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	COMMITTEE/SUBCOMMITTEE	ı	ACTION
ADOP	ΓED	•	(Y/N)
ADOP	TED AS AMENDED	•	(Y/N)
ADOP'	TED W/O OBJECTION	•	(Y/N)
FAIL	ED TO ADOPT	•	(Y/N)
WITH	ORAWN	•	(Y/N)
OTHE	R		

Committee/Subcommittee hearing bill: Appropriations Committee Representative Moskowitz offered the following:

## Amendment (with title amendment)

Remove lines 187-1550 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 child or adolescent may not be admitted to a state mental health

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facility and such a facility may not be included within the array of services.

- that provide a professional interpretation of the nature of the problems of the child or adolescent and his or her family; family issues that may impact the problems; additional factors that contribute to the problems; and the assets, strengths, and resources of the child or adolescent and his or her family. The assessment services to be provided shall be determined by the clinical needs of each child or adolescent. Assessment services include, but are not limited to, evaluation and screening in the following areas:
- (a) Physical and mental health for purposes of identifying medical and psychiatric problems.
- (b) Psychological functioning, as determined through a battery of psychological tests.
  - (c) Intelligence and academic achievement.
  - (d) Social and behavioral functioning.
  - (e) Family functioning.

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

(3) Assessments must be performed by:

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41	(a)	A professional as defined in s. 394.455(5), (7), (32),
42	(35), or	(36);
43	(b)	A professional licensed under chapter 491; or
44	(C)	A person who is under the direct supervision of a
45	qualified	professional as defined in s. 394.455(5), (7), (32),
46	(35), or	(36) or a professional licensed under chapter 491.
47	(4)	The array of services may include, but is not limited
48	to:	
49	(a)	Prevention services.
50	(b)	Home-based services.
51	(c)	School-based services.
52	(d)	Family therapy.
53	(e)	Family support.
54	(f)	Respite services.
55	(g)	Outpatient treatment.
56	(h)	Day treatment.
57	(i)	Crisis stabilization.
58	(j)	Therapeutic foster care.
59	(k)	Residential treatment.
60	(1)	Inpatient hospitalization.
61	(m)	Case management.
62	(n)	Services for victims of sex offenses.
63	(0)	Transitional services.
64	(p)	Trauma-informed services for children who have
65	suffered	sexual exploitation as defined in s. 39.01(71)(g).

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

- (6) The department shall contract for community action teams throughout the state with the managing entities. A community action team shall:
- (a) Provide community-based behavioral health and support services to children from 11 to 13 years of age, adolescents, and young adults from 18 to 21 years of age with serious behavioral health conditions who are at risk of out-of-home placement as demonstrated by:
  - 1. Repeated failures at less intensive levels of care;
  - 2. Two or more behavioral health hospitalizations;
  - 3. Involvement with the Department of Juvenile Justice;
- 4. A history of multiple episodes involving law enforcement; or
  - 5. A record of poor academic performance or suspensions.

Children younger than 11 years of age otherwise meeting the criteria in this paragraph may be candidates for such services

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if they demonstrate two or more of the characteristics listed in subparagraphs 1.-5.

- (b) Use an integrated service delivery approach to comprehensively address the needs of the child, adolescent, or young adult and strengthen his or her family and support systems to assist the child, adolescent, or young adult to live successfully in the community. A community action team shall address the therapeutic needs of the child, adolescent, or young adult receiving services and assist parents and caregivers in obtaining services and supports. The community action team shall make referrals to specialized treatment if necessary, with follow up by the community action team to ensure services are provided.
- (c) Focus on engaging the child, adolescent, or young adult and his or her family as active participants in every phase of the treatment process. Community action teams shall be available to the child, adolescent, or young adult and his or her family at all times.
- (d) Coordinate with other key entities providing services and supports to the child, adolescent, or young adult and his or her family, including, but not limited to, the child's, adolescent's, or young adult's school, the local educational multiagency network for severely emotionally disturbed students under s. 1006.04, the child welfare system, and the juvenile

