident responses.

454 2. Evaluate existing policies and procedures for active  
455 assailant incidents on school premises in comparison with  
456 national best practices.

457 3. Evaluate the extent to which any failures in policy,  
458 procedure, or execution contributed to an inability to prevent  
459 deaths and injuries.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

460 4. Make specific recommendations for improving law  
461 enforcement and school resource officer incident response in the  
462 future.

463 (c) Investigate any failures in interactions with  
464 perpetrators preceding mass violence incidents.

465 1. Identify the history of interactions between  
466 perpetrators and government entities such as schools, law  
467 enforcement agencies, courts, and social service agencies, and  
468 identify any failures to adequately communicate or coordinate  
469 regarding indicators of risk or possible threats.

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

472 3. Make specific recommendations for improving  
473 communication and coordination among entities with knowledge of  
474 indicators of risks or possible threats of mass violence in the  
475 future.

476 4. Identify available state and local tools and resources  
477 for enhancing communication and coordination regarding  
478 indicators of risk or possible threats, including, but not  
479 limited to, the Department of Law Enforcement Fusion Center or  
480 the Judicial Inquiry System, and make specific recommendations  
481 for using such tools and resources more effectively in the  
482 future.

483 (4) The commission has the power to subpoena and  
484 investigate. The commission may issue subpoenas and other

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

485 necessary process to compel the attendance of witnesses to  
486 testify before the commission. The commission may also issue  
487 subpoenas and other necessary process to compel the production  
488 of any books, papers, records, documentary evidence, and other  
489 items, including confidential information, relevant to the  
490 performance of the duties of the commission or to the exercise  
491 of its powers. Subpoenas issued by the commission shall run  
492 throughout the state, and the sheriffs in the several counties  
493 shall make such service and execute all processes or orders when  
494 required by the commission. Sheriffs shall be paid as provided  
495 in s. 30.321. The chair or any other member of the commission  
496 may administer all oaths and affirmations in the manner  
497 prescribed by law to witnesses who appear before the commission  
498 for the purpose of testifying in any matter concerning which the  
499 commission desires evidence. The commission may delegate to its  
500 investigators the authority to administer oaths and affirmations  
501 and may delegate the authority to issue subpoenas to its chair,  
502 who in all events shall issue process on behalf of the  
503 commission. In the case of a refusal to obey a subpoena issued  
504 to any person, the commission may make application to any  
505 circuit court of this state which shall have jurisdiction to  
506 order the witness to appear before the commission and to produce  
507 evidence, if so ordered, or to give testimony touching on the  
508 matter in question. Failure to obey the order may be punished by  
509 the court as contempt.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

510 (5) The commission may call upon appropriate agencies of  
511 state government for such professional assistance as may be  
512 needed in the discharge of its duties, and such agencies shall  
513 provide such assistance in a timely manner. The Department of  
514 Legal Affairs shall, upon request, provide legal and  
515 investigative assistance to the commission.

516 (6) Notwithstanding any other law, the commission may  
517 request and shall be provided with access to any information or  
518 records, including confidential or exempt information or  
519 records, that pertain to the Marjory Stoneman Douglas High  
520 School shooting and prior mass violence incidents in the state  
521 being reviewed by the commission and that are necessary for the  
522 commission to carry out its duties. Information or records  
523 obtained by the commission that are otherwise confidential or  
524 exempt shall retain such confidential or exempt status and the  
525 commission may not disclose any such information or records.

526 (7) The commission shall submit an initial report on its  
527 findings and recommendations to the Governor, President of the  
528 Senate, and Speaker of the House of Representatives by January  
529 1, 2019, and may issue reports annually thereafter. The  
530 commission shall expire July 1, 2023, and this section is  
531 repealed on that date.

532 Section 11. Section 1001.212, Florida Statutes, is created  
533 to read:

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

534 1001.212 Office of Safe Schools.—There is created in the  
535 Department of Education the Office of Safe Schools. The office  
536 is fully accountable to the Commissioner of Education. The  
537 office shall serve as a central repository for best practices,  
538 training standards, and compliance oversight in all matters  
539 regarding school safety and security, including prevention  
540 efforts, intervention efforts, and emergency preparedness  
541 planning. The office shall:

542 (1) Establish and update as necessary a school security  
543 risk assessment tool for use by school districts pursuant to s.  
544 1006.07(6). The office shall make the security risk assessment  
545 tool available for use by charter schools.

546 (2) Provide ongoing professional development opportunities  
547 to school district personnel.

548 (3) Provide a coordinated and interdisciplinary approach  
549 to providing technical assistance and guidance to school  
550 districts on safety and security and recommendations to address  
551 findings identified pursuant to s. 1006.07(6).

552 (4) Develop and implement a School Safety Specialist  
553 Training Program for school safety specialists appointed  
554 pursuant to s. 1006.07(6). The office shall develop the training  
555 program which shall be based on national and state best  
556 practices on school safety and security and must include active  
557 shooter training. The office shall develop training modules in  
558 both traditional and online formats. A school safety specialist

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

559 certificate of completion shall be awarded to a school safety  
560 specialist who satisfactorily completes the training required by  
561 rules of the office.

562 (5) Review and provide recommendations on the security  
563 risk assessments. The department may contract with security  
564 personnel, consulting engineers, architects, or other safety and  
565 security experts the department deems necessary for safety and  
566 security consultant services.

