



Florida School Boards Association

The voice of education in Florida.

COMPARISON OF MAJOR PROVISIONS OF PUBLIC SAFETY BILLS

<p align="center">SB 7026 <i>(As of 2/28/18)</i></p>	<p align="center">HB 7101 <i>(As of 2/28/18)</i></p>
<p>Section 1 <i>(page 9)</i> This act may be cited as the “Marjory Stoneman Douglas High School Public Safety Act”</p>	<p>Section 1 <i>(page 8)</i> This act may be cited as the “Marjory Stoneman Douglas High School Public Safety Act”</p>
<p>Section 2 <i>(page 9)</i> Sets legislative intent to address the need to comprehensively address the crisis of gun violence, including but not limited to, gun violence on school campuses.</p>	
	<p>Section 2 <i>(page 8)</i> Provides that grants may be awarded from the Crime Stoppers Trust Fund to fund student crime watch programs</p>
<p>Section 3 <i>(page 9)</i> Establishes the Medical Reimbursement Program for Victims of Mass Shootings in the Department of Legal Affairs to reimburse trauma centers for the medical costs of treating victims for injuries associated with a mass shooting</p>	
<p>Section 4 <i>(page 10)</i> Creates the Office of Safe Schools within the FDOE</p>	<p>Section 13 Creates the Office of Safe Schools within the FDOE</p>
<p>Section 5 <i>(page 10)</i> Authorizes a law enforcement officer taking custody of a person for an involuntary examination (under the Baker Act) to seize and hold a firearm or any ammunition the person possesses if the person poses a potential danger to him/herself or others and has made a credible threat of violence against another person; Law enforcement agencies must develop policies and procedures relating to the seizure, storage, and return of firearms or ammunition.</p>	<p>Section 8 <i>(page 22)</i> Requires a law enforcement agency taking custody of a person who meets the criteria for involuntary examination (Baker Act) and who makes a credible threat of violence against another person to seize each firearm and all ammunition owned by the person that is in his or her possession, custody, or control. Firearms and ammunition must be returned within 72 hours except under certain circumstances.</p>
<p>Section 6 <i>(page 12)</i> Prohibits possession or ownership of a firearm by a person who has been adjudicated mentally defective or who has been committed to a mental institution until relief from the disability is obtained.</p>	<p>Section 9 <i>(page 26)</i> Prohibits possession or ownership of a firearm by a person who has been adjudicated mentally defective or who has been committed to a mental institution until relief from the disability is obtained.</p>

<p>Section 7 <i>(page 13)</i> Prohibits a person younger than 21 years of age from purchasing a firearm; prohibition does not apply to purchase by a law enforcement officer, a correctional officer, active duty Armed Forces, or National Guard.</p>	<p>Section 6 <i>(page 18)</i> Prohibits sale of firearms to people under 21, unless they are law enforcement, correctional officer, active duty military or full time National Guard</p>
<p>Section 8 <i>(page 13)</i> Mandatory 3 day waiting period between the purchase and delivery of a firearm (rather than only handgun); Waiting period does not apply if:</p> <ul style="list-style-type: none"> • The person has concealed weapons permit • The person is trading in another weapon • The person who completes a minimum of a 16-hour hunter education or hunter safety course approved by the Fish and Wildlife 	<p>Section 7 <i>(page 20)</i> Mandatory 3 day waiting period between the purchase and delivery of a firearm (rather than only handgun); Waiting period does not apply if:</p> <ul style="list-style-type: none"> • The person has concealed weapons permit • The person is trading in another weapon • The person who completes a minimum of a 16-hour hunter education or hunter safety course approved by the Fish and Wildlife
<p>Section 9 <i>(page 15)</i> Prohibits a person from the import, transfer, distribution, transport, sale, keep for sale, offer or expose for sale, or give a bump-fire stock to another person.</p>	<p>Section 10 <i>(page 26)</i> Prohibits a person from the import, transfer, distribution, transport, sale, keep for sale, offer for sale, possess, or give a bump-fire stock to another person.</p>
<p>Section 10 <i>(page 15)</i> Expresses intent to temporarily prevent individuals from accessing firearms or ammunition by allowing law enforcement officers to obtain a court order when there is demonstrated evidence that the individual poses a significant danger to him/herself or others, including significant danger as a result of a mental health crisis or violent behavior.</p>	
<p>Section 11 <i>(page 16)</i> Creates the “Risk Protection Order Act”</p> <p>Section 12 <i>(page 16)</i> Risk protection orders:</p> <ul style="list-style-type: none"> • Upon receipt of a petition, the court must order a hearing to be held within a specified time frame and issue a notice of hearing to the respondent. • A petitioner may request that a temporary ex parte risk protection order be issued before a hearing for a risk protection order without notice to the respondent by including in the petition detailed allegations that the respondent poses a significant danger of causing personal injury to him/herself or others in the near future by having in his/her custody or control, or by purchasing, possessing, or receiving, a firearm or ammunition 	

