

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Asencio offered the following:

Amendment (with title amendment)

Remove lines 190-1218 and insert:

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

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

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

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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.

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- 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.

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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.
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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

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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.

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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

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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

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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:

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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

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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

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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

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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

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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

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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.

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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

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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:

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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.

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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.

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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

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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.

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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:

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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

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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

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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~~

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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~~

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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

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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.

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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:

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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,

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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.—

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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.

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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.

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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.~~

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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.

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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

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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

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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

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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
 937 -----

T I T L E A M E N D M E N T

939 Remove lines 5-133 and insert:
 940 for student crime watch programs; amending s. 394.495,
 941 F.S.; requiring the Department of Children and
 942 Families to contract with managing entities to
 943 establish community action teams; requiring community
 944 action teams to provide community-based behavioral
 945 health and support services to certain children,
 946 adolescents, and young adults; requiring such teams to
 947 use an integrated service delivery approach that
 948 includes family participation; providing for referrals
 949 to specialized treatment; requiring coordination of
 950 services provided by schools, the department, and the
 951 juvenile justice system; specifying service areas,
 952 contingent upon appropriations; requiring the
 953 department to contract for additional community action
 954 teams, contingent upon appropriations; amending s.
 955 790.065, F.S.; prohibiting a licensed importer,

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956 manufacturer, or dealer from selling or delivering a
957 firearm to a person less than 21 years of age;
958 providing exceptions; amending s. 790.0655, F.S.;
959 requiring a specified waiting period between the
960 purchase and delivery at retail of any firearm;
961 providing exceptions; revising terminology; creating
962 s. 790.0656, F.S.; requiring law enforcement agencies
963 taking custody of persons for involuntary examination
964 to seize the person's firearms and ammunition in
965 certain circumstances; requiring the reporting of
966 specified information concerning the involuntary
967 examination; providing for ex parte temporary
968 injunctions to prohibit the possession of firearms and
969 ammunition in certain circumstances; providing for
970 extension of such injunctions; providing for the
971 return of firearms and ammunition after expiration of
972 such injunction; providing for petitions to terminate
973 injunctions; requiring law enforcement agencies to
974 develop specified policies; creating s. 790.0657,
975 F.S.; prohibiting the possession of firearms or
976 ammunition by certain persons adjudicated mentally
977 defective or committed to a mental institution;
978 providing for relief of firearms ownership disability;
979 providing for forfeiture or seizure of firearms and
980 ammunition in certain circumstances; requiring law

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981 enforcement agencies to develop specified policies;
982 creating s. 790.222, F.S.; prohibiting specified acts
983 relating to the sale and possession of bump-fire
984 stocks; providing a penalty; providing a definition;
985 creating s. 943.082, F.S.; requiring the Department of
986 Law Enforcement to competitively procure a mobile
987 suspicious activity reporting tool; requiring the tool
988 to notify certain parties of specified information;
989 requiring information received by the system to be
990 reported to the appropriate agencies and school
991 officials; requiring certain entities to be made aware
992 of the system; requiring certain materials be provided
993 to participating schools and school districts;
994 creating s. 943.687, F.S.; creating the Marjory
995 Stoneman Douglas High School Public Safety Commission
996 within the Department of Law Enforcement; providing
997 membership; specifying powers and duties of the
998 commission; providing for meetings; providing for
999 subpoena power; providing for access to information;
1000 requiring a report and recommendations; providing for
1001 sunset of the commission and future repeal of
1002 provisions; creating s. 1001.212, F.S.; creating the
1003 Office of Safe Schools within the Department of
1004 Education; providing duties of the office; amending s.
1005 1002.32, F.S.; conforming a cross-reference; amending

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1006 s. 1006.04, F.S.; revising the purpose and duties of
1007 the educational multiagency network for students with
1008 emotional and behavioral disabilities; amending s.
1009 1006.07, F.S.; revising district school board duties
1010 relating to student discipline and school safety;
1011 requiring students to note referrals to mental health
1012 services upon initial registration for school within a
1013 school district; authorizing a district school board
1014 to refer a student to certain mental health services
1015 under certain circumstances; revising the code of
1016 student conduct relating to the referral of certain
1017 students to certain mental health services and law
1018 enforcement; providing requirements for student crime
1019 watch programs; revising the policies and procedures
1020 for emergency drills to include drills for active
1021 shooter and hostage situations; providing requirements
1022 for such drills; revising requirements for the
1023 emergency response policy; requiring model emergency
1024 management and emergency preparedness procedures for
1025 active shooter situations; requiring school districts
1026 to establish a schedule to test emergency
1027 communication systems; requiring district school
1028 superintendents to establish certain policies and
1029 procedures relating to the prevention of violence on
1030 school grounds and designate a school safety

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1031 specialist for the school district; providing
1032 requirements and duties for school safety specialists;
1033 providing school safety specialist and district school
1034 board requirements relating to the required school
1035 security risk assessments; requiring each district
1036 school board to establish a threat assessment team at
1037 each school within the district; providing
1038 requirements and duties for threat assessment teams;
1039 authorizing a threat assessment team to obtain certain
1040 criminal history record information under certain
1041 circumstances; prohibiting a member of a threat
1042 assessment team from disclosing or using such
1043 information except for a specified purpose;
1044 authorizing certain entities to share specified
1045 confidential information and records relating to
1046 students for specified purposes; authorizing school
1047 personnel to address an immediate mental health or
1048 substance abuse crisis; providing requirements for
1049 addressing such situations; providing threat
1050 assessment team reporting requirements; amending s.
1051 1006.08, F.S.; requiring a district school
1052 superintendent to be notified by the court of a
1053 student referred to mental health services; amending
1054 s. 1006.12, F.S.; requiring, rather than authorizing,

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