567 (6) Provide data analytic resources to school districts  
568 that facilitate the monitoring of social media activities to  
569 provide early detection information of possible threats to a  
570 student's personal health and the safety of the school.

571 (7) Award grants to schools to improve the safety and  
572 security of school buildings based upon recommendations of the  
573 security risk assessment developed pursuant to subsection (1).

574 (8) Develop and disseminate, in consultation with the  
575 Department of Law Enforcement, to participating schools  
576 awareness and education materials on the School Safety Awareness  
577 Program developed pursuant to s. 943.082.

578 Section 12. Paragraph (a) of subsection (10) of section  
579 1002.32, Florida Statutes, is amended to read:

580 1002.32 Developmental research (laboratory) schools.—

581 (10) EXCEPTIONS TO LAW.—To encourage innovative practices  
582 and facilitate the mission of the lab schools, in addition to

248643

Approved For Filing: 2/28/2018 10:37:33 AM



Amendment No.

583 the exceptions to law specified in s. 1001.23(2), the following  
584 exceptions shall be permitted for lab schools:

585 (a) The methods and requirements of the following statutes  
586 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;  
587 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;  
588 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;  
589 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;  
590 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;  
591 1001.49; 1001.50; 1001.51; 1006.12(2) ~~1006.12(1)~~; 1006.21(3),  
592 (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;  
593 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;  
594 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3),  
595 (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;  
596 1011.72; 1011.73; and 1011.74.

597 Section 13. Subsection (1) of section 1006.04, Florida  
598 Statutes, is amended to read:

599 1006.04 Educational multiagency services for students with  
600 severe emotional disturbance.—

601 (1)(a) The multiagency network for students with emotional  
602 and behavioral disabilities works with education, mental health,  
603 child welfare, and juvenile justice professionals, along with  
604 other agencies and families, to provide children with mental  
605 illness or emotional and behavioral problems and their families  
606 with access to the services and supports they need to succeed ~~An~~  
607 ~~intensive, integrated educational program; a continuum of mental~~

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

608 ~~health treatment services; and, when needed, residential~~  
609 ~~services are necessary to enable students with severe emotional~~  
610 ~~disturbance to develop appropriate behaviors and demonstrate~~  
611 ~~academic and career education skills. The small incidence of~~  
612 ~~severe emotional disturbance in the total school population~~  
613 ~~requires multiagency programs to provide access to appropriate~~  
614 ~~services for all students with severe emotional disturbance.~~  
615 District school boards should provide educational programs, and  
616 state departments and agencies administering children's mental  
617 health funds should provide mental health treatment and  
618 residential services when needed, as part of the forming a  
619 ~~multiagency network to provide support for students with severe~~  
620 ~~emotional disturbance.~~

621 (b) The purpose of the multiagency network is to: ~~The~~  
622 ~~program goals for each component of the multiagency network are~~  
623 ~~to~~

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

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

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

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

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

635        (c) The multiagency network shall:

636        1. Support and represent the needs of students in each  
637 school district in joint planning with fiscal agents of  
638 children's mental health funds, including the expansion of  
639 school-based mental health services, transition services, and  
640 integrated education and treatment programs.

641        2. Improve coordination of services for children with or  
642 at risk of emotional or behavioral disabilities and their  
643 families by assisting multi-agency collaborative initiatives to  
644 identify critical issues and barriers of mutual concern and  
645 develop local response systems that increase home and school  
646 connections and family engagement.

647        3. Increase parent and youth involvement and development  
648 with local systems of care.

649        4. Facilitate student and family access to effective  
650 services and programs for students with and at risk of emotional  
651 or behavioral disabilities that include necessary educational,  
652 residential, and mental health treatment services, enabling  
653 these students to learn appropriate behaviors, reduce  
654 dependency, and fully participate in all aspects of school and  
655 community living.

656        Section 14. Paragraph (b) of subsection (1), paragraphs  
657 (k) through (m) of subsection (2), and subsections (3), (4), and

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

658 (6) of section 1006.07, Florida Statutes, are amended, and  
659 subsection (7) is added to that section to read:

660 1006.07 District school board duties relating to student  
661 discipline and school safety.—The district school board shall  
662 provide for the proper accounting for all students, for the  
663 attendance and control of students at school, and for proper  
664 attention to health, safety, and other matters relating to the  
665 welfare of students, including:

666 (1) CONTROL OF STUDENTS.—

667 (b) Require each student at the time of initial  
668 registration for school in the school district to note previous  
669 school expulsions, arrests resulting in a charge, ~~and~~ juvenile  
670 justice actions, and referrals to mental health services the  
671 student has had, and have the authority as the district school  
672 board of a receiving school district to honor the final order of  
673 expulsion or dismissal of a student by any in-state or out-of-  
674 state public district school board or private school, or lab  
675 school, for an act which would have been grounds for expulsion  
676 according to the receiving district school board's code of  
677 student conduct, in accordance with the following procedures:

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

680 2. The expelled student applying for admission to the  
681 receiving school district shall be advised of the final order of  
682 expulsion.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

683           3. The district school superintendent of the receiving  
684 school district may recommend to the district school board that  
685 the final order of expulsion be waived and the student be  
686 admitted to the school district, or that the final order of  
687 expulsion be honored and the student not be admitted to the  
688 school district. If the student is admitted by the district  
689 school board, with or without the recommendation of the district  
690 school superintendent, the student may be placed in an  
691 appropriate educational program and referred to mental health  
692 services identified by the school district pursuant to s.  
693 1012.584(4), when appropriate, at the direction of the district  
694 school board.

