

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB APC 18-06 (2018)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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

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

5 Remove lines 187-1550 and insert:

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

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

10 (1) The department shall establish, within available
11 resources, an array of services to meet the individualized
12 service and treatment needs of children and adolescents who are
13 members of the target populations specified in s. 394.493, and
14 of their families. It is the intent of the Legislature that a
15 child or adolescent may not be admitted to a state mental health

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

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

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

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

32 (c) Intelligence and academic achievement.

33 (d) Social and behavioral functioning.

34 (e) Family functioning.

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

40 (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 (l) Inpatient hospitalization.
61 (m) Case management.
62 (n) Services for victims of sex offenses.
63 (o) 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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66 (5) In order to enhance collaboration between agencies and
67 to facilitate the provision of services by the child and
68 adolescent mental health treatment and support system and the
69 school district, the local child and adolescent mental health
70 system of care shall include the local educational multiagency
71 network for severely emotionally disturbed students specified in
72 s. 1006.04.

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

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

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

86 5. A record of poor academic performance or suspensions.

87
88 Children younger than 11 years of age otherwise meeting the
89 criteria in this paragraph may be candidates for such services

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

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

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

108 (d) Coordinate with other key entities providing services
109 and supports to the child, adolescent, or young adult and his or
110 her family, including, but not limited to, the child's,
111 adolescent's, or young adult's school, the local educational
112 multiagency network for severely emotionally disturbed students
113 under s. 1006.04, the child welfare system, and the juvenile

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114 justice system. Community action teams shall also coordinate
115 with the managing entity in their service location.

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

118 a. Alachua.

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

121 c. Bay.

122 d. Brevard.

123 e. Collier.

124 f. DeSoto and Sarasota.

125 g. Duval.

126 h. Escambia.

127 i. Hardee, Highlands, and Polk.

128 j. Hillsborough.

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

130 l. 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.

138 t. Pasco.

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139 u. Pinellas.

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)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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164 licensed importer, licensed manufacturer, licensed dealer, or
165 licensed collector until she or he has:

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

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

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

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

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

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

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

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237 hunting license as of March 1, 2018, is exempt from the 3-day
238 waiting period under this section.

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 ammunition in the
259 person's possession, custody, or control. The law enforcement
260 agency shall report the date and time of the start of the
261 involuntary examination period to the Department of Law

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

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

281 (3)(a) Before the expiration of the 72-hour period, the
282 law enforcement agency may petition a court of competent
283 jurisdiction for an ex parte temporary injunction to retain each
284 firearm and ammunition for 60 days upon a showing by clear and
285 convincing evidence that the person remains a credible threat of
286 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 to:
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.
308 (b) The clerk of the court shall furnish a copy of the
309 temporary injunction to the sheriff or a law enforcement agency
310 of the county where the person resides or can be found, who
311 shall serve it upon the person as soon thereafter as possible.

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

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

327 (4) At the expiration of the 60-day period, the agency
328 shall return each firearm and ammunition to the person. The law
329 enforcement agency may petition the court for one 60-day
330 extension of the temporary injunction upon a showing by clear
331 and convincing evidence that the person presents a continuing
332 credible threat of committing violence against another person.
333 The court shall consider the factors in subsection (3) when
334 deciding an extension of the temporary 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 a showing by clear and convincing evidence that
338 he or she no longer presents a credible threat of committing
339 violence against another person. The petition to terminate the
340 injunction may not be filed until 60 days after the person's
341 release from involuntary examination under s. 394.463.

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

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

347 790.0657 Possession of firearms or ammunition prohibited.—A
348 person adjudicated mentally defective or committed to a mental
349 institution, as those terms are defined in s. 790.065(2)(a)4.,
350 may not own, possess or purchase a firearm or ammunition unless
351 he or she has obtained relief from firearm ownership disability
352 from a court of competent jurisdiction. A person who violates
353 this section shall forfeit each firearm and ammunition in his or
354 her possession, custody, or control to a law enforcement agency.
355 If a person fails to forfeit his or her firearm and ammunition
356 as required under this section, a law enforcement agency shall
357 seize such property and retain it indefinitely until ordered to
358 return it by a court. Law enforcement agencies shall develop
359 policies and procedures for seizing, storing, and returning
360 firearms and ammunition under this section.