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with the managing entity in their service location.  (e)1. Subject to appropriations and at a minimum, individually serve each of the following counties or regions:  a. Alachua.  b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and  Suwannee.  c. Bay. c. Bay. d. Brevard. e. Collier. f. DeSoto and Sarasota.  g. Duval. h. Escambia. i. Hardee, Highlands, and Polk. j. Hillsborough. k. Indian River, Martin, Okeechobee, and St. Lucie.  131 m. Lee. 132 n. Manatee. 133 o. Marion. 134 p. Miami-Dade. 135 q. Okaloosa. 136 r. Orange. 137 S. Palm Beach. 138 t. Pasco.	114	justice system. Community action teams shall also coordinate
individually serve each of the following counties or regions:  a. Alachua. b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and  Suwannee.  c. Bay. d. Brevard. e. Collier. f. DeSoto and Sarasota. g. Duval. h. Escambia. i. Hardee, Highlands, and Polk. j. Hillsborough. k. Indian River, Martin, Okeechobee, and St. Lucie. l. Lake and Sumter. m. Lee. n. Manatee. o. Marion. p. Miami-Dade. q. Okaloosa. r. Orange. s. Palm Beach.	115	with the managing entity in their service location.
a. Alachua. b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and  Suwannee.  C. Bay.  d. Brevard. e. Collier.  f. DeSoto and Sarasota.  g. Duval. h. Escambia. i. Hardee, Highlands, and Polk. j. Hillsborough. k. Indian River, Martin, Okeechobee, and St. Lucie.  130 l. Lake and Sumter.  131 m. Lee. 132 n. Manatee. o. Marion. p. Miami-Dade. 135 q. Okaloosa. r. Orange. s. Palm Beach.	116	(e)1. Subject to appropriations and at a minimum,
b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and  Suwannee.  c. Bay.  d. Brevard.  e. Collier.  f. DeSoto and Sarasota.  g. Duval.  h. Escambia.  i. Hardee, Highlands, and Polk.  j. Hillsborough.  k. Indian River, Martin, Okeechobee, and St. Lucie.  l. Lake and Sumter.  m. Lee.  n. Manatee.  o. Marion.  p. Miami-Dade.  q. Okaloosa.  r. Orange.  s. Palm Beach.	117	individually serve each of the following counties or regions:
Suwannee.	118	a. Alachua.
c. Bay.  d. Brevard.  e. Collier.  f. DeSoto and Sarasota.  g. Duval.  h. Escambia.  i. Hardee, Highlands, and Polk.  j. Hillsborough.  k. Indian River, Martin, Okeechobee, and St. Lucie.  l. Lake and Sumter.  m. Lee.  n. Manatee.  n. Manatee.  n. Marion.  p. Miami-Dade.  q. Okaloosa.  r. Orange.  s. Palm Beach.	119	b. Alachua, Columbia, Dixie, Hamilton, Lafayette, and
d. Brevard.  e. Collier.  f. DeSoto and Sarasota.  g. Duval.  h. Escambia.  i. Hardee, Highlands, and Polk.  j. Hillsborough.  k. Indian River, Martin, Okeechobee, and St. Lucie.  l. Lake and Sumter.  m. Lee.  n. Manatee.  o. Marion.  p. Miami-Dade.  g. Okaloosa.  r. Orange.  s. Palm Beach.	120	Suwannee.
e. Collier.  f. DeSoto and Sarasota.  g. Duval.  h. Escambia.  i. Hardee, Highlands, and Polk.  j. Hillsborough.  k. Indian River, Martin, Okeechobee, and St. Lucie.  l. Lake and Sumter.  m. Lee.  n. Manatee.  n. Marion.  p. Miami-Dade.  q. Okaloosa.  r. Orange.  s. Palm Beach.	121	c. Bay.
f. DeSoto and Sarasota.  g. Duval.  h. Escambia.  i. Hardee, Highlands, and Polk.  j. Hillsborough.  k. Indian River, Martin, Okeechobee, and St. Lucie.  l. Lake and Sumter.  m. Lee.  n. Manatee.  o. Marion.  p. Miami-Dade.  q. Okaloosa.  r. Orange.  s. Palm Beach.	122	d. Brevard.
g. Duval.  h. Escambia.  i. Hardee, Highlands, and Polk.  j. Hillsborough.  k. Indian River, Martin, Okeechobee, and St. Lucie.  l. Lake and Sumter.  m. Lee.  n. Manatee.  o. Marion.  p. Miami-Dade.  g. Okaloosa.  r. Orange.  s. Palm Beach.	123	<pre>e. Collier.</pre>
h. Escambia.  i. Hardee, Highlands, and Polk.  j. Hillsborough.  k. Indian River, Martin, Okeechobee, and St. Lucie.  l. Lake and Sumter.  m. Lee.  n. Manatee.  o. Marion.  p. Miami-Dade.  q. Okaloosa.  r. Orange.  s. Palm Beach.	124	f. DeSoto and Sarasota.
i. Hardee, Highlands, and Polk.  j. Hillsborough.  k. Indian River, Martin, Okeechobee, and St. Lucie.  l. Lake and Sumter.  m. Lee.  n. Manatee.  o. Marion.  p. Miami-Dade.  q. Okaloosa.  r. Orange.  s. Palm Beach.	125	g. Duval.
j. Hillsborough.  k. Indian River, Martin, Okeechobee, and St. Lucie.  l. Lake and Sumter.  m. Lee.  n. Manatee.  o. Marion.  p. Miami-Dade.  q. Okaloosa.  r. Orange.  s. Palm Beach.	126	<u>h. Escambia.</u>
k. Indian River, Martin, Okeechobee, and St. Lucie.  130 1. Lake and Sumter.  131 m. Lee. 132 n. Manatee. 133 o. Marion. 134 p. Miami-Dade. 135 q. Okaloosa. 136 r. Orange. 137 s. Palm Beach.	127	i. Hardee, Highlands, and Polk.
130 1. Lake and Sumter.  131 1. M. Lee. 132 1. Manatee. 133 134 135 136 136 137 137 138 139 139 130 130 130 130 130 130 130 130 130 130	128	j. Hillsborough.
131 m. Lee.  132 n. Manatee.  133 o. Marion.  134 p. Miami-Dade.  135 q. Okaloosa.  136 r. Orange.  137 s. Palm Beach.	129	k. Indian River, Martin, Okeechobee, and St. Lucie.
132 n. Manatee.  133 o. Marion.  134 p. Miami-Dade.  135 q. Okaloosa.  136 r. Orange.  137 s. Palm Beach.	130	1. Lake and Sumter.
133	131	m. Lee.
134 p. Miami-Dade.  135 q. Okaloosa.  136 r. Orange.  137 s. Palm Beach.	132	n. Manatee.
135 <u>q. Okaloosa.</u> 136 <u>r. Orange.</u> 137 <u>s. Palm Beach.</u>	133	o. Marion.
136 r. Orange.  137 s. Palm Beach.	134	<pre>p. Miami-Dade.</pre>
137 <u>s. Palm Beach.</u>	135	q. Okaloosa.
	136	r. Orange.
138 <u>t. Pasco.</u>	137	s. Palm Beach.
	138	t. Pasco.

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139	<pre>u. Pinellas.</pre>
140	v. Walton.
141	2. Subject to appropriations, the department shall
142	contract for additional teams through the managing entities to
143	ensure the availability of community action team services in the
144	remaining areas of the state.
145	Section 4. Paragraph (a) of subsection (1) of section
146	790.065, Florida Statutes, is amended to read:
147	790.065 Sale and delivery of firearms.—
148	(1)(a) $\underline{1.}$ A licensed importer, licensed manufacturer, or
149	licensed dealer may not sell or deliver from her or his
150	inventory at her or his licensed premises any firearm to another
151	person, other than a licensed importer, licensed manufacturer,
152	licensed dealer, or licensed collector, who is less than $21$
153	years of age, except that a licensed importer, licensed
154	manufacturer, or licensed dealer may sell or deliver a rifle or
155	shotgun to a person who is 18 years of age or older and is a law
156	enforcement officer or correctional officer as defined in s.
157	943.10 or on active duty in the Armed Forces of the United
158	States or full-time duty in the National Guard.
159	2. For a person 21 years of age or older, or 18 years of
160	age or older and meeting an exception under this paragraph, a
161	licensed importer, licensed manufacturer, or licensed dealer may
162	not sell or deliver from her or his inventory at her or his
163	licensed premises any firearm to another person, other than a

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<u>licensed importer</u>, <u>licensed manufacturer</u>, <u>licensed dealer</u>, or <u>licensed collector until she or he has:</u>

<u>a.1.</u> Obtained a completed form from the potential buyer or transferee, which form shall have been promulgated by the Department of Law Enforcement and provided by the licensed importer, licensed manufacturer, or licensed dealer, which shall include the name, date of birth, gender, race, and social security number or other identification number of such potential buyer or transferee and has inspected proper identification including an identification containing a photograph of the potential buyer or transferee.