<p>Section 13 <i>(page 36)</i> Creates the School Safety Awareness Program; requires FDOE, in collaboration with the Department of Legal Affairs, to 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.</p>	<p>Section 11 <i>(page 27)</i> Requires the FDOE to 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.</p>
<p>Section 14 <i>(page 37)</i> Creates the Marjory Stoneman Douglas High School Public Safety Commission within FDLE; Commission to investigate system failures in the MSD High School shooting and prior mass violence incidents and develop recommendations for system improvements; 15 members with 5 appointed by Governor, 5 by Speaker, and 5 by President; Secretaries of DCF, DJJ, AHCA, and Commissioner of Education, and the executive director serve as ex officio, nonvoting members; Commissioner of FDLE to serve as chair; Has the power to subpoena witnesses and information; must provide annual reports until July 2023</p>	<p>Section 12 <i>(page 28)</i> Creates the Marjory Stoneman Douglas High School Public Safety Commission within FDLE; Commission to investigate system failures in the MSD High School shooting and prior mass violence incidents and develop recommendations for system improvements; 15 members with 5 appointed by Governor, 5 by Speaker, and 5 by President; Secretaries of DCF, DJJ, AHCA, and Commissioner of Education, and the executive director serve as ex officio, nonvoting members; Commissioner of FDLE to serve as chair; Has the power to subpoena witnesses and information; must provide annual reports until July 2023</p>
<p>Section 15 <i>(page 41)</i> Expresses intent that Florida K-20 Education Code be liberally construed to the end that student discipline and school safety policy objectives may be effective.</p>	
<p>Section 16 <i>(page 42)</i> Creates the Office of Safe Schools within the FDOE; Provides that the Office will be administered by an executive director; Provides that the purpose of the Office is to serve as the state education agency's primary coordinating division assigned to promote and support safe-learning environments by addressing issues of student safety and academic success at the state, district, and school levels.</p>	<p>Section 13 <i>(page 33)</i> Creates the Office of Safe Schools within the FDOE; Provides that the office shall serve as a central repository for best practices, training standards, and compliance oversight in all matters regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness planning.</p>
	<p>Section 14 <i>(page 35)</i> Technical/conforming revisions</p>
<p>Section 17 <i>(page 44)</i> Grants exemption of student K-12 records for security system plans and public security systems.</p>	
<p>Section 18 <i>(page 44)</i> Grants exemption of student postsecondary records for security system plans and public security systems</p>	