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

363 790.222 Bump-fire stocks prohibited.—A person may not
364 import into this state or transfer, distribute, sell, keep for
365 sale, offer for sale, possess, or give to another person a bump-
366 fire stock. A person who violates this section commits a felony
367 of the third degree, punishable as provided in s. 775.082, s.
368 775.083, or s. 775.084. As used in this section, the term "bump-
369 fire stock" means any device used with or attached to a firearm
370 which uses the recoil action of the firearm to increase its
371 cyclic firing rate to a nearly automatic rate of fire or to
372 increase the rate of fire to a faster rate than is possible for
373 an individual to operate the firearm unassisted by such a
374 device.

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

377 943.082 School Safety Awareness Program.—

378 (1) The department shall competitively procure a mobile
379 suspicious activity reporting tool that allows students and the
380 community to relay information anonymously concerning unsafe,
381 potentially harmful, dangerous, violent, or criminal activities,
382 or the threat of these activities, to appropriate public safety
383 agencies and school officials. At a minimum, the department must
384 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:

408 943.687 Marjory Stoneman Douglas High School Public Safety
409 Commission.—

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

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

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

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

432 (3) The commission shall investigate system failures in
433 the Marjory Stoneman Douglas High School shooting and prior mass
434 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:

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

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

446 1. Identify existing policies and procedures for active
447 assailant incidents on school premises and evaluate the
448 compliance with such policies and procedures in the execution of
449 incident responses.

450 2. Evaluate existing policies and procedures for active
451 assailant incidents on school premises in comparison with
452 national best practices.

453 3. Evaluate the extent to which any failures in policy,
454 procedure, or execution contributed to an inability to prevent
455 deaths and injuries.

456 4. Make specific recommendations for improving law
457 enforcement and school resource officer incident response in the
458 future.

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459 (c) Investigate any failures in interactions with
460 perpetrators preceding mass violence incidents.
461 1. Identify the history of interactions between
462 perpetrators and government entities such as schools, law
463 enforcement agencies, courts and social service agencies, and
464 identify any failures to adequately communicate or coordinate
465 regarding indicators of risk or possible threats.
466 2. Evaluate the extent to which any such failures
467 contributed to an inability to prevent deaths and injuries.
468 3. Make specific recommendations for improving
469 communication and coordination among entities with knowledge of
470 indicators of risks or possible threats of mass violence in the
471 future.
472 4. Identify available state and local tools and resources
473 for enhancing communication and coordination regarding
474 indicators of risk or possible threats, including, but not
475 limited to, the Department of Law Enforcement Fusion Center or
476 the Judicial Inquiry System, and make specific recommendations
477 for using such tools and resources more effectively in the
478 future.
479 (4) The commission has the power to subpoena and
480 investigate. The commission may issue subpoenas and other
481 necessary process to compel the attendance of witnesses to
482 testify before the commission. The commission may also issue
483 subpoenas and other necessary process to compel the production

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

506 (5) The commission may call upon appropriate agencies of
507 state government for such professional assistance as may be
508 needed in the discharge of its duties, and such agencies shall

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509 provide such assistance in a timely manner. The Department of
510 Legal Affairs shall, upon request, provide legal and
511 investigative assistance to the commission.

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

522 (7) The commission shall submit an initial report on its
523 findings and recommendations to the Governor, President of the
524 Senate, and Speaker of the House of Representatives by January
525 1, 2019, and may issue reports annually thereafter. The
526 commission shall sunset July 1, 2023, and this section is
527 repealed on that date.

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

530 1001.212 Office of Safe Schools.—There is created in the
531 Department of Education the Office of Safe Schools. The office
532 is fully accountable to the Commissioner of Education. The
533 office shall serve as a central repository for best practices,

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

538 (1) Establish and update as necessary a school security
539 risk assessment tool for use by school districts pursuant to s.
540 1006.07(6). The office shall make the security risk assessment
541 tool available for use by charter schools.