<u>b.2.</u> Collected a fee from the potential buyer for processing the criminal history check of the potential buyer. The fee shall be established by the Department of Law Enforcement and may not exceed \$8 per transaction. The Department of Law Enforcement may reduce, or suspend collection of, the fee to reflect payment received from the Federal Government applied to the cost of maintaining the criminal history check system established by this section as a means of facilitating or supplementing the National Instant Criminal Background Check System. The Department of Law Enforcement shall, by rule, establish procedures for the fees to be transmitted by the licensee to the Department of Law Enforcement. All such fees shall be deposited into the Department of Law Enforcement Operating Trust Fund, but shall be

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

- $\underline{\text{c.3.}}$  Requested, by means of a toll-free telephone call, the Department of Law Enforcement to conduct a check of the information as reported and reflected in the Florida Crime Information Center and National Crime Information Center systems as of the date of the request.
- $\underline{\text{d.4.}}$  Received a unique approval number for that inquiry from the Department of Law Enforcement, and recorded the date and such number on the consent form.
- Section 5. Section 790.0655, Florida Statutes, is amended to read:

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790.0655 Purchase and delivery of <u>firearms</u> handguns; mandatory waiting period; exceptions; penalties.—

- (1) (a) There shall be a mandatory 3-day waiting period, which shall be 3 days, excluding weekends and legal holidays, between the purchase and the delivery at retail of any <u>firearm</u> handgun. "Purchase" means the transfer of money or other valuable consideration to the retailer. "Handgun" means a firearm capable of being carried and used by one hand, such as a pistol or revolver. "Retailer" means and includes every person engaged in the business of making sales at retail or for distribution, or use, or consumption, or storage to be used or consumed in this state, as defined in s. 212.02(13).
- (b) Records of <u>firearm</u> handgun sales must be available for inspection by any law enforcement agency, as defined in s. 934.02, during normal business hours.
- (2) The 3-day waiting period shall not apply in the following circumstances:
- (a) When a <u>firearm</u> handgun is being purchased by a holder of a concealed weapons permit as defined in s. 790.06.
  - (b) To a trade-in of another firearm handgun.
- (c) Upon successfully completing a hunter safety course and possessing a hunter safety certification card issued under s. 379.3581. A person who is exempt from the hunter safety course requirement under s. 379.3581 and holds a valid Florida

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237	hunting	license	as (	of Marc	ch 1,	2018,	is	exempt	from	the	3-day
238	waiting	period	undei	r this	sect	ion.					

- (d) When a rifle or shotgun is being purchased by a law enforcement officer or correctional officer, as defined in s. 943.10, or a person on active duty in the Armed Forces of the United States or full-time duty in the National Guard.
- (3) It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:
- (a) For any retailer, or any employee or agent of a retailer, to deliver a <u>firearm</u> handgun before the expiration of the 3-day waiting period, subject to the exceptions provided in subsection (2).
- (b) For a purchaser to obtain delivery of a <u>firearm</u> handgun by fraud, false pretense, or false representation.
- Section 6. Section 790.0656, Florida Statutes, is created to read:
- 790.0656 Seizure of firearms from persons subject to involuntary examination.—
- (1) A law enforcement agency taking custody of a person who meets the criteria for involuntary examination under s.

  394.463 and who makes a credible threat of violence against another person shall seize each firearm and ammunition in the person's possession, custody, or control. The law enforcement agency shall report the date and time of the start of the involuntary examination period to the Department of Law

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

- ammunition for 72 hours, and return the property to the person at the expiration of that time period unless a temporary injunction has been issued under subsection (3), and subject to the policies and procedures developed by the law enforcement agency under subsection (6). The person may not own, possess, or purchase a firearm during the 72-hour period. If the person is adjudicated mentally defective or committed to a mental institution, as each of those terms is defined in s.

  790.065(2)(a)4., following the involuntary examination under s.
  394.463, the agency shall retain each firearm and ammunition indefinitely until a court of competent jurisdiction orders the person's relief from firearm ownership disability, allowing him or her to possess or purchase a firearm.
- (3) (a) Before the expiration of the 72-hour period, the law enforcement agency may petition a court of competent jurisdiction for an ex parte temporary injunction to retain each firearm and ammunition for 60 days upon a showing by clear and convincing evidence that the person remains a credible threat of committing violence against another person. In determining

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287	whether there is such clear and convincing evidence, the court
288	shall consider all relevant factors, including, but not limited
289	<u>to:</u>
290	1. Whether the person has:
291	a. A history of threats, harassment, stalking, physical
292	abuse, or violence.
293	b. A criminal history involving violence or the threat of
294	violence.
295	c. Intentionally attempted to harm or intentionally harmed
296	another person.
297	d. Threatened to harm, either orally or in writing,
298	another person.
299	e. Used, or has threatened to use, any weapons such as
300	firearms or knives in a violent manner.
301	f. Intentionally injured or killed an animal.
302	2. The person's medical and mental health history.
303	3. The person's school disciplinary history.
304	4. Whether the person engaged in any other behavior or
305	conduct that leads the law enforcement agency to have reasonable
306	cause to believe that the person poses a significant danger of
307	causing imminent injury to others.

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causing imminent injury to others.

(b) The clerk of the court shall furnish a copy of the

temporary injunction to the sheriff or a law enforcement agency

shall serve it upon the person as soon thereafter as possible.

of the county where the person resides or can be found, who

Notwithstanding any other provision of law, the chief judge of
each circuit, in consultation with the appropriate sheriff, may
authorize a law enforcement agency within the jurisdiction to
effect service. A law enforcement agency serving an injunction
pursuant to this subsection shall use service procedures
consistent with those of the sheriff.

- injunction shall report the date and time of issuance and person's identifying information, including his or her name, age, date of birth, and last known address, to the Department of Law Enforcement. The department shall include such information in the Florida Crime Information Center database. A person subject to a temporary injunction under this subsection may not own, possess, or purchase a firearm while the injunction is in effect.
- (4) At the expiration of the 60-day period, the agency shall return each firearm and ammunition to the person. The law enforcement agency may petition the court for one 60-day extension of the temporary injunction upon a showing by clear and convincing evidence that the person presents a continuing credible threat of committing violence against another person. The court shall consider the factors in subsection (3) when deciding an extension of the temporary injunction.
- (5) A person who is subject to a temporary injunction under subsection (3) may petition the court to terminate the

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injunction upon a showing by clear and convincing evidence that he or she no longer presents a credible threat of committing violence against another person. The petition to terminate the injunction may not be filed until 60 days after the person's release from involuntary examination under s. 394.463.

(6) Law enforcement agencies shall develop policies and procedures for seizing, storing, and returning firearms and ammunition under this section.