695           (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
696 conduct for elementary schools and a code of student conduct for  
697 middle and high schools and distribute the appropriate code to  
698 all teachers, school personnel, students, and parents, at the  
699 beginning of every school year. Each code shall be organized and  
700 written in language that is understandable to students and  
701 parents and shall be discussed at the beginning of every school  
702 year in student classes, school advisory council meetings, and  
703 parent and teacher association or organization meetings. Each  
704 code shall be based on the rules governing student conduct and  
705 discipline adopted by the district school board and shall be  
706 made available in the student handbook or similar publication.  
707 Each code shall include, but is not limited to:

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

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

712 (l) Notice that any student who is determined to have  
713 brought a firearm or weapon, as defined in chapter 790, to  
714 school, to any school function, or onto any school-sponsored  
715 transportation, or to have possessed a firearm at school, will  
716 be expelled, with or without continuing educational services,  
717 from the student's regular school for a period of not less than  
718 1 full year and referred to mental health services identified by  
719 the school district pursuant to s. 1012.584(4) and the criminal  
720 justice or juvenile justice system. District school boards may  
721 assign the student to a disciplinary program or second chance  
722 school for the purpose of continuing educational services during  
723 the period of expulsion. District school superintendents may  
724 consider the 1-year expulsion requirement on a case-by-case  
725 basis and request the district school board to modify the  
726 requirement by assigning the student to a disciplinary program  
727 or second chance school if the request for modification is in  
728 writing and it is determined to be in the best interest of the  
729 student and the school system.

730 (m) Notice that any student who is determined to have made  
731 a threat or false report, as defined by ss. 790.162 and 790.163,  
732 respectively, involving school or school personnel's property,

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

733 school transportation, or a school-sponsored activity will be  
734 expelled, with or without continuing educational services, from  
735 the student's regular school for a period of not less than 1  
736 full year and referred for criminal prosecution and mental  
737 health services identified by the school district pursuant to s.  
738 1012.584(4) for evaluation or treatment, when appropriate.

739 District school boards may assign the student to a disciplinary  
740 program or second chance school for the purpose of continuing  
741 educational services during the period of expulsion. District  
742 school superintendents may consider the 1-year expulsion  
743 requirement on a case-by-case basis and request the district  
744 school board to modify the requirement by assigning the student  
745 to a disciplinary program or second chance school if it is  
746 determined to be in the best interest of the student and the  
747 school system.

748 (3) STUDENT CRIME WATCH PROGRAM.—By resolution of the  
749 district school board, implement a student crime watch program  
750 to promote responsibility among students and improve school  
751 safety. The student crime watch program shall allow students and  
752 the community to anonymously relay information concerning unsafe  
753 and potentially harmful, dangerous, violent, or criminal  
754 activities, or the threat of these activities, to appropriate  
755 public safety agencies and school officials ~~to assist in the~~  
756 ~~control of criminal behavior within the schools.~~

757 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

758 (a) Formulate and prescribe policies and procedures, in  
759 consultation with the appropriate public safety agencies, for  
760 emergency drills and for actual emergencies, including, but not  
761 limited to, fires, natural disasters, active shooter and hostage  
762 situations, and bomb threats, for all the public schools of the  
763 district which comprise grades K-12. Drills for active shooter  
764 and hostage situations shall be conducted at least as often as  
765 other emergency drills. District school board policies shall  
766 include commonly used alarm system responses for specific types  
767 of emergencies and verification by each school that drills have  
768 been provided as required by law and fire protection codes. The  
769 emergency response policy shall identify the individuals  
770 responsible for contacting the primary emergency response agency  
771 and the emergency response agency that is responsible for  
772 notifying the school district for each type of emergency ~~must be~~  
773 ~~listed in the district's emergency response policy.~~

774 (b) Establish model emergency management and emergency  
775 preparedness procedures, including emergency notification  
776 procedures pursuant to paragraph (a), for the following life-  
777 threatening emergencies:

- 778 1. Weapon-use, ~~and~~ hostage, and active shooter situations.
- 779 2. Hazardous materials or toxic chemical spills.
- 780 3. Weather emergencies, including hurricanes, tornadoes,  
781 and severe storms.
- 782 4. Exposure as a result of a manmade emergency.

248643

Approved For Filing: 2/28/2018 10:37:33 AM



Amendment No.

783 (c) Establish a schedule to test the functionality and  
784 coverage capacity of all emergency communication systems and  
785 determine if adequate signal strength is available in all areas  
786 within the school's campus.

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

792 (a) Each district school superintendent shall designate a  
793 school administrator as a school safety specialist for the  
794 district. The school safety specialist must earn a certificate  
795 of completion of the school safety specialist training provided  
796 by the Office of Safe Schools within 1 year after appointment  
797 and is responsible for the supervision and oversight for all  
798 school safety and security personnel, policies, and procedures  
799 in the school district. The school safety specialist shall:

800 1. Review policies and procedures for compliance with  
801 state law and rules.

802 2. Provide the necessary training and resources to  
803 students and school district staff in matters relating to youth  
804 mental health first aid; emergency procedures, including active  
805 shooter training; and school safety and security.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

806 3. Serve as the school district liaison with local public  
807 safety agencies and national, state, and community agencies and  
808 organizations in matters of school safety and security.