542 (2) Provide ongoing professional development opportunities
543 to school district personnel.

544 (3) Provide a coordinated and interdisciplinary approach
545 to providing technical assistance and guidance to school
546 districts on safety and security and recommendations to address
547 findings identified pursuant to s. 1006.07(6).

548 (4) Develop and implement a School Safety Specialist
549 Training Program for school safety specialists appointed
550 pursuant to s. 1006.07(6). The office shall develop the training
551 program based on national and state best practices on school
552 safety and security and must include active shooter training.
553 The office shall develop training modules in both traditional
554 and online formats. A school safety specialist certificate of
555 completion shall be awarded to a school safety specialist who
556 satisfactorily completes the training required by rules of the
557 office.

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

563 (6) Provide data analytic resources to school districts
564 that facilitate the monitoring of social media activities to
565 provide early-detection information of possible threats to a
566 student's personal health and the safety of the school.

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

570 (8) Develop and disseminate, in consultation with the
571 Department of Law Enforcement, to participating schools
572 awareness and education materials on the School Safety Awareness
573 Program developed pursuant to s. 943.082.

574 Section 12. Paragraph (a) of subsection (10) of section
575 1002.32, Florida Statutes, is amended to read:

576 1002.32 Developmental research (laboratory) schools.—

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

581 (a) The methods and requirements of the following statutes
582 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB APC 18-06 (2018)

Amendment No.

583 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
584 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
585 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
586 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
587 1001.49; 1001.50; 1001.51; 1006.12(2) ~~1006.12(1)~~; 1006.21(3),
588 (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43;
589 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50;
590 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3),
591 (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71;
592 1011.72; 1011.73; and 1011.74.

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

595 1006.04 Educational multiagency services for students with
596 severe emotional disturbance.—

597 (1) (a) The multiagency network for students with emotional
598 and behavioral disabilities works with education, mental health,
599 child welfare, and juvenile justice professionals, along with
600 other agencies and families, to provide children with mental
601 illness or emotional and behavioral problems, and their
602 families, with access to the services and supports they need to
603 succeed ~~An intensive, integrated educational program; a~~
604 ~~continuum of mental health treatment services; and, when needed,~~
605 ~~residential services are necessary to enable students with~~
606 ~~severe emotional disturbance to develop appropriate behaviors~~
607 ~~and demonstrate academic and career education skills. The small~~

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608 ~~incidence of severe emotional disturbance in the total school~~
609 ~~population requires multiagency programs to provide access to~~
610 ~~appropriate services for all students with severe emotional~~
611 ~~disturbance.~~ District school boards should provide educational
612 programs, and state departments and agencies administering
613 children's mental health funds should provide mental health
614 treatment and residential services when needed, as part of the
615 ~~forming a multiagency network to provide support for students~~
616 ~~with severe emotional disturbance.~~

617 (b) The purpose of the multiagency network is to: ~~The~~
618 ~~program goals for each component of the multiagency network are~~
619 ~~to~~

620 1. Enable students with severe emotional disturbance to
621 learn appropriate behaviors, reduce dependency, and fully
622 participate in all aspects of school and community living. ~~to~~

623 2. Develop individual programs for students with severe
624 emotional disturbance, including necessary educational,
625 residential, and mental health treatment services. ~~to~~

626 3. Provide programs and services as close as possible to
627 the student's home in the least restrictive manner consistent
628 with the student's needs. ~~and to~~

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

631 (c) The multiagency network shall:

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

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

643 3. Increase parent and youth involvement and development
644 with local systems of care.

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

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

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656 1006.07 District school board duties relating to student
657 discipline and school safety.—The district school board shall
658 provide for the proper accounting for all students, for the
659 attendance and control of students at school, and for proper
660 attention to health, safety, and other matters relating to the
661 welfare of students, including:

662 (1) CONTROL OF STUDENTS.—

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

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

676 2. The expelled student applying for admission to the
677 receiving school district shall be advised of the final order of
678 expulsion.