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

790.0657 Possession of firearms or ammunition prohibited.—A person adjudicated mentally defective or committed to a mental institution, as those terms are defined in s. 790.065(2)(a)4., may not own, possess or purchase a firearm or ammunition unless he or she has obtained relief from firearm ownership disability from a court of competent jurisdiction. A person who violates this section shall forfeit each firearm and ammunition in his or her possession, custody, or control to a law enforcement agency. If a person fails to forfeit his or her firearm and ammunition as required under this section, a law enforcement agency shall seize such property and retain it indefinitely until ordered to return it by a court. Law enforcement agencies shall develop policies and procedures for seizing, storing, and returning firearms and ammunition under this section.

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361 Section 8. Section 790.222, Florida Statutes, is created to read:

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

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

### 943.082 School Safety Awareness Program.-

The department shall competitively procure a mobile suspicious activity reporting tool that allows students and the community to relay information anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials. At a minimum, the department must receive reports electronically through the mobile suspicious

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385	activity reporting tool that is available on both Android and
386	Apple devices.
387	(2) The tool shall notify the reporting party of the
388	following information:
389	(a) That the reporting party may provide his or her report
390	anonymously.
391	(b) That if the reporting party chooses to disclose his or
392	her identity, that information shall be shared with the
393	appropriate law enforcement agency and school officials;
394	however, the law enforcement agency and school officials shall
395	be required to maintain the information as confidential.
396	(3) Information received by the tool must be promptly
397	forwarded to the appropriate law enforcement agency or school
398	official.
399	(4) Law enforcement dispatch centers, school districts,
400	schools, and other entities identified by the department shall
401	be made aware of the mobile suspicious activity reporting tool.
402	(5) The department, in collaboration with the Office of
403	Safe Schools within the Department of Education, shall develop
404	and provide a comprehensive training and awareness program on
405	the use of the mobile suspicious activity reporting tool.
406	Section 10. Section 943.687, Florida Statutes, is created
407	to read:

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Commission.

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943.687 Marjory Stoneman Douglas High School Public Safety

_	(1)	Ther	re i	s cre	eate	ed w	rithin	the	depai	rtment	the	Ma:	rjory
Stoner	nan	Dougl	as	High	Sch	nool	. Publi	Lc S	afety	Commis	ssion	1, 8	<u>a</u>
commis	ssio	n as	def	fined	in	s.	20.03.						

- (2) (a) The commission shall be composed of 15 voting members. The Governor, the President of the Senate, and the Speaker of the House of Representatives shall each appoint 5 members, and the Governor shall appoint the chair of the commission. Appointments must be made by April 30, 2018. The Secretary of Children and Families, the Secretary of Juvenile Justice, the Secretary of Health Care Administration, the Commissioner of Education, and the executive director shall serve as ex officio, nonvoting members of the commission.
- (b) The commission shall meet as necessary to conduct its work at the call of the chair and at the time designated by him or her at locations throughout the state. The commission may conduct its meetings through teleconferences or other similar means. Members of the commission shall serve without compensation, but shall be reimbursed for per diem and travel expenses pursuant to s. 112.061.
- (c) The commission is authorized to hire staff, subject to appropriations, which shall include a general counsel and staff experienced in investigations.
- (3) The commission shall investigate system failures in the Marjory Stoneman Douglas High School shooting and prior mass violence incidents in this state and develop recommendations for

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435	system improvements. At a minimum, the commission shall analyze
436	information and evidence about the Marjory Stoneman Douglas High
437	School shooting and other mass violence incidents in this state.
438	At a minimum, the commission shall:

- (a) Develop a timeline of the incident, incident response, and all relevant events preceding the incident, with particular attention to all perpetrator contacts with local, state and national government agencies and entities and any contract providers of such agencies and entities.
- (b) Investigate any failures in incident responses by local law enforcement agencies and school resource officers.
- 1. Identify existing policies and procedures for active assailant incidents on school premises and evaluate the compliance with such policies and procedures in the execution of incident responses.
- 2. Evaluate existing policies and procedures for active assailant incidents on school premises in comparison with national best practices.
- 3. Evaluate the extent to which any failures in policy, procedure, or execution contributed to an inability to prevent deaths and injuries.
- 4. Make specific recommendations for improving law enforcement and school resource officer incident response in the future.

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(C)	Investigate	any f	ailures	in	interactions	with
perpetrato	rs preceding	mass	violenc	e i	incidents.	

- 1. Identify the history of interactions between perpetrators and government entities such as schools, law enforcement agencies, courts and social service agencies, and identify any failures to adequately communicate or coordinate regarding indicators of risk or possible threats.
- 2. Evaluate the extent to which any such failures contributed to an inability to prevent deaths and injuries.
- 3. Make specific recommendations for improving communication and coordination among entities with knowledge of indicators of risks or possible threats of mass violence in the future.
- 4. Identify available state and local tools and resources for enhancing communication and coordination regarding indicators of risk or possible threats, including, but not limited to, the Department of Law Enforcement Fusion Center or the Judicial Inquiry System, and make specific recommendations for using such tools and resources more effectively in the future.
- (4) The commission has the power to subpoena and investigate. The commission may issue subpoenas and other necessary process to compel the attendance of witnesses to testify before the commission. The commission may also issue subpoenas and other necessary process to compel the production

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of any books, papers, records, documentary evidence, and other
items, including confidential information, relevant to the
performance of the duties of the commission or to the exercise
of its powers. Subpoenas issued by the commission shall run
throughout the state, and the sheriffs in the several counties
shall make such service and execute all process or orders when
required by the commission. Sheriffs shall be paid as provided
in s. 30.321. The chair or any other member of the commission
may administer all oaths and affirmations in the manner
prescribed by law to witnesses who appear before the commission
for the purpose of testifying in any matter concerning which the
commission desires evidence. The commission may delegate to its
investigators the authority to administer oaths and affirmations
and may delegate the authority to issue subpoenas to its chair,
who in all events shall issue process on behalf of the
commission. In the case of a refusal to obey a subpoena issued
to any person, the commission may make application to any
circuit court of this state which shall have jurisdiction to
order the witness to appear before the commission and to produce
evidence, if so ordered, or to give testimony touching on the
matter in question. Failure to obey the order may be punished by
the court as contempt.

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(5) The commission may call upon appropriate agencies of

state government for such professional assistance as may be

needed in the discharge of its duties, and such agencies shall

provide such a	assistance in a timely manner. The Department o	f
Iogal Affairs	shall, upon request, provide legal and	
Legal Allalis	sharr, upon request, provide regar and	
investigative	assistance to the commission.	

- request and shall be provided with access to any information or records, including confidential or exempt information or records, that pertain to the Marjory Stoneman Douglas High School shooting and prior mass violence incidents in Florida being reviewed by the commission and that are necessary for the commission to carry out its duties. Information or records obtained by the commission that are otherwise confidential or exempt shall retain such confidential or exempt status and the commission may not disclose any such information or records.
- (7) The commission shall submit an initial report on its findings and recommendations to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2019, and may issue reports annually thereafter. The commission shall sunset July 1, 2023, and this section is repealed on that date.