<p>Section 19 <i>(page 44)</i> Establishes the Multiagency Service Network for Students with Severe Emotional Disturbance (SEDNET) as a function of the department in partnership with other state, regional, and local partners as a statewide network of regional projects comprised of major child-serving agencies, community-based service providers, and students and their families to provide support for students with severe emotional disturbance.</p>	<p>Section 5 <i>(page 12)</i> Requires FDOE to contract for community action teams throughout the state with the managing entities. A community action team shall provide community-based behavioral health and support services to children, adolescents, and young adults with serious behavioral health conditions who are at risk of out-of-home placement.</p> <p>Section 15 <i>(page 36)</i> Provides that the multiagency network for students with emotional and behavioral disabilities works with education, mental health, child welfare, and juvenile justice professionals, along with other agencies and families, to provide children with mental illness or emotional/behavioral problems to access services and supports they need to succeed.</p>
<p>Section 20 <i>(page 47)</i> Creates the Mental Health Assistance Allocation to assist school districts and charter schools in establishing or expanding comprehensive mental health programs, train faculty and school staff in detecting and responding to mental health issues, and connect children, youth, and families with appropriate services. Each district or charter school must submit a detailed plan by August 1 in order to receive the allocation and must submit a report by September 30 each year.</p>	
<p>Section 21 <i>(page 49)</i></p> <ul style="list-style-type: none"> • School Board must appoint a District School Safety Specialist to serve at the direction of the superintendent as the district's primary point of public contact regarding the district's coordination, communication, and implementation of policies, procedures, responsibilities, and reporting related to district and public school safety functions. • Emergency drills and procedures must include hostage and active shooter situations • Each school must designate a threat assessment team at each school in the district. • Conduct security risk assessments at each public school, conduct a self-assessment of the school districts' current safety and security practices, and identify strategies and activities to improve school safety and security. • School Board must allow first responders to tour school facilities every 3 years and note structural changes. 	<p>Section 16 <i>(page 38)</i></p> <ul style="list-style-type: none"> • Requires each student at time of initial enrollment to disclose previous referrals to mental health services. Receiving school may refer student to mental health services as well. • Allows the public to anonymously make reports unsafe and potentially harmful activities • Emergency drills and procedures must include active shooter and hostage situation • Requires established schedule to test the functionality and coverage of all emergency contact systems and to check signal strength • Requires each superintendent to designate a school administrator or school safety specialist for the district • Requires first responders to conduct a campus tour every 3 years • Requires each school board to adopt policies to establish threat assessment teams at each school • Allows agencies to share confidential exempt information about students to ensure appropriate resources for the student or to ensure the safety of the student or others.

	<p>Section 17 <i>(page 48)</i> Requires a court to report to a school district within 48 hours the name and address of any student referred to mental health services</p>
<p>Section 22 <i>(page 53)</i> Requires each school board and superintendent to cooperate with law enforcement agencies to establish or assign one or more safe-school officers at each school facility within the district, by implementing one or more of these options:</p> <ul style="list-style-type: none"> • Establish school resource officer programs, through a cooperative agreement with law enforcement agencies; • Commission one or more certified school safety officers; and/or • Participate in the Florida Sheriff's Marshal Program. <p>Section 24 <i>(page 56)</i> Creates the Florida Sheriff's Marshal Program within the FDOE and administered by the Office of Safe Schools</p> <ul style="list-style-type: none"> • The purpose of the program is to provide comprehensive firearm safety and proficiency training for selected school faculty and staff that is focused on providing security on campus during an active assailant incident. • School faculty and staff who are recommended by the school district and who voluntarily participate in and complete the program are designated as special deputy sheriffs with the right and responsibility, and obligation to carry concealed firearms on campus. These special deputy sheriffs may not act in any law enforcement capacity outside of an active assailant incident on a school district campus and do not have any authority in a law enforcement capacity off campus in any way. • Each program participant must complete 132 total hours of comprehensive firearm safety and proficiency training. • Each program participant must be distinctly and visually identifiable to responding law enforcement officers, faculty, staff, and students, in the case of any active assailant incident on a sponsoring school district's campus. 	<p>Section 3 <i>(page 8)</i> Requires sheriffs to establish a school marshal program to aid in the prevention or abatement of active assailant incidents on school premises. The sheriff shall issue a school marshal certificate and appoint as school marshals, without the power of arrest, school employees who:</p> <ul style="list-style-type: none"> • Hold a valid license to carry a concealed weapon; • Complete 132 total hours of comprehensive firearm safety and proficiency training. <p>Section 4 <i>(page 10)</i> Provides that municipalities <u>may</u> enter into MOUs with school districts to appoint school marshals, without the powers of arrest. Provides that, if a sheriff fails to establish a school marshal program, a municipality <u>shall</u> establish a school marshal program.</p> <p>Section 18 <i>(page 49)</i></p> <ul style="list-style-type: none"> • Requires districts to develop partnerships with local law enforcement agencies • Requires school districts to establish a school resource officer (SRO) program • Requires SROs to complete mental health crisis intervention training • Authorizes each district to establish a school marshal program through an agreement with a local law enforcement agency • Authorizes a charter school governing board to establish a school marshal program. • Requires each marshal to be distinctly and visually identifiable to responding law enforcement officers, faculty, staff, and students, in the case of any active assailant incident on a sponsoring school district's campus. • Provides that each school participating in the school marshal program may not post any signage stating that firearms are not permitted on campus
	<p>Section 19 <i>(page 54)</i></p> <ul style="list-style-type: none"> • Provides that district school boards shall promote a safe learning environment in schools by protecting students and staff. • Emphasizes the option of referring students to mental health services