679 3. The district school superintendent of the receiving
680 school district may recommend to the district school board that

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

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

704 (k) Policies to be followed for the assignment of violent
705 or disruptive students to an alternative educational program or

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

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

726 (m) Notice that any student who is determined to have made
727 a threat or false report, as defined by ss. 790.162 and 790.163,
728 respectively, involving school or school personnel's property,
729 school transportation, or a school-sponsored activity will be
730 expelled, with or without continuing educational services, from

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731 the student's regular school for a period of not less than 1
732 full year and referred for criminal prosecution and mental
733 health services identified by the school district pursuant to s.
734 1012.584(4) for evaluation or treatment, when appropriate.

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

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

753 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

754 (a) Formulate and prescribe policies and procedures, in
755 consultation with the appropriate public safety agencies, for

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

770 (b) Establish model emergency management and emergency
771 preparedness procedures, including emergency notification
772 procedures pursuant to paragraph (a), for the following life-
773 threatening emergencies:

- 774 1. Weapon-use, and hostage, and active shooter situations.
- 775 2. Hazardous materials or toxic chemical spills.
- 776 3. Weather emergencies, including hurricanes, tornadoes,
777 and severe storms.
- 778 4. Exposure as a result of a manmade emergency.

779 (c) Establish a schedule to test the functionality and
780 coverage capacity of all emergency communication systems and

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

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

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

796 1. Review policies and procedures for compliance with
797 state law and rules.

798 2. Provide the necessary training and resources to
799 students and school district staff in matters relating to youth
800 mental health first aid; emergency procedures, including active
801 shooter training; and school safety and security.

802 3. Serve as the school district liaison with local public
803 safety agencies and national, state, and community agencies and
804 organizations in matters of school safety and security.

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

827 (b) Each school safety specialist shall coordinate with
828 the appropriate public safety agencies, as defined in s.
829 365.171, that are designated as first responders to a school's

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

835 (7) THREAT ASSESSMENT TEAMS.—Each district school board
836 shall adopt policies for the establishment of threat assessment
837 teams at each school whose duties include the coordination of
838 resources and assessment and intervention with individuals whose
839 behavior may pose a threat to the safety of school staff or
840 students consistent with the model policies developed by the
841 Office of Safe Schools. Such policies shall include procedures
842 for referrals to community mental health services or health care
843 providers for evaluation or treatment, when appropriate.

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

852 (b) Upon a preliminary determination that a student poses
853 a threat of violence or physical harm to himself or herself or
854 others, a threat assessment team shall immediately report its

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

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

870 (d) Notwithstanding any other provision of law, all state
871 and local agencies and programs that provide services to
872 students experiencing or at risk of an emotional disturbance or
873 a mental illness, including the school districts, school
874 personnel, state and local law enforcement agencies, the
875 Department of Juvenile Justice, the Department of Children and
876 Families, the Department of Health, the Agency for Health Care
877 Administration, the Agency for Persons with Disabilities, the
878 Department of Education, the Statewide Guardian Ad Litem Office,
879 and any service or support provider contracting with such

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

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

900 (f) Each threat assessment team established pursuant to
901 this section shall report quantitative data on its activities to
902 the Office of Safe Schools in accordance with guidance from the
903 office.

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

906 1006.08 District school superintendent duties relating to
907 student discipline and school safety.—

908 (2) Notwithstanding the provisions of s. 985.04(7) or any
909 other provision of law to the contrary, the court shall, within
910 48 hours of the finding, notify the appropriate district school
911 superintendent of the name and address of any student found to
912 have committed a delinquent act, or who has had adjudication of
913 a delinquent act withheld which, if committed by an adult, would
914 be a felony, ~~or~~ the name and address of any student found guilty
915 of a felony, or the name and address of any student whom the
916 court refers to mental health services. Notification shall
917 include the specific delinquent act found to have been committed
918 or for which adjudication was withheld, or the specific felony
919 for which the student was found guilty.