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

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

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

- (1) Establish and update as necessary a school security risk assessment tool for use by school districts pursuant to s. 1006.07(6). The office shall make the security risk assessment tool available for use by charter schools.
- (2) Provide ongoing professional development opportunities to school district personnel.
- (3) Provide a coordinated and interdisciplinary approach to providing technical assistance and guidance to school districts on safety and security and recommendations to address findings identified pursuant to s. 1006.07(6).
- (4) Develop and implement a School Safety Specialist

  Training Program for school safety specialists appointed

  pursuant to s. 1006.07(6). The office shall develop the training

  program based on national and state best practices on school

  safety and security and must include active shooter training.

  The office shall develop training modules in both traditional

  and online formats. A school safety specialist certificate of

  completion shall be awarded to a school safety specialist who

  satisfactorily completes the training required by rules of the

  office.

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	(5)	Review	and :	provide	rec	ommen	dations	on	the	securi	tу	
risk	asse	essments.	The	departm	nent	may	contrac	t w	ith s	securit	<u>y</u>	
pers	onnel	l, consul	ting	enginee	ers,	arch	itects,	or	othe	er safe	ty	and
secu	rity	experts	the	departme	ent (	deems	necess	ary	for	safety	ar	<u>ıd</u>
secu	rity	consulta	ant s	ervices.	=							

- (6) Provide data analytic resources to school districts that facilitate the monitoring of social media activities to provide early-detection information of possible threats to a student's personal health and the safety of the school.
- (7) Award grants to schools to improve the safety and security of school buildings based upon recommendations of the security risk assessment developed pursuant to subsection (1).
- (8) Develop and disseminate, in consultation with the Department of Law Enforcement, to participating schools awareness and education materials on the School Safety Awareness Program developed pursuant to s. 943.082.
- Section 12. Paragraph (a) of subsection (10) of section 1002.32, Florida Statutes, is amended to read:
  - 1002.32 Developmental research (laboratory) schools.-
- (10) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(2), the following exceptions shall be permitted for lab schools:
- (a) The methods and requirements of the following statutes shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;

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#### Amendment No. 1

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     1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
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     1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
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     1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
     1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
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     1001.49; 1001.50; 1001.51; 1006.12(2) \frac{1006.12(1)}{1006.12(1)}; 1006.21(3),
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     (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;
     1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;
589
     1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3),
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     (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;
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     1011.72; 1011.73; and 1011.74.
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          Section 13. Subsection (1) of section 1006.04, Florida
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     Statutes, is amended to read:
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          1006.04 Educational multiagency services for students with
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     severe emotional disturbance.-
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           (1) (a) The multiagency network for students with emotional
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     and behavioral disabilities works with education, mental health,
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     child welfare, and juvenile justice professionals, along with
     other agencies and families, to provide children with mental
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     illness or emotional and behavioral problems, and their
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     families, with access to the services and supports they need to
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     succeed An intensive, integrated educational program; a
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     continuum of mental health treatment services; and, when needed,
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     residential services are necessary to enable students with
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     severe emotional disturbance to develop appropriate behaviors
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     and demonstrate academic and career education skills. The small
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population requires multiagency programs to provide access to appropriate services for all students with severe emotional disturbance. District school boards should provide educational programs, and state departments and agencies administering children's mental health funds should provide mental health treatment and residential services when needed, as part of the forming a multiagency network to provide support for students with severe emotional disturbance.

- (b) The purpose of the multiagency network is to: The program goals for each component of the multiagency network are to
- 1. Enable students with severe emotional disturbance to learn appropriate behaviors, reduce dependency, and fully participate in all aspects of school and community living.; to
- $\underline{2.}$  Develop individual programs for students with severe emotional disturbance, including necessary educational, residential, and mental health treatment services.; to
- 3. Provide programs and services as close as possible to the student's home in the least restrictive manner consistent with the student's needs.; and to
- $\underline{4.}$  Integrate a wide range of services necessary to support students with severe emotional disturbance and their families.
  - (c) The multiagency network shall:

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

- 2. Improve coordination of services for children with or at risk of emotional or behavioral disabilities and their families by assisting multi-agency collaborative initiatives to identify critical issues and barriers of mutual concern and develop local response systems that increase home and school connections and family engagement.
- 3. Increase parent and youth involvement and development with local systems of care.
- 4. Facilitate student and family access to effective services and programs for students with and at risk of emotional or behavioral disabilities that include necessary educational, residential, and mental health treatment services, enabling these students to learn appropriate behaviors, reduce dependency, and fully participate in all aspects of school and community living.

Section 14. Paragraph (b) of subsection (1), paragraphs (k) through (m) of subsection (2), and subsections (3), (4), and (6) of section 1006.07, Florida Statutes, are amended, and subsection (7) is added to that section to read:

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

- (1) CONTROL OF STUDENTS.—
- (b) Require each student at the time of initial registration for school in the school district to note previous school expulsions, arrests resulting in a charge, and juvenile justice actions, and referrals to mental health services the student has had, and have the authority as the district school board of a receiving school district to honor the final order of expulsion or dismissal of a student by any in-state or out-of-state public district school board or private school, or lab school, for an act which would have been grounds for expulsion according to the receiving district school board's code of student conduct, in accordance with the following procedures:
- 1. A final order of expulsion shall be recorded in the records of the receiving school district.
- 2. The expelled student applying for admission to the receiving school district shall be advised of the final order of expulsion.
- 3. The district school superintendent of the receiving school district may recommend to the district school board that

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the final order of expulsion be waived and the student be admitted to the school district, or that the final order of expulsion be honored and the student not be admitted to the school district. If the student is admitted by the district school board, with or without the recommendation of the district school superintendent, the student may be placed in an appropriate educational program and referred to mental health services identified by the school district pursuant to s.

1012.584(4), when appropriate, at the direction of the district school board.

- (2) CODE OF STUDENT CONDUCT.—Adopt a code of student conduct for elementary schools and a code of student conduct for middle and high schools and distribute the appropriate code to all teachers, school personnel, students, and parents, at the beginning of every school year. Each code shall be organized and written in language that is understandable to students and parents and shall be discussed at the beginning of every school year in student classes, school advisory council meetings, and parent and teacher association or organization meetings. Each code shall be based on the rules governing student conduct and discipline adopted by the district school board and shall be made available in the student handbook or similar publication. Each code shall include, but is not limited to:
- (k) Policies to be followed for the assignment of violent or disruptive students to an alternative educational program  $\underline{\text{or}}$

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# referral of such students to mental health services identified by the school district pursuant to s. 1012.584(4).