<p>Section 23 <i>(page 55)</i> Creates the Public School Emergency Response Learning System Program as part of the Office of Safe Schools (FDOE) to assist school personnel in preparing for and responding to active emergency situations and to implement local notification systems for all Florida public schools.</p>	
<p>Section 25 <i>(page 62)</i> Creates the Florida Safe Schools Assessment Tool (FSSAT); Requires the FDOE to contract with a security consulting firm to develop, update, and implement the FSSAT; The FSSAT must be used by school officials at each school district and public school site in the state in conducting security assessments for use by school officials at each school district and public school site in the state.</p>	
<p>Section 26 <i>(page 64)</i></p> <ul style="list-style-type: none"> • Conforms provisions relating to the Safe Schools Allocation to clarify that funds are to assist school districts in their compliance with subpart I.C. of chapter 1006 (ss. 1006.07-1918 1006.148), with priority given to satisfying the requirement of establishing or assigning at least one safe-school officer at each school facility within the district. • Conforms provisions relating to the Mental Health Assistance Allocation to provide that the allocation is created to provide funding to assist school districts and charter schools to comply with the provisions of the bill. In addition: <ul style="list-style-type: none"> ◦ These funds must be allocated annually based on each entity's proportionate share of FEFP base funding; ◦ District allocation must include a minimum amount, and eligible charter schools are entitled to a proportionate share of district funding for the program; ◦ The 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, except for personnel hired to implement the plans required by law; ◦ School districts and schools must maximize third-party funding from Medicaid and private insurance when appropriate. 	<p>Section 20 <i>(page 55)</i></p> <ul style="list-style-type: none"> • Conforms provisions relating to the Safe Schools Allocation to provide that funds are to assist school districts to comply with s. 1006.07, with priority given to implementing the district's school resource officer program. • Provides that any additional funds appropriated to this allocation in the 2018-2019 fiscal year to the school resource officer program must be used exclusively for employing or contracting for school resource officers that are 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. • Provides that the mental health assistance allocation is created to provide funding to assist school districts in establishing or expanding school-based mental health care. In addition: <ul style="list-style-type: none"> ◦ These funds shall be allocated annually ◦ Each school district shall receive a minimum of \$100,000 with the balance allocated based on each school district's proportionate share of the state's total unweighted FTE student enrollment. ◦ The 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.