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

922 1006.12 School resource officers and school safety
923 officers.—

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

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929 and the use of directed patrols before and after school and
930 extracurricular activities to enhance the presence of law
931 enforcement and provide an atmosphere of safety and trust.

932 (2)-(1) District school boards shall ~~may~~ establish a school
933 resource officer program ~~programs~~, through a cooperative
934 agreement with law enforcement agencies or in accordance with
935 subsection (3) ~~subsection (2)~~.

936 (a) School resource officers shall be:

937 1. Be certified law enforcement officers, as defined in s.
938 943.10(1), who are employed by a law enforcement agency as
939 defined in s. 943.10(4). The powers and duties of a law
940 enforcement officer shall continue throughout the employee's
941 tenure as a school resource officer.

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

949 (b) School resource officers shall abide by district
950 school board policies and shall consult with and coordinate
951 activities through the school principal, but shall be
952 responsible to the law enforcement agency in all matters
953 relating to employment, subject to agreements between a district

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

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

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

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

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

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

986 1006.13 Policy of zero tolerance for crime and
987 victimization.—

988 (1) District school boards shall ~~It is the intent of the~~
989 ~~Legislature to~~ promote a safe and supportive learning
990 environment in schools by protecting, ~~to protect~~ students and
991 staff from conduct that poses a serious threat to school safety.
992 District school boards may, in consultation with the threat
993 assessment team, and to encourage schools to use alternatives to
994 expulsion or referral to law enforcement agencies to address ~~by~~
995 ~~addressing~~ disruptive behavior. Alternatives may include mental
996 health services identified by the school district pursuant to s.
997 1012.584(4), through restitution, civil citation, teen court,
998 neighborhood restorative justice, or similar programs. Zero-
999 tolerance ~~The Legislature finds that zero-tolerance policies may~~
1000 ~~are not intended to~~ be rigorously applied to petty acts of
1001 misconduct and misdemeanors, including, but not limited to,
1002 minor fights or disturbances. Zero-tolerance policies ~~The~~

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1003 ~~Legislature finds that zero-tolerance policies~~ must apply
1004 equally to all students regardless of their economic status,
1005 race, or disability.

1006 (4)

1007 (b) The agreements must include the role of school
1008 resource officers, if applicable, in handling reported
1009 incidents, circumstances in which school officials may handle
1010 incidents without filing a report with a law enforcement agency,
1011 ~~and~~ a procedure for ensuring that school personnel properly
1012 report appropriate delinquent acts and crimes, and available
1013 mental health services identified by the school district
1014 pursuant to s. 1012.584(4).

1015 (8) School districts may, in consultation with the threat
1016 assessment team, are encouraged to use alternatives to expulsion
1017 or referral to law enforcement agencies if the student receives
1018 mental health services identified by the school district
1019 pursuant to s. 1012.584(4), when appropriate, and unless the use
1020 of such alternatives does not will pose a threat to school
1021 safety.

1022 Section 18. Subsection (17) of section 1011.62, Florida
1023 Statutes, is renumbered as subsection (18), paragraph (b) of
1024 subsection (6) and subsection (15) of that are amended, and a
1025 new subsection (17) is added to that section to read:

1026 1011.62 Funds for operation of schools.—If the annual
1027 allocation from the Florida Education Finance Program to each

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1028 district for operation of schools is not determined in the
1029 annual appropriations act or the substantive bill implementing
1030 the annual appropriations act, it shall be determined as
1031 follows:

1032 (6) CATEGORICAL FUNDS.—

1033 (b) If a district school board finds and declares in a
1034 resolution adopted at a regular meeting of the school board that
1035 the funds received for any of the following categorical
1036 appropriations are urgently needed to maintain school board
1037 specified academic classroom instruction or improve school
1038 safety, the school board may consider and approve an amendment
1039 to the school district operating budget transferring the
1040 identified amount of the categorical funds to the appropriate
1041 account for expenditure:

1042 1. Funds for student transportation.

1043 ~~2. Funds for safe schools.~~

1044 ~~2.3.~~ Funds for supplemental academic instruction if the
1045 required additional hour of instruction beyond the normal school
1046 day for each day of the entire school year has been provided for
1047 the students in each low-performing elementary school in the
1048 district pursuant to paragraph (1)(f).