- Notice that any student who is determined to have brought a firearm or weapon, as defined in chapter 790, to school, to any school function, or onto any school-sponsored transportation, or to have possessed a firearm at school, will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 1 full year and referred to mental health services identified by the school district pursuant to s. 1012.584(4) and the criminal justice or juvenile justice system. District school boards may assign the student to a disciplinary program or second chance school for the purpose of continuing educational services during the period of expulsion. District school superintendents may consider the 1-year expulsion requirement on a case-by-case basis and request the district school board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.
- (m) Notice that any student who is determined to have made a threat or false report, as defined by ss. 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity will be expelled, with or without continuing educational services, from

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the student's regular school for a period of not less than 1 full year and referred for criminal prosecution and mental health services identified by the school district pursuant to s.

1012.584(4) for evaluation or treatment, when appropriate.

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

- district school board, implement a student crime watch program to promote responsibility among students and improve school safety. The student crime watch program shall allow students and the community to anonymously relay information concerning unsafe and potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials to assist in the control of criminal behavior within the schools.
  - (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.-
- (a) Formulate and prescribe policies and procedures, in consultation with the appropriate public safety agencies, for

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emergency drills and for actual emergencies, including, but not
limited to, fires, natural disasters, active shooter and hostage
<u>situations</u> , and bomb threats, for all the public schools of the
district which comprise grades K-12. Drills for active shooter
and hostage situations shall be conducted at least as often as
other emergency drills. District school board policies shall
include commonly used alarm system responses for specific types
of emergencies and verification by each school that drills have
been provided as required by law and fire protection codes. The
emergency response policy shall identify the individuals
responsible for contacting the primary emergency response agency
and the emergency response agency that is responsible for
notifying the school district for each type of emergency $\frac{must be}{}$
listed in the district's emergency response policy.

- (b) Establish model emergency management and emergency preparedness procedures, including emergency notification procedures pursuant to paragraph (a), for the following lifethreatening emergencies:
  - 1. Weapon-use, and hostage, and active shooter situations.
  - 2. Hazardous materials or toxic chemical spills.
- 3. Weather emergencies, including hurricanes, tornadoes, and severe storms.
  - 4. Exposure as a result of a manmade emergency.
- (c) Establish a schedule to test the functionality and coverage capacity of all emergency communication systems and

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determine if adequate signal strength is available in all areas within the school's campus.

- (6) SAFETY AND SECURITY BEST PRACTICES.—<u>Each district</u> school superintendent shall establish policies and procedures for the prevention of violence on school grounds, including the assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.
- (a) Each district school superintendent shall designate a school administrator as a school safety specialist for the district. The school safety specialist must earn a certificate of completion of the school safety specialist training provided by the Office of Safe Schools within 1 year of appointment and is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district. The school safety specialist shall:
- 1. Review policies and procedures for compliance with state law and rules.
- 2. Provide the necessary training and resources to students and school district staff in matters relating to youth mental health first aid; emergency procedures, including active shooter training; and school safety and security.
- 3. Serve as the school district liaison with local public safety agencies and national, state, and community agencies and organizations in matters of school safety and security.

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4. Conduct a school security risk assessment at each
public school using the school security risk assessment tool
developed by the Office of Safe Schools Use the Safety and
Security Best Practices developed by the Office of Program
Policy Analysis and Government Accountability to conduct a self-
assessment of the school districts' current safety and security
practices. Based on the assessment these self-assessment
findings, the <u>district's school safety specialist</u> district
school superintendent shall provide recommendations to the
district school board which identify strategies and activities
that the district school board should implement in order to
improve school safety and security. Annually, each district
school board must receive such findings and the school safety
specialist's recommendations the self-assessment results at a
publicly noticed district school board meeting to provide the
public an opportunity to hear the district school board members
discuss and take action on the $\frac{1}{1}$
recommendations. Each school safety specialist district school
superintendent shall report such findings the self-assessment
results and school board action to the Office of Safe Schools
<pre>commissioner within 30 days after the district school board</pre>
meeting.
(b) Each school safety specialist shall coordinate with

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365.171, that are designated as first responders to a school's

the appropriate public safety agencies, as defined in s.

campus to conduct a tour of such campus once every 3 years and provide recommendations related to school safety. The recommendations by the public safety agencies must be considered as part of the recommendations by the school safety specialist pursuant to paragraph (a).

- shall adopt policies for the establishment of threat assessment teams at each school whose duties include the coordination of resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Office of Safe Schools. Such policies shall include procedures for referrals to community mental health services or health care providers for evaluation or treatment, when appropriate.
- (a) A threat assessment team shall include persons with expertise in counseling, instruction, school administration, and law enforcement. The threat assessment teams shall identify members of the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self.
- (b) Upon a preliminary determination that a student poses a threat of violence or physical harm to himself or herself or others, a threat assessment team shall immediately report its

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determination to the superintendent or his or her designee. The superintendent or his or her designee shall immediately attempt to notify the student's parent or legal guardian. Nothing in this subsection shall preclude school district personnel from acting immediately to address an imminent threat.

- (c) Upon a preliminary determination by the threat assessment team that a student poses a threat of violence to himself or herself or others or exhibits significantly disruptive behavior or need for assistance, the threat assessment team may obtain criminal history record information, as provided in s. 985.047. A member of a threat assessment team may not disclose any criminal history record information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.
- (d) Notwithstanding any other provision of law, all state and local agencies and programs that provide services to students experiencing or at risk of an emotional disturbance or a mental illness, including the school districts, school personnel, state and local law enforcement agencies, the Department of Juvenile Justice, the Department of Children and Families, the Department of Health, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Education, the Statewide Guardian Ad Litem Office, and any service or support provider contracting with such

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agencies, may share with each other records or information that are confidential or exempt from disclosure under chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others. All such state and local agencies and programs shall communicate, collaborate, and coordinate efforts to serve such students.

- (e) If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. Behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers trained in crisis intervention, shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Onsite school personnel shall report all such situations and actions taken to the threat assessment team, which shall contact the other agencies involved with the student and any known service providers to share information and coordinate any necessary follow-up actions.
- (f) Each threat assessment team established pursuant to this section shall report quantitative data on its activities to the Office of Safe Schools in accordance with guidance from the office.