809 4. Conduct a school security risk assessment at each  
810 public school using the school security risk assessment tool  
811 developed by the Office of Safe Schools ~~Use the Safety and~~  
812 ~~Security Best Practices developed by the Office of Program~~  
813 ~~Policy Analysis and Government Accountability to conduct a self-~~  
814 ~~assessment of the school districts' current safety and security~~  
815 ~~practices. Based on the assessment these self-assessment~~  
816 ~~findings, the district's school safety specialist district~~  
817 ~~school superintendent shall provide recommendations to the~~  
818 ~~district school board which identify strategies and activities~~  
819 ~~that the district school board should implement in order to~~  
820 ~~improve school safety and security. Annually, each district~~  
821 ~~school board must receive such findings and the school safety~~  
822 ~~specialist's recommendations the self-assessment results at a~~  
823 ~~publicly noticed district school board meeting to provide the~~  
824 ~~public an opportunity to hear the district school board members~~  
825 ~~discuss and take action on the report findings and~~  
826 ~~recommendations. Each school safety specialist district school~~  
827 ~~superintendent shall report such findings the self-assessment~~  
828 ~~results and school board action to the Office of Safe Schools~~  
829 ~~commissioner within 30 days after the district school board~~  
830 ~~meeting.~~

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

831 (b) Each school safety specialist shall coordinate with  
832 the appropriate public safety agencies, as defined in s.  
833 365.171, that are designated as first responders to a school's  
834 campus to conduct a tour of such campus once every 3 years and  
835 provide recommendations related to school safety. The  
836 recommendations by the public safety agencies must be considered  
837 as part of the recommendations by the school safety specialist  
838 pursuant to paragraph (a).

839 (7) THREAT ASSESSMENT TEAMS.—Each district school board  
840 shall adopt policies for the establishment of threat assessment  
841 teams at each school whose duties include the coordination of  
842 resources and assessment and intervention with individuals whose  
843 behavior may pose a threat to the safety of school staff or  
844 students consistent with the model policies developed by the  
845 Office of Safe Schools. Such policies shall include procedures  
846 for referrals to mental health services identified by the school  
847 district pursuant to s. 1012.584(4), when appropriate.

848 (a) A threat assessment team shall include persons with  
849 expertise in counseling, instruction, school administration, and  
850 law enforcement. The threat assessment teams shall identify  
851 members of the school community to whom threatening behavior  
852 should be reported and provide guidance to students, faculty,  
853 and staff regarding recognition of threatening or aberrant  
854 behavior that may represent a threat to the community, school,  
855 or self.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

856 (b) Upon a preliminary determination that a student poses  
857 a threat of violence or physical harm to himself or herself or  
858 others, a threat assessment team shall immediately report its  
859 determination to the superintendent or his or her designee. The  
860 superintendent or his or her designee shall immediately attempt  
861 to notify the student's parent or legal guardian. Nothing in  
862 this subsection shall preclude school district personnel from  
863 acting immediately to address an imminent threat.

864 (c) Upon a preliminary determination by the threat  
865 assessment team that a student poses a threat of violence to  
866 himself or herself or others or exhibits significantly  
867 disruptive behavior or need for assistance, the threat  
868 assessment team may obtain criminal history record information,  
869 as provided in s. 985.047. A member of a threat assessment team  
870 may not disclose any criminal history record information  
871 obtained pursuant to this section or otherwise use any record of  
872 an individual beyond the purpose for which such disclosure was  
873 made to the threat assessment team.

874 (d) Notwithstanding any other provision of law, all state  
875 and local agencies and programs that provide services to  
876 students experiencing or at risk of an emotional disturbance or  
877 a mental illness, including the school districts, school  
878 personnel, state and local law enforcement agencies, the  
879 Department of Juvenile Justice, the Department of Children and  
880 Families, the Department of Health, the Agency for Health Care

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

881 Administration, the Agency for Persons with Disabilities, the  
882 Department of Education, the Statewide Guardian Ad Litem Office,  
883 and any service or support provider contracting with such  
884 agencies, may share with each other records or information that  
885 are confidential or exempt from disclosure under chapter 119 if  
886 the records or information are reasonably necessary to ensure  
887 access to appropriate services for the student or to ensure the  
888 safety of the student or others. All such state and local  
889 agencies and programs shall communicate, collaborate, and  
890 coordinate efforts to serve such students.

891 (e) If an immediate mental health or substance abuse  
892 crisis is suspected, school personnel shall follow policies  
893 established by the threat assessment team to engage behavioral  
894 health crisis resources. Behavioral health crisis resources,  
895 including, but not limited to, mobile crisis teams and school  
896 resource officers trained in crisis intervention, shall provide  
897 emergency intervention and assessment, make recommendations, and  
898 refer the student for appropriate services. Onsite school  
899 personnel shall report all such situations and actions taken to  
900 the threat assessment team, which shall contact the other  
901 agencies involved with the student and any known service  
902 providers to share information and coordinate any necessary  
903 followup actions.

904 (f) Each threat assessment team established pursuant to  
905 this subsection shall report quantitative data on its activities

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

906 | to the Office of Safe Schools in accordance with guidance from  
907 | the office.