1049 ~~3.4.~~ Funds for research-based reading instruction if the
1050 required additional hour of instruction beyond the normal school
1051 day for each day of the entire school year has been provided for

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1052 the students in each low-performing elementary school in the
1053 district pursuant to paragraph (9) (a).

1054 ~~4.5.~~ Funds for instructional materials if all
1055 instructional material purchases necessary to provide updated
1056 materials that are aligned with applicable state standards and
1057 course descriptions and that meet statutory requirements of
1058 content and learning have been completed for that fiscal year,
1059 but no sooner than March 1. Funds available after March 1 may be
1060 used to purchase hardware for student instruction.

1061 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
1062 created to provide funding to assist school districts in their
1063 compliance with s. 1006.07 ~~ss. 1006.07-1006.148~~, with priority
1064 given to implementing the district's ~~establishing a school~~
1065 resource officer program pursuant to s. 1006.12. Each school
1066 district shall receive a minimum safe schools allocation in an
1067 amount provided in the General Appropriations Act. Of the
1068 remaining balance of the safe schools allocation, two-thirds
1069 shall be allocated to school districts based on the most recent
1070 official Florida Crime Index provided by the Department of Law
1071 Enforcement and one-third shall be allocated based on each
1072 school district's proportionate share of the state's total
1073 unweighted full-time equivalent student enrollment. Any
1074 additional funds appropriated to this allocation in the 2018-
1075 2019 fiscal year to the school resource officer program
1076 established pursuant to s. 1006.12 shall be used exclusively for

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1077 employing or contracting for school resource officers, which
1078 shall be in addition to the number of officers employed or
1079 contracted for in the 2017-2018 fiscal year. Such funds shall be
1080 allocated to school districts based on each district's
1081 proportionate share of the state's total unweighted full-time
1082 equivalent student enrollment.

1083 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental
1084 health assistance allocation is created to provide funding to
1085 assist school districts in establishing or expanding school-
1086 based mental health care. These funds shall be allocated
1087 annually in the General Appropriations Act or other law to each
1088 eligible school district. Each school district shall receive a
1089 minimum of \$100,000 with the remaining balance allocated based
1090 on each school district's proportionate share of the state's
1091 total unweighted full-time equivalent student enrollment.
1092 Eligible charter schools are entitled to a proportionate share
1093 of district funding. At least 90 percent of a district's
1094 allocation must be expended on the elements specified in sub-
1095 paragraphs (b)1. and 2. The allocated funds may not supplant
1096 funds that are provided for this purpose from other operating
1097 funds and may not be used to increase salaries or provide
1098 bonuses. School districts are encouraged to maximize third party
1099 health insurance benefits and Medicaid claiming for services
1100 where appropriate.

1101 (a) Prior to the distribution of the allocation:

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

1105 2. A charter school must develop and submit a detailed
1106 plan outlining the local program and planned expenditures to its
1107 governing body for approval. After the plan is approved by the
1108 governing body, it must be provided to the charter school's
1109 sponsor.

1110 (b) The plans required under paragraph (a) must be focused
1111 on delivering evidence-based mental health care treatment to
1112 children and include the following elements:

1113 1. Provision of mental health assessment, diagnosis,
1114 intervention, treatment, and recovery services to students with
1115 one or more mental health or co-occurring substance abuse
1116 diagnoses and students at high risk of such diagnoses.

1117 2. Coordination of such services with a student's primary
1118 care provider and with other mental health providers involved in
1119 the student's care.

1120 3. Direct employment of such service providers, or a
1121 contract-based collaborative effort or partnership with one or
1122 more local community mental health programs, agencies, or
1123 providers.

1124 (c) School districts shall submit approved plans,
1125 including approved plans of each charter school in the district,
1126 to the commissioner by August 1 of each fiscal year.