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

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

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

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

1006.12 School resource officers and school safety officers.—

(1) District school boards shall develop partnerships with local law enforcement agencies to address the security needs of schools. District school boards and local law enforcement agencies shall examine the use of school resource officers and school safety officers to increase security on school grounds

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- $\underline{(2)}$  (1) District school boards  $\underline{shall}$   $\underline{may}$  establish  $\underline{a}$  school resource officer  $\underline{program}$   $\underline{programs}$ , through a cooperative agreement with law enforcement agencies or in accordance with subsection (3)  $\underline{subsection}$  (2).
  - (a) School resource officers shall:
- 1. Be certified law enforcement officers, as defined in s. 943.10(1), who are employed by a law enforcement agency as defined in s. 943.10(4). The powers and duties of a law enforcement officer shall continue throughout the employee's tenure as a school resource officer.
- 2. Complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers' knowledge and skills for being first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.
- (b) School resource officers shall abide by district school board policies and shall consult with and coordinate activities through the school principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district

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school board and a law enforcement agency. Activities conducted by the school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

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

(b) A district school board may commission one or more school safety officers for the protection and safety of school personnel, property, and students within the school district.

The district school superintendent may recommend and the district school board may appoint one or more school safety officers.

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

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

Section 17. Subsection (1), paragraph (b) of subsection (4), and subsection (8) of section 1006.13, Florida Statutes, are amended to read:

1006.13 Policy of zero tolerance for crime and victimization.—

District school boards shall It is the intent of the (1)Legislature to promote a safe and supportive learning environment in schools by protecting, to protect students and staff from conduct that poses a serious threat to school safety. District school boards may, in consultation with the threat assessment team, and to encourage schools to use alternatives to expulsion or referral to law enforcement agencies to address by addressing disruptive behavior. Alternatives may include mental health services identified by the school district pursuant to s. 1012.584(4), through restitution, civil citation, teen court, neighborhood restorative justice, or similar programs. Zerotolerance The Legislature finds that zero-tolerance policies may are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including, but not limited to, minor fights or disturbances. Zero-tolerance policies The

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1003 Legislature finds that zero-tolerance policies must apply equally to all students regardless of their economic status, race, or disability.

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- (b) The agreements must include the role of school resource officers, if applicable, in handling reported incidents, circumstances in which school officials may handle incidents without filing a report with a law enforcement agency, and a procedure for ensuring that school personnel properly report appropriate delinquent acts and crimes, and available mental health services identified by the school district pursuant to s. 1012.584(4).
- (8) School districts may, in consultation with the threat assessment team, are encouraged to use alternatives to expulsion or referral to law enforcement agencies if the student receives mental health services identified by the school district pursuant to s. 1012.584(4), when appropriate, and unless the use of such alternatives does not will pose a threat to school safety.

Section 18. Subsection (17) of section 1011.62, Florida Statutes, is renumbered as subsection (18), paragraph (b) of subsection (6) and subsection (15) of that are amended, and a new subsection (17) is added to that section to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each

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district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

- (6) CATEGORICAL FUNDS.-
- (b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction or improve school safety, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:
  - 1. Funds for student transportation.
  - 2. Funds for safe schools.
- 2.3. Funds for supplemental academic instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (1)(f).
- 3.4. Funds for research-based reading instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for

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the students in each low-performing elementary school in the district pursuant to paragraph (9)(a).

- 4.5. Funds for instructional materials if all instructional material purchases necessary to provide updated materials that are aligned with applicable state standards and course descriptions and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.
- SAFE SCHOOLS ALLOCATION.—A safe schools allocation is created to provide funding to assist school districts in their compliance with s. 1006.07 ss. 1006.07-1006.148, with priority given to implementing the district's establishing a school resource officer program pursuant to s. 1006.12. Each school district shall receive a minimum safe schools allocation in an amount provided in the General Appropriations Act. Of the remaining balance of the safe schools allocation, two-thirds shall be allocated to school districts based on the most recent official Florida Crime Index provided by the Department of Law Enforcement and one-third shall be allocated based on each school district's proportionate share of the state's total unweighted full-time equivalent student enrollment. Any additional funds appropriated to this allocation in the 2018-2019 fiscal year to the school resource officer program established pursuant to s. 1006.12 shall be used exclusively for

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employing or contracting for school resource officers, which shall be in addition to the number of officers employed or contracted for in the 2017-2018 fiscal year. Such funds shall be allocated to school districts based on each district's proportionate share of the state's total unweighted full-time equivalent student enrollment.

- (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health assistance allocation is created to provide funding to assist school districts in establishing or expanding schoolbased mental health care. These funds shall be allocated annually in the General Appropriations Act or other law to each eligible school district. Each school district shall receive a minimum of \$100,000 with the remaining balance allocated based on each school district's proportionate share of the state's total unweighted full-time equivalent student enrollment. Eligible charter schools are entitled to a proportionate share of district funding. At least 90 percent of a district's allocation must be expended on the elements specified in subparagraphs (b) 1. and 2. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses. School districts are encouraged to maximize third party health insurance benefits and Medicaid claiming for services where appropriate.
  - (a) Prior to the distribution of the allocation:

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1102	1. The school district must develop and submit a detailed	<u>ed</u>
1103	plan outlining the local program and planned expenditures to t	the
1104	district school board for approval.	

- 2. A charter school must develop and submit a detailed plan outlining the local program and planned expenditures to its governing body for approval. After the plan is approved by the governing body, it must be provided to the charter school's sponsor.
- The plans required under paragraph (a) must be focused on delivering evidence-based mental health care treatment to children and include the following elements:
- 1. Provision of mental health assessment, diagnosis, intervention, treatment, and recovery services to students with one or more mental health or co-occurring substance abuse diagnoses and students at high risk of such diagnoses.
- 2. Coordination of such services with a student's primary care provider and with other mental health providers involved in the student's care.
- 3. Direct employment of such service providers, or a contract-based collaborative effort or partnership with one or more local community mental health programs, agencies, or providers.
- (c) School districts shall submit approved plans, including approved plans of each charter school in the district, 1125 to the commissioner by August 1 of each fiscal year. 1126

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1127	(d) Beginning September 30, 2019, and annually by
1128	September 30 thereafter, each school district shall submit to
1129	the Department of Education a report on its program outcomes and
1130	expenditures for the previous fiscal year that, at a minimum,
1131	must include the number of each of the following:
1132	1. Students who receive screenings or assessments.
1133	2. Students who are referred for services or assistance.
1134	3. Students who receive services or assistance.
1135	4. Direct employment service providers employed by each
1136	school district.
1137	5. Contract-based collaborative efforts or partnerships
1138	with community mental health programs, agencies, or providers.
1139	Section 19. Section 1012.584, Florida Statutes, is created
1140	to read:
1141	1012.584 Continuing education and inservice training for
1142	youth mental health first aid.—
1143	(1) Beginning with the 2018-2019 school year, the
1144	Department of Education shall establish a youth mental health
1145	first aid training program to help school personnel identify and
1146	understand the signs of emotional disturbance, mental illness,
1147	and substance use disorders and provide such personnel with the
1148	skills to help a person who is developing or experiencing an
1149	emotional disturbance, mental health, or substance use problem.
1150	(2) The Department of Education shall select a national
1151	authority on youth mental health first aid to facilitate

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providing youth mental health first aid training, using a
trainer certification model, to all school personnel in
elementary, middle, and high schools. Each school safety
specialist shall earn, or designate one or more individuals to
earn, certification as a youth mental health first aid trainer.
The school safety specialist shall ensure that all school
personnel within his or her school district receive youth mental
health first aid training.