908 | Section 15. Subsection (2) of section 1006.08, Florida  
909 | Statutes, is amended to read:

910 | 1006.08 District school superintendent duties relating to  
911 | student discipline and school safety.—

912 | (2) Notwithstanding the provisions of s. 985.04(7) or any  
913 | other provision of law to the contrary, the court shall, within  
914 | 48 hours of the finding, notify the appropriate district school  
915 | superintendent of the name and address of any student found to  
916 | have committed a delinquent act, or who has had adjudication of  
917 | a delinquent act withheld which, if committed by an adult, would  
918 | be a felony, ~~or~~ the name and address of any student found guilty  
919 | of a felony, or the name and address of any student the court  
920 | refers to mental health services. Notification shall include the  
921 | specific delinquent act found to have been committed or for  
922 | which adjudication was withheld, or the specific felony for  
923 | which the student was found guilty.

924 | Section 16. Section 1006.12, Florida Statutes, is amended  
925 | to read:

926 | 1006.12 School resource officers and school safety  
927 | officers.—

928 | (1) District school boards shall develop partnerships with  
929 | local law enforcement agencies to address the security needs of  
930 | schools. District school boards and local law enforcement

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

931 agencies shall examine the use of school resource officers and  
932 school safety officers to increase security on school grounds  
933 and the use of directed patrols before and after school and  
934 extracurricular activities to enhance the presence of law  
935 enforcement and provide an atmosphere of safety and trust.

936 (2)~~(1)~~ District school boards shall ~~may~~ establish a school  
937 resource officer program ~~programs~~, through a cooperative  
938 agreement with law enforcement agencies or in accordance with  
939 subsection (3) ~~subsection (2)~~.

940 (a) School resource officers shall:

941 1. Be certified law enforcement officers, as defined in s.  
942 943.10(1), who are employed by a law enforcement agency as  
943 defined in s. 943.10(4). The powers and duties of a law  
944 enforcement officer shall continue throughout the employee's  
945 tenure as a school resource officer.

946 2. Complete mental health crisis intervention training  
947 using a curriculum developed by a national organization with  
948 expertise in mental health crisis intervention. The training  
949 shall improve officers' knowledge and skills as first responders  
950 to incidents involving students with emotional disturbance or  
951 mental illness, including de-escalation skills to ensure student  
952 and officer safety.

953 (b) School resource officers shall abide by district  
954 school board policies and shall consult with and coordinate  
955 activities through the school principal, but shall be

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

956 responsible to the law enforcement agency in all matters  
957 relating to employment, subject to agreements between a district  
958 school board and a law enforcement agency. Activities conducted  
959 by the school resource officer which are part of the regular  
960 instructional program of the school shall be under the direction  
961 of the school principal.

962 (3) (a) ~~(2) (a)~~ School safety officers shall be law  
963 enforcement officers, as defined in s. 943.10(1), certified  
964 under the provisions of chapter 943 and employed by either a law  
965 enforcement agency or by the district school board. If the  
966 officer is employed by the district school board, the district  
967 school board is the employing agency for purposes of chapter  
968 943, and must comply with the provisions of that chapter.

969 ~~(b) A district school board may commission one or more~~  
970 ~~school safety officers for the protection and safety of school~~  
971 ~~personnel, property, and students within the school district.~~  
972 ~~The district school superintendent may recommend and the~~  
973 ~~district school board may appoint one or more school safety~~  
974 ~~officers.~~

975 (b) (e) A school safety officer has and shall exercise the  
976 power to make arrests for violations of law on district school  
977 board property and to arrest persons, whether on or off such  
978 property, who violate any law on such property under the same  
979 conditions that deputy sheriffs are authorized to make arrests.

248643

Approved For Filing: 2/28/2018 10:37:33 AM



Amendment No.

980 A school safety officer has the authority to carry weapons when  
981 performing his or her official duties.

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

987 Section 17. Subsection (1), paragraph (c) of subsection  
988 (4), and subsection (8) of section 1006.13, Florida Statutes,  
989 are amended, and paragraph (f) is added to subsection (2) of  
990 that section, to read:

991 1006.13 Policy of zero tolerance for crime and  
992 victimization.—

993 (1) District school boards shall ~~It is the intent of the~~  
994 ~~Legislature to~~ promote a safe and supportive learning  
995 environment in schools by protecting, ~~to protect~~ students and  
996 staff from conduct that poses a serious threat to school safety.  
997 A threat assessment team may, ~~and to encourage schools to use~~  
998 alternatives to expulsion or referral to law enforcement  
999 agencies to address ~~by addressing~~ disruptive behavior through  
1000 restitution, civil citation, teen court, neighborhood  
1001 restorative justice, or similar programs. Zero-tolerance ~~The~~  
1002 ~~Legislature finds that zero-tolerance~~ policies may are not  
1003 ~~intended to~~ be rigorously applied to petty acts of misconduct  
1004 and misdemeanors, including, but not limited to, minor fights or

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1005 disturbances. Zero-tolerance policies ~~The Legislature finds that~~  
1006 ~~zero-tolerance policies~~ must apply equally to all students  
1007 regardless of their economic status, race, or disability.

1008 (2) Each district school board shall adopt a policy of  
1009 zero tolerance that:

1010 (f) Requires the threat assessment team to consult with  
1011 law enforcement when a student exhibits a pattern of behavior,  
1012 based upon previous acts or the severity of an act, that would  
1013 pose a threat to school safety.

1014 (4)

1015 (c) Zero-tolerance policies do not require the reporting  
1016 of petty acts of misconduct and misdemeanors to a law  
1017 enforcement agency, including, but not limited to, disorderly  
1018 conduct, ~~disrupting a school function,~~ simple assault or  
1019 battery, affray, theft of less than \$300, trespassing, and  
1020 vandalism of less than \$1,000. However, if a student commits  
1021 more than one misdemeanor, the threat assessment team must  
1022 consult with law enforcement to determine if the act should be  
1023 reported to law enforcement.