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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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1152 providing youth mental health first aid training, using a
1153 trainer certification model, to all school personnel in
1154 elementary, middle, and high schools. Each school safety
1155 specialist shall earn, or designate one or more individuals to
1156 earn, certification as a youth mental health first aid trainer.
1157 The school safety specialist shall ensure that all school
1158 personnel within his or her school district receive youth mental
1159 health first aid training.

1160 (3) The training program shall include, but is not limited
1161 to:

1162 (a) An overview of mental illnesses and substance use
1163 disorders and the need to reduce the stigma of mental illness.

1164 (b) Information on the potential risk factors and warning
1165 signs of emotional disturbance, mental illness, or substance use
1166 disorders, including, but not limited to, depression, anxiety,
1167 psychosis, eating disorders, and self-injury, as well as common
1168 treatments for those conditions and how to assess those risks.

1169 (c) Information on how to engage at-risk students with the
1170 skills, resources, and knowledge required to assess the
1171 situation, and how to identify and encourage the student to use
1172 appropriate professional help and other support strategies,
1173 including, but not limited to, peer, social, or self-help care.

1174 (4) Each school district shall notify all school personnel
1175 who have received training pursuant to this section of available
1176 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).

1182 Section 20. For the 2018-2019 fiscal year, the sum of
1183 \$67,237,286 in recurring funds is appropriated from the General
1184 Revenue Fund to the Department of Education in the Aid to Local
1185 Governments Grants and Aids - Florida Education Finance Program
1186 to fund the mental health assistance allocation established
1187 pursuant to s. 1011.62(17), Florida Statutes.

1188 Section 21. For the 2018-2019 fiscal year, the sum of \$1
1189 million in nonrecurring funds is appropriated from the General
1190 Revenue Fund to the Department of Education for the design and
1191 construction of a memorial honoring those who lost their lives
1192 on February 14, 2018, at Marjory Stoneman Douglas High School in
1193 Broward County. The department shall collaborate with the
1194 students and faculty of Marjory Stoneman Douglas High School,
1195 the families of the victims, the Broward County School District,
1196 and other relevant entities of the Parkland, Florida, community
1197 on the design and placement of the memorial.

1198 Section 22. For the 2018-2019 fiscal year, the sum of
1199 \$28,575,900 in nonrecurring funds is appropriated from the
1200 General Revenue Fund to the Department of Education for the
1201 purpose of replacing Building 12, as listed in the Florida

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1202 Inventory of School Houses, at Marjory Stoneman Douglas High
1203 School in Broward County. The replacement building will be a
1204 state-owned facility; however, the Broward County School
1205 District is responsible for its operation and maintenance.
1206

1207 -----

1208 **T I T L E A M E N D M E N T**

1209 Remove lines 5-143 and insert:
1210 for student crime watch programs; amending s. 394.495,
1211 F.S.; requiring the Department of Children and
1212 Families to contract with managing entities to
1213 establish community action teams; requiring community
1214 action teams to provide community-based behavioral
1215 health and support services to certain children,
1216 adolescents, and young adults; requiring such teams to
1217 use an integrated service delivery approach that
1218 includes family participation; providing for referrals
1219 to specialized treatment; requiring coordination of
1220 services provided by schools, the department, and the
1221 juvenile justice system; specifying service areas,
1222 contingent upon appropriations; amending s. 790.065,
1223 F.S.; prohibiting a licensed importer, manufacturer,
1224 or dealer to sell or deliver a firearm to a person
1225 less than 21 years of age; providing exceptions;
1226 amending s. 790.0655, F.S.; requiring a specified

