

CS/SB 7026; the following summary is the latest bill analysis conducted by the Professional Staff of the Senate Committee on Appropriations 2/28/18

- Creates the Medical Reimbursement Program for Victims of Mass Shootings to reimburse trauma centers from the medical costs of treating victims for injuries associated with a mass shooting.
- Authorizes a law enforcement officer who is taking a person into custody for an involuntary examination under the Baker Act to seize and hold a firearm or ammunition from the person for at least 72 hours or until the person appears at the agency to retrieve the firearm or ammunition.
  - Prohibits a person who has been adjudicated mentally defective or who has been committed to a mental institution from owning or possessing a firearm until a court orders otherwise.
- Requires a three-day waiting period for all firearms, not just handguns or until the background check is complete, whichever is later. • Prohibits a person under 21 years of age from purchasing a firearm.
- Prohibits a licensed firearm dealer, importer, or manufacturer, from making or facilitating the sale or transfer of a firearm to a person under the age of 21. This prohibition does not apply to the purchase of a rifle or shotgun by a law enforcement officer or a correctional officer or to a member of the military.
- Prohibits a bump-fire stock from being imported, transferred, distributed, transported, sold, keeping for sale, offering or exposing for sale, or given away within the state.
- Creates a process for a law enforcement officer or law enforcement agency to petition a court for a risk protection order to temporarily prevent persons who are at high risk of harming themselves or others from accessing firearms when a person poses a significant danger to himself or herself or others, including significant danger as a result of a mental health crisis or violent behavior.
  - Provides a court can issue a risk protection order for up to 12 months. • Allows a court to issue temporary ex parte risk protection order in certain circumstances.
  - Requires the surrender of all firearms and ammunition if a risk protection order or ex parte risk protection order is issued.
  - Provides a process for a risk protection order to be vacated or extended.
- Establishes the Marjory Stoneman Douglas High School Public Safety Commission within the Florida Department of Law Enforcement (FDLE) to investigate system failures in the Parkland school shooting and prior mass violence incidents, and develop recommendations for system improvements.

- Codifies the Office of Safe Schools (office) within the Florida Department of Education (DOE) and specifies the purpose of the office is to serve as the state education agency's primary coordinating division for promoting and supporting safe-learning environments.
- Creates the Florida Sheriff's Marshal Program within the DOE as a voluntary program to assist school districts and public schools in enhancing the safety and security of students, faculty, staff, and visitors to Florida's public schools and campuses.
- Codifies the Multiagency Service Network for Students with Severe Emotional Disturbance (SEDNET) as a function of the DOE in partnership with other state, regional, and local entities to facilitate collaboration and communication between the specified entities.
- Establishes the Public School Emergency Response Learning System Program to assist school personnel in preparing for and responding to active emergency situations and to implement local notification systems for all Florida public schools.
- Requires the FDLE to procure a mobile suspicious activity reporting tool that allows students and the community to report information anonymously about specified activities or the threat of such activities to appropriate public safety agencies and school officials.
- Requires each district school board and school district superintendent to cooperate with law enforcement agencies to assign one or more safe-school officers at each school facility, and:
  - o Requires each district school board to designate a district school safety specialist to serve as the district's primary point of public contact for public school safety functions. Requires each school district to designate a threat assessment team at each school, and requires the team to operate under the district school safety specialist's direction.
- Creates the mental health assistance allocation to provide supplemental funding to assist school districts and charter schools in establishing or expanding comprehensive mental health programs and to connect students and families with appropriate services.
- Clarifies the applicability of public records exemptions for security systems and plans. Local law enforcement agencies may incur additional expense resulting from the law enforcement officer's participation in the newly-created risk protection order process and related administration of the firearms and ammunition seizure, storage and release. These costs are expected to be insignificant.
- Authorizes law enforcement to seek voluntary surrender of firearms and ammunition being kept in the person's residence at the time he or she is taken into custody for the Baker Act.

- Provides that firearms and ammunition being held under the bill must be available for return no more than 24 hours after the person can document that he or she is no longer subject to involuntary examination and has been released or discharged from any inpatient treatment provided or ordered as a result of the involuntary exam, unless a court has issued a risk protection order requiring that the firearms and ammunition must be held for a longer period.
- Specifies that a law enforcement officer may seek a search warrant from a court to conduct a search for firearms or ammunition if the officer has probable cause to believe there are firearms or ammunition in the respondent's custody, control or possession that have not been surrendered.
- Establishes the "Fortify FL" program and requires the Florida Department of Law Enforcement to collaborate with the Office of the Attorney General to procure a mobile suspicious activity reporting tool and to develop training and awareness programs for the reporting tool.
- Clarifies that information or records that the Marjory Stoneman Douglas High School Public Safety Commission (commission) may request, and must be provided, to carry out the commission's duties, includes