1024 (8) A threat assessment team may ~~School districts are~~  
1025 ~~encouraged to~~ use alternatives to expulsion or referral to law  
1026 enforcement agencies unless the use of such alternatives will  
1027 pose a threat to school safety.

1028 Section 18. Subsection (17) of section 1011.62, Florida  
1029 Statutes, is renumbered as subsection (18), paragraph (b) of

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1030 subsection (6) and subsection (15) are amended, and a new  
1031 subsection (17) is added to that section to read:

1032 1011.62 Funds for operation of schools.—If the annual  
1033 allocation from the Florida Education Finance Program to each  
1034 district for operation of schools is not determined in the  
1035 annual appropriations act or the substantive bill implementing  
1036 the annual appropriations act, it shall be determined as  
1037 follows:

1038 (6) CATEGORICAL FUNDS.—

1039 (b) If a district school board finds and declares in a  
1040 resolution adopted at a regular meeting of the school board that  
1041 the funds received for any of the following categorical  
1042 appropriations are urgently needed to maintain school board  
1043 specified academic classroom instruction or improve school  
1044 safety, the school board may consider and approve an amendment  
1045 to the school district operating budget transferring the  
1046 identified amount of the categorical funds to the appropriate  
1047 account for expenditure:

1048 1. Funds for student transportation.

1049 ~~2. Funds for safe schools.~~

1050 ~~2.3.~~ Funds for supplemental academic instruction if the  
1051 required additional hour of instruction beyond the normal school  
1052 day for each day of the entire school year has been provided for  
1053 the students in each low-performing elementary school in the  
1054 district pursuant to paragraph (1) (f).

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1055        ~~3.4.~~ Funds for research-based reading instruction if the  
1056 required additional hour of instruction beyond the normal school  
1057 day for each day of the entire school year has been provided for  
1058 the students in each low-performing elementary school in the  
1059 district pursuant to paragraph (9) (a).

1060        ~~4.5.~~ Funds for instructional materials if all  
1061 instructional material purchases necessary to provide updated  
1062 materials that are aligned with applicable state standards and  
1063 course descriptions and that meet statutory requirements of  
1064 content and learning have been completed for that fiscal year,  
1065 but no sooner than March 1. Funds available after March 1 may be  
1066 used to purchase hardware for student instruction.

1067        (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is  
1068 created to provide funding to assist school districts in their  
1069 compliance with s. 1006.07 ~~ss. 1006.07-1006.148~~, with priority  
1070 given to implementing the district's ~~establishing a school~~  
1071 resource officer program pursuant to s. 1006.12. Each school  
1072 district shall receive a minimum safe schools allocation in an  
1073 amount provided in the General Appropriations Act. Of the  
1074 remaining balance of the safe schools allocation, two-thirds  
1075 shall be allocated to school districts based on the most recent  
1076 official Florida Crime Index provided by the Department of Law  
1077 Enforcement and one-third shall be allocated based on each  
1078 school district's proportionate share of the state's total  
1079 unweighted full-time equivalent student enrollment. Any

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1080 additional funds appropriated to this allocation in the 2018-  
1081 2019 fiscal year to the school resource officer program  
1082 established pursuant to s. 1006.12 shall be used exclusively for  
1083 employing or contracting for school resource officers, which  
1084 shall be in addition to the number of officers employed or  
1085 contracted for in the 2017-2018 fiscal year. Such funds shall be  
1086 allocated to school districts based on each district's  
1087 proportionate share of the state's total unweighted full-time  
1088 equivalent student enrollment.

1089 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental  
1090 health assistance allocation is created to provide funding to  
1091 assist school districts in establishing or expanding school-  
1092 based mental health care. These funds shall be allocated  
1093 annually in the General Appropriations Act or other law to each  
1094 eligible school district. Each school district shall receive a  
1095 minimum of \$100,000 with the remaining balance allocated based  
1096 on each school district's proportionate share of the state's  
1097 total unweighted full-time equivalent student enrollment.  
1098 Eligible charter schools are entitled to a proportionate share  
1099 of district funding. At least 90 percent of a district's  
1100 allocation must be expended on the elements specified in  
1101 subparagraphs (b)1. and 2. The allocated funds may not supplant  
1102 funds that are provided for this purpose from other operating  
1103 funds and may not be used to increase salaries or provide  
1104 bonuses. School districts are encouraged to maximize third party

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1105 health insurance benefits and Medicaid claiming for services,  
1106 where appropriate.

1107 (a) Before the distribution of the allocation:

1108 1. The school district must develop and submit a detailed  
1109 plan outlining the local program and planned expenditures to the  
1110 district school board for approval.

1111 2. A charter school must develop and submit a detailed  
1112 plan outlining the local program and planned expenditures to its  
1113 governing body for approval. After the plan is approved by the  
1114 governing body, it must be provided to the charter school's  
1115 sponsor.

1116 (b) The plans required under paragraph (a) must be focused  
1117 on delivering evidence-based mental health care treatment to  
1118 children and include the following elements:

1119 1. Provision of mental health assessment, diagnosis,  
1120 intervention, treatment, and recovery services to students with  
1121 one or more mental health or co-occurring substance abuse  
1122 diagnoses and students at high risk of such diagnoses.

1123 2. Coordination of such services with a student's primary  
1124 care provider and with other mental health providers involved in  
1125 the student's care.