- (3) The training program shall include, but is not limited to:
- (a) An overview of mental illnesses and substance use disorders and the need to reduce the stigma of mental illness.
- (b) Information on the potential risk factors and warning signs of emotional disturbance, mental illness, or substance use disorders, including, but not limited to, depression, anxiety, psychosis, eating disorders, and self-injury, as well as common treatments for those conditions and how to assess those risks.
- (c) Information on how to engage at-risk students with the skills, resources, and knowledge required to assess the situation, and how to identify and encourage the student to use appropriate professional help and other support strategies, including, but not limited to, peer, social, or self-help care.
- (4) Each school district shall notify all school personnel who have received training pursuant to this section of available mental health services that are available in the school

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1177	district, and the individual to contact if a student needs
1178	services. The term "mental health services" includes, but is not
1179	limited to, community mental health services, health care
1180	providers, and services provided under ss. 1006.04 and
1181	1011.62(17).

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

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

Section 22. For the 2018-2019 fiscal year, the sum of \$28,575,900 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Education for the purpose of replacing Building 12, as listed in the Florida

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Inventory of School Houses, at Marjory Stoneman Douglas High School in Broward County. The replacement building will be a state-owned facility; however, the Broward County School District is responsible for its operation and maintenance.

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#### TITLE AMENDMENT

Remove lines 5-143 and insert:

for student crime watch programs; amending s. 394.495, F.S.; requiring the Department of Children and Families to contract with managing entities to establish community action teams; requiring community action teams to provide community-based behavioral health and support services to certain children, adolescents, and young adults; requiring such teams to use an integrated service delivery approach that includes family participation; providing for referrals to specialized treatment; requiring coordination of services provided by schools, the department, and the juvenile justice system; specifying service areas, contingent upon appropriations; amending s. 790.065, F.S.; prohibiting a licensed importer, manufacturer, or dealer to sell or deliver a firearm to a person less than 21 years of age; providing exceptions; amending s. 790.0655, F.S.; requiring a specified

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waiting period between the purchase and delivery at retail of any firearm; providing exceptions; revising terminology; creating s. 790.0656, F.S.; requiring law enforcement agencies taking custody of persons for involuntary examination to seize the person's firearms and ammunition in certain circumstances; requiring the reporting of specified information concerning the involuntary examination; providing for ex parte temporary injunctions to prohibit the possession of firearms and ammunition in certain circumstance; providing for extension of such injunctions; providing for the return of firearms and ammunition after expiration of such injunction; providing for petitions to terminate injunctions; requiring law enforcement agencies to develop specified policies; creating s. 790.0657, F.S.; prohibiting the possession of firearms or ammunition by certain persons adjudicated mentally defective or committed to a mental institution; providing for relief of firearms ownership disability; providing for forfeiture or seizure of firearms and ammunition in certain circumstances; requiring law enforcement agencies to develop specified policies; creating s. 790.222, F.S.; prohibiting the sale, transfer, or possession of a bump-fire stock; providing a penalty; providing definitions; creating

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s. 943.082, F.S.; requiring the Department of Law
Enforcement to competitively procure a mobile
suspicious activity reporting tool; requiring the
system to notify certain parties of specified
information; requiring information received by the
system to be reported to the appropriate agencies and
school officials; requiring certain entities to be
made aware of the system; requiring certain materials
be provided to participating schools and school
districts; creating s. 943.687, F.S.; creating the
Marjory Stoneman Douglas High School Public Safety
Commission within the Department of Law Enforcement;
providing membership; specifying powers and duties of
the commission; providing for meetings; providing for
subpoena power; providing for access to information;
requiring a report and recommendations; providing for
sunset of the commission and future repeal of
provisions; creating s. 1001.212, F.S.; creating the
Office of Safe Schools within the Department of
Education; providing duties of the office; amending s.
1006.04, F.S.; revising the purpose and duties of the
educational multiagency network for students with
emotional and behavioral disabilities; amending s.
1002.32, F.S.; conforming a cross-reference; amending
s. 1006.07, F.S.; revising district school board

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duties relating to student discipline and school safety; requiring students to note referrals to mental health services upon initial registration for school within a school district; authorizing a district school board to refer a student to certain mental health services under certain circumstances; revising the code of student conduct relating to the referral of certain students to certain mental health services and law enforcement; providing requirements for student crime watch programs; revising the policies and procedures for emergency drills to include drills for active shooter and hostage situations; providing requirements for such drills; revising requirements for the emergency response policy; requiring model emergency management and emergency preparedness procedures for active shooter situations; requiring school districts to establish a schedule to test emergency communication systems; requiring district school super intendents to establish certain policies and procedures relating to the prevention of violence on school grounds and designate a school safety specialist for the school district; providing requirements and duties for school safety specialists; providing school safety specialist and district school board requirements relating to the required school

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security risk assessments; requiring each district
school board to establish a threat assessment team at
each school within the district; providing
requirements and duties for threat assessment teams;
authorizing a threat assessment team to obtain certain
criminal history record information under certain
circumstances; prohibiting a member of a threat
assessment team from disclosing or using such
information except for a specified purpose;
authorizing certain entities to share specified
confidential information and records relating to
students for specified purposes; authorizing school
personnel to address immediate mental health or
substance abuse crisis; providing requirements for
addressing such situations; providing threat
assessment team reporting requirements; amending s.
1006.08, F.S.; requiring a district school
superintendent to be notified by the court of a
student referred to mental health services; amending
s. 1006.12, F.S.; requiring school districts to
develop partnerships with local law enforcement
agencies for specified purposes; requiring such school
districts and law enforcement agencies to examine the
use of specified officers for certain purposes;
requiring, rather than authorizing, district school

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# COMMITTEE/SUBCOMMITTEE AMENDMENT Bill No. PCB APC 18-06 (2018)

# Amendment No. 1

1327	boards to establish a school resource of	ficer program;
1328	requiring each school resource officer t	o complete
1329	specified training;	

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