<p>Section 27 (page 68) Technical/conforming revisions</p>	
<p>Section 28 (page 68) Technical/conforming revisions</p>	
	<p>Section 21 (page 60) Provides that, beginning with the 2018-2019 school year, the FDOE must establish a youth mental health first aid training program to help school personnel identify and understand the signs of emotional disturbance, mental illness, and substance use disorders and provide such personnel with the skills to help a person who is developing or experiencing an emotional disturbance, mental health, or substance use problem.</p>
<p>Section 29 (page 69) Each January 1, the DACS shall transfer 10% of the fees collected for new and renewal concealed weapon or firearm licenses to the Department of Legal Affairs to reimburse verified or designated trauma centers for documented medical costs of treating victims of mass shootings through its Medical Reimbursement Program for 1980 Victims of Mass Shootings.</p>	
<p>Section 30 (page 69) The sum of \$10 million in recurring funds is appropriated to the Department of Legal Affairs to reimburse verified or designated trauma centers for documented medical costs of treating victims of mass shootings through its Medical Reimbursement Program for Victims of Mass Shootings.</p>	
<p>Section 31 (page 69) Appropriates \$100 million in recurring funds for the mental health assistance allocation.</p>	<p>Section 22 (page 62) Appropriates \$67,237,286 in recurring funds for the mental health assistance allocation.</p>
<p>Section 32 (page 69) Appropriates \$500,000 in nonrecurring funds for the design and construction of a memorial honoring those who lost their lives on February 14, 2018, at Marjory Stoneman Douglas High School.</p>	<p>Section 23 (page 62) Appropriates \$1 million in nonrecurring funds for the design and construction of a memorial honoring those who lost their lives on February 14, 2018, at Marjory Stoneman Douglas High School.</p>
<p>Section 33 (page 70) Appropriates \$15 million in nonrecurring funds to be combined with an equal amount of local matching funds to replace Building 12 at Marjory Stoneman Douglas High School.</p>	<p>Section 24 (page 62) Appropriates \$28,575,900 in nonrecurring funds to replace Building 12 at Marjory Stoneman Douglas High School. The replacement building shall be a state-owned facility but the Broward County School District is responsible for its operation and maintenance.</p>

<p>Section 34 <i>(page 70)</i> Appropriates \$500,000 in recurring funds and \$67 million in nonrecurring funds to implement the Florida Sheriff's Marshal Program.</p>	<p>Section 25 <i>(page 63)</i> Appropriates \$500,000 in recurring funds and \$66,663,480 in nonrecurring funds to reimburse screening and training related costs and providing a one-time stipend of \$500 to school marshals who participate in the school marshal program.</p>
<p>Section 35 <i>(page 70)</i> Appropriates \$344,393 in recurring funds to fund the Office of Safe Schools.</p>	<p>Section 26 <i>(page 63)</i> Appropriates \$344,393 in recurring funds to fund the Office of Safe Schools.</p>
<p>Section 36 <i>(page 70)</i> Appropriates \$75 million in recurring funds for the safe schools allocation. These funds are in addition to the safe schools allocation funds appropriated in the FEFP in the Fiscal Year 2018-2019 General Appropriations Act. From these funds, \$13,675,820 shall be added equally to each school district and developmental research school to provide a district minimum amount of \$250,000. The balance of the funds shall be allocated to school districts based on each district's proportionate share of the state's total unweighted FTE student enrollment. Each school district must use these funds exclusively for hiring or contracting for safe-school officers.</p>	<p>Section 27 <i>(page 63)</i> Appropriates \$97,500,000 in recurring funds for the Safe Schools allocation. These funds are in addition to the Safe Schools allocation funds appropriated in the FEFP in the Fiscal Year 2018-2019 General Appropriations Act. These funds shall be allocated to school districts based on each district's proportionate share of the state's total unweighted FTE student enrollment. Each school district must use these funds exclusively for hiring or contracting for school resource officers.</p>
<p>Section 37 <i>(page 71)</i> Appropriates \$100,000 in recurring funds to competitively procure the active shooter training component of the school safety specialist training program.</p>	<p>Section 28 <i>(page 64)</i> Appropriates \$100,000 in recurring funds to competitively procure the active shooter training component of the school safety specialist training program.</p>
<p>Section 38 <i>(page 71)</i> Appropriates \$90,688,152 in nonrecurring funds to implement a grant program to provide awards to schools to fund, in whole or in part, the fixed capital outlay costs to improve the physical security of school buildings as identified by a security risk assessment completed before August 1, 2018, by a school district or charter school. By August 31, 2018, the FDOE must submit the grant guidelines with an application submission deadline of no later than December 1, 2018, and the evaluation criteria, to all school districts and charter schools. The FDOE must award grants no later than January 15, 2019.</p>	<p>Section 29 <i>(page 64)</i> Appropriates \$95,985,620 in nonrecurring funds to implement a grant program to provide awards to schools to fund in whole or in part the fixed capital outlay costs to improve the physical security of school buildings as identified from a security risk assessment completed before August 1, 2018, by a school district or charter school. By August 31, 2018, the FDOE must submit the grant guidelines with an application submission deadline of no later than December 1, 2018, and the evaluation criteria, to all school districts and charter schools. The FDOE must award grants no later than January 15, 2019.</p>
<p>Section 39 <i>(page 71)</i> Appropriates \$300,000 in nonrecurring funds and \$100,000 in recurring funds to the FDLE to competitively procure proposals for the development or acquisition of the mobile suspicious activity reporting tool. The tool shall be implemented no later than January 31, 2019.</p>	<p>Section 30 <i>(page 64)</i> Appropriates \$300,000 in nonrecurring funds and \$100,000 in recurring funds to the FDLE to competitively procure proposals for the development or acquisition of the mobile suspicious activity reporting tool. The tool shall be implemented no later than January 31, 2019.</p>