1126 3. Direct employment of such service providers, or a  
1127 contract-based collaborative effort or partnership with one or  
1128 more local community mental health programs, agencies, or  
1129 providers.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1130 (c) School districts shall submit approved plans,  
1131 including approved plans of each charter school in the district,  
1132 to the commissioner by August 1 of each fiscal year.

1133 (d) Beginning September 30, 2019, and annually by  
1134 September 30 thereafter, each school district shall submit to  
1135 the Department of Education a report on its program outcomes and  
1136 expenditures for the previous fiscal year that, at a minimum,  
1137 must include the number of each of the following:

1138 1. Students who receive screenings or assessments.

1139 2. Students who are referred for services or assistance.

1140 3. Students who receive services or assistance.

1141 4. Direct employment service providers employed by each  
1142 school district.

1143 5. Contract-based collaborative efforts or partnerships  
1144 with community mental health programs, agencies, or providers.

1145 Section 19. Section 1012.584, Florida Statutes, is created  
1146 to read:

1147 1012.584 Continuing education and inservice training for  
1148 youth mental health first aid.—

1149 (1) Beginning with the 2018-2019 school year, the  
1150 Department of Education shall establish a youth mental health  
1151 first aid training program to help school personnel identify and  
1152 understand the signs of emotional disturbance, mental illness,  
1153 and substance use disorders and provide such personnel with the

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1154 skills to help a person who is developing or experiencing an  
1155 emotional disturbance, mental health, or substance use problem.

1156 (2) The Department of Education shall select a national  
1157 authority on youth mental health first aid to facilitate  
1158 providing youth mental health first aid training, using a  
1159 trainer certification model, to all school personnel in  
1160 elementary, middle, and high schools. Each school safety  
1161 specialist shall earn, or designate one or more individuals to  
1162 earn, certification as a youth mental health first aid trainer.  
1163 The school safety specialist shall ensure that all school  
1164 personnel within his or her school district receive youth mental  
1165 health first aid training.

1166 (3) The training program shall include, but is not limited  
1167 to:

1168 (a) An overview of mental illnesses and substance use  
1169 disorders and the need to reduce the stigma of mental illness.

1170 (b) Information on the potential risk factors and warning  
1171 signs of emotional disturbance, mental illness, or substance use  
1172 disorders, including, but not limited to, depression, anxiety,  
1173 psychosis, eating disorders, and self-injury, as well as common  
1174 treatments for those conditions and how to assess those risks.

1175 (c) Information on how to engage at-risk students with the  
1176 skills, resources, and knowledge required to assess the  
1177 situation, and how to identify and encourage the student to use

248643

Approved For Filing: 2/28/2018 10:37:33 AM



Amendment No.

1178 appropriate professional help and other support strategies,  
1179 including, but not limited to, peer, social, or self-help care.

1180 (4) Each school district shall notify all school personnel  
1181 who have received training pursuant to this section of mental  
1182 health services that are available in the school district, and  
1183 the individual to contact if a student needs services. The term  
1184 "mental health services" includes, but is not limited to,  
1185 community mental health services, health care providers, and  
1186 services provided under ss. 1006.04 and 1011.62(17).

1187 Section 20. For the 2018-2019 fiscal year, the sum of  
1188 \$67,237,286 in recurring funds is appropriated from the General  
1189 Revenue Fund to the Department of Education in the Aid to Local  
1190 Governments Grants and Aids - Florida Education Finance Program  
1191 to fund the mental health assistance allocation established  
1192 pursuant to s. 1011.62(17), Florida Statutes.

1193 Section 21. For the 2018-2019 fiscal year, the sum of \$1  
1194 million in nonrecurring funds is appropriated from the General  
1195 Revenue Fund to the Department of Education for the design and  
1196 construction of a memorial honoring those who lost their lives  
1197 on February 14, 2018, at Marjory Stoneman Douglas High School in  
1198 Broward County. The department shall collaborate with the  
1199 students and faculty of Marjory Stoneman Douglas High School,  
1200 the families of the victims, the Broward County School District,  
1201 and other relevant entities of the Parkland, Florida, community  
1202 on the design and placement of the memorial.

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1203           Section 22. For the 2018-2019 fiscal year, the sum of  
 1204 \$28,575,900 in nonrecurring funds is appropriated from the  
 1205 General Revenue Fund to the Department of Education for the  
 1206 purpose of replacing Building 12, as listed in the Florida  
 1207 Inventory of School Houses, at Marjory Stoneman Douglas High  
 1208 School in Broward County. The replacement building shall be a  
 1209 state-owned facility; however, the Broward County School  
 1210 District is responsible for its operation and maintenance.