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1227 waiting period between the purchase and delivery at
1228 retail of any firearm; providing exceptions; revising
1229 terminology; creating s. 790.0656, F.S.; requiring law
1230 enforcement agencies taking custody of persons for
1231 involuntary examination to seize the person's firearms
1232 and ammunition in certain circumstances; requiring the
1233 reporting of specified information concerning the
1234 involuntary examination; providing for ex parte
1235 temporary injunctions to prohibit the possession of
1236 firearms and ammunition in certain circumstance;
1237 providing for extension of such injunctions; providing
1238 for the return of firearms and ammunition after
1239 expiration of such injunction; providing for petitions
1240 to terminate injunctions; requiring law enforcement
1241 agencies to develop specified policies; creating s.
1242 790.0657, F.S.; prohibiting the possession of firearms
1243 or ammunition by certain persons adjudicated mentally
1244 defective or committed to a mental institution;
1245 providing for relief of firearms ownership disability;
1246 providing for forfeiture or seizure of firearms and
1247 ammunition in certain circumstances; requiring law
1248 enforcement agencies to develop specified policies;
1249 creating s. 790.222, F.S.; prohibiting the sale,
1250 transfer, or possession of a bump-fire stock;
1251 providing a penalty; providing definitions; creating

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1252 s. 943.082, F.S.; requiring the Department of Law
1253 Enforcement to competitively procure a mobile
1254 suspicious activity reporting tool; requiring the
1255 system to notify certain parties of specified
1256 information; requiring information received by the
1257 system to be reported to the appropriate agencies and
1258 school officials; requiring certain entities to be
1259 made aware of the system; requiring certain materials
1260 be provided to participating schools and school
1261 districts; creating s. 943.687, F.S.; creating the
1262 Marjory Stoneman Douglas High School Public Safety
1263 Commission within the Department of Law Enforcement;
1264 providing membership; specifying powers and duties of
1265 the commission; providing for meetings; providing for
1266 subpoena power; providing for access to information;
1267 requiring a report and recommendations; providing for
1268 sunset of the commission and future repeal of
1269 provisions; creating s. 1001.212, F.S.; creating the
1270 Office of Safe Schools within the Department of
1271 Education; providing duties of the office; amending s.
1272 1006.04, F.S.; revising the purpose and duties of the
1273 educational multiagency network for students with
1274 emotional and behavioral disabilities; amending s.
1275 1002.32, F.S.; conforming a cross-reference; amending
1276 s. 1006.07, F.S.; revising district school board

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1277 duties relating to student discipline and school
1278 safety; requiring students to note referrals to mental
1279 health services upon initial registration for school
1280 within a school district; authorizing a district
1281 school board to refer a student to certain mental
1282 health services under certain circumstances; revising
1283 the code of student conduct relating to the referral
1284 of certain students to certain mental health services
1285 and law enforcement; providing requirements for
1286 student crime watch programs; revising the policies
1287 and procedures for emergency drills to include drills
1288 for active shooter and hostage situations; providing
1289 requirements for such drills; revising requirements
1290 for the emergency response policy; requiring model
1291 emergency management and emergency preparedness
1292 procedures for active shooter situations; requiring
1293 school districts to establish a schedule to test
1294 emergency communication systems; requiring district
1295 school super intendants to establish certain policies
1296 and procedures relating to the prevention of violence
1297 on school grounds and designate a school safety
1298 specialist for the school district; providing
1299 requirements and duties for school safety specialists;
1300 providing school safety specialist and district school
1301 board requirements relating to the required school

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1302 security risk assessments; requiring each district
1303 school board to establish a threat assessment team at
1304 each school within the district; providing
1305 requirements and duties for threat assessment teams;
1306 authorizing a threat assessment team to obtain certain
1307 criminal history record information under certain
1308 circumstances; prohibiting a member of a threat
1309 assessment team from disclosing or using such
1310 information except for a specified purpose;
1311 authorizing certain entities to share specified
1312 confidential information and records relating to
1313 students for specified purposes; authorizing school
1314 personnel to address immediate mental health or
1315 substance abuse crisis; providing requirements for
1316 addressing such situations; providing threat
1317 assessment team reporting requirements; amending s.
1318 1006.08, F.S.; requiring a district school
1319 superintendent to be notified by the court of a
1320 student referred to mental health services; amending
1321 s. 1006.12, F.S.; requiring school districts to
1322 develop partnerships with local law enforcement
1323 agencies for specified purposes; requiring such school
1324 districts and law enforcement agencies to examine the
1325 use of specified officers for certain purposes;
1326 requiring, rather than authorizing, district school

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

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