<p>Section 40 <i>(page 72)</i> Appropriates the recurring sum of \$600,000 and the nonrecurring sum of \$50,000 to the FDLE to fund the operations of the Marjory Stoneman Douglas High School Public Safety Commission.</p>	<p>Section 31 <i>(page 65)</i> Appropriates the recurring sum of \$600,000 and the nonrecurring sum of \$50,000 to the FDLE to fund the operations of the Marjory Stoneman Douglas High School Public Safety Commission.</p>
<p>Section 41 <i>(page 72)</i> Appropriates \$9.8 million in nonrecurring funds to DCF to competitively procure additional community action teams to ensure access among all counties.</p>	<p>Section 32 <i>(page 65)</i> Appropriates \$9.8 million in nonrecurring funds to DCF to competitively procure additional community action teams to ensure access among all counties.</p>
<p>Section 42 <i>(page 72)</i> Appropriates \$11,140,105 in nonrecurring funds and \$7,159,895 in recurring funds to DCF to procure proposals for additional mobile crisis teams to ensure reasonable access among all counties.</p>	<p>Section 33 <i>(page 65)</i> Appropriates \$18,300,000 in recurring funds to DCF to procure for additional mobile crisis teams to ensure reasonable access among all counties.</p>
<p>Section 43 <i>(page 73)</i> Appropriates the recurring sum of \$6,177,391 and the nonrecurring sum of \$296,743 to DCF to hire case managers who will be assigned to each Sheriff’s Office in the state.</p>	
	<p>Section 34 <i>(page 66)</i> Appropriates \$500,000 in recurring funds and \$6,200,000 in nonrecurring funds to implement the youth mental health first aid training.</p>
	<p>Section 35 <i>(page 66)</i> Appropriates \$1 million in nonrecurring funds to competitively procure a contract with a third-party security consultant with experience in conducting security risk assessments of public schools.</p>
<p>Section 44 <i>(page 73)</i> Appropriates \$18,321 in recurring funds and \$225,000 in nonrecurring funds to provide death benefits to the eligible recipients of the three Marjory Stoneman Douglas High School staff members who lost their lives on February 14, 2018.</p>	<p>Section 36 <i>(page 67)</i> Appropriates \$18,321 in recurring funds and \$225,000 in nonrecurring funds to provide death benefits to the eligible recipients of the three Marjory Stoneman Douglas High School staff members who lost their lives on February 14, 2018.</p>
<p>Section 45 <i>(page 73)</i> Appropriates \$5 million in nonrecurring funds to the FDOE to competitively procure for the development or acquisition of the Threat Monitoring System. The FDOE must collaborate with school districts to identify the requirements and functionality of the Threat Monitoring System and must make such resources available to school districts by 12/1/18.</p>	<p>Section 37 <i>(page 67)</i> Appropriates \$5 million in recurring funds to the FDOE to competitively procure for the development or acquisition of the data analytic resources. The FDOE must collaborate with school districts to identify the requirements and functionality of the data analytic resources and must make such resources available to school districts by 12/1/18.</p>
<p>Section 46 <i>(page 73)</i> Provides that this act shall take effect upon becoming a law.</p>	<p>Section 38 <i>(page 67)</i> Provides that this act shall take effect upon becoming a law.</p>