1211  
 1212 -----  
 1213                                   **T I T L E   A M E N D M E N T**

1214           Remove lines 5-148 and insert:  
 1215           for student crime watch programs; amending s. 394.495,  
 1216           F.S.; requiring the Department of Children and  
 1217           Families to contract with managing entities to  
 1218           establish community action teams; requiring community  
 1219           action teams to provide community-based behavioral  
 1220           health and support services to certain children,  
 1221           adolescents, and young adults; requiring such teams to  
 1222           use an integrated service delivery approach that  
 1223           includes family participation; providing for referrals  
 1224           to specialized treatment; requiring coordination of  
 1225           services provided by schools, the department, and the  
 1226           juvenile justice system; specifying service areas,  
 1227           contingent upon appropriations; requiring the

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1228 department to contract for additional community action  
1229 teams, contingent upon appropriations; amending s.  
1230 790.065, F.S.; prohibiting a licensed importer,  
1231 manufacturer, or dealer from selling or delivering a  
1232 firearm to a person less than 21 years of age;  
1233 providing exceptions; amending s. 790.0655, F.S.;  
1234 requiring a specified waiting period between the  
1235 purchase and delivery at retail of any firearm;  
1236 providing exceptions; revising terminology; creating  
1237 s. 790.0656, F.S.; requiring law enforcement agencies  
1238 taking custody of persons for involuntary examination  
1239 to seize the person's firearms and ammunition in  
1240 certain circumstances; requiring the reporting of  
1241 specified information concerning the involuntary  
1242 examination; providing for ex parte temporary  
1243 injunctions to prohibit the possession of firearms and  
1244 ammunition in certain circumstances; providing for  
1245 extension of such injunctions; providing for the  
1246 return of firearms and ammunition after expiration of  
1247 such injunction; providing for petitions to terminate  
1248 injunctions; requiring law enforcement agencies to  
1249 develop specified policies; creating s. 790.0657,  
1250 F.S.; prohibiting the possession of firearms or  
1251 ammunition by certain persons adjudicated mentally  
1252 defective or committed to a mental institution;

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1253 providing for relief of firearms ownership disability;  
1254 providing for forfeiture or seizure of firearms and  
1255 ammunition in certain circumstances; requiring law  
1256 enforcement agencies to develop specified policies;  
1257 creating s. 790.222, F.S.; prohibiting specified acts  
1258 relating to the sale and possession of bump-fire  
1259 stocks; providing a penalty; providing a definition;  
1260 creating s. 943.082, F.S.; requiring the Department of  
1261 Law Enforcement to competitively procure a mobile  
1262 suspicious activity reporting tool; requiring the tool  
1263 to notify certain parties of specified information;  
1264 requiring information received by the system to be  
1265 reported to the appropriate agencies and school  
1266 officials; requiring certain entities to be made aware  
1267 of the system; requiring certain materials be provided  
1268 to participating schools and school districts;  
1269 creating s. 943.687, F.S.; creating the Marjory  
1270 Stoneman Douglas High School Public Safety Commission  
1271 within the Department of Law Enforcement; providing  
1272 membership; specifying powers and duties of the  
1273 commission; providing for meetings; providing for  
1274 subpoena power; providing for access to information;  
1275 requiring a report and recommendations; providing for  
1276 sunset of the commission and future repeal of  
1277 provisions; creating s. 1001.212, F.S.; creating the

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1278 Office of Safe Schools within the Department of  
1279 Education; providing duties of the office; amending s.  
1280 1002.32, F.S.; conforming a cross-reference; amending  
1281 s. 1006.04, F.S.; revising the purpose and duties of  
1282 the educational multiagency network for students with  
1283 emotional and behavioral disabilities; amending s.  
1284 1006.07, F.S.; revising district school board duties  
1285 relating to student discipline and school safety;  
1286 requiring students to note referrals to mental health  
1287 services upon initial registration for school within a  
1288 school district; authorizing a district school board  
1289 to refer a student to certain mental health services  
1290 under certain circumstances; revising the code of  
1291 student conduct relating to the referral of certain  
1292 students to certain mental health services and law  
1293 enforcement; providing requirements for student crime  
1294 watch programs; revising the policies and procedures  
1295 for emergency drills to include drills for active  
1296 shooter and hostage situations; providing requirements  
1297 for such drills; revising requirements for the  
1298 emergency response policy; requiring model emergency  
1299 management and emergency preparedness procedures for  
1300 active shooter situations; requiring school districts  
1301 to establish a schedule to test emergency  
1302 communication systems; requiring district school

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1303 superintendents to establish certain policies and  
1304 procedures relating to the prevention of violence on  
1305 school grounds and designate a school safety  
1306 specialist for the school district; providing  
1307 requirements and duties for school safety specialists;  
1308 providing school safety specialist and district school  
1309 board requirements relating to the required school  
1310 security risk assessments; requiring each district  
1311 school board to establish a threat assessment team at  
1312 each school within the district; providing  
1313 requirements and duties for threat assessment teams;  
1314 authorizing a threat assessment team to obtain certain  
1315 criminal history record information under certain  
1316 circumstances; prohibiting a member of a threat  
1317 assessment team from disclosing or using such  
1318 information except for a specified purpose;  
1319 authorizing certain entities to share specified  
1320 confidential information and records relating to  
1321 students for specified purposes; authorizing school  
1322 personnel to address an immediate mental health or  
1323 substance abuse crisis; providing requirements for  
1324 addressing such situations; providing threat  
1325 assessment team reporting requirements; amending s.  
1326 1006.08, F.S.; requiring a district school  
1327 superintendent to be notified by the court of a

248643

Approved For Filing: 2/28/2018 10:37:33 AM

Amendment No.

1328 student referred to mental health services; amending  
1329 s. 1006.12, F.S.; requiring school districts to  
1330 develop partnerships with local law enforcement  
1331 agencies for specified purposes; requiring such school  
1332 districts and law enforcement agencies to examine the  
1333 use of specified officers for certain purposes;  
1334 requiring, rather than authorizing, district school  
1335 boards to establish a school resource officer program;  
1336 requiring each school resource officer to complete  
1337 specified training; amending s. 1006.13, F.S.;

248643

Approved For Filing: 2/28/2018 10:37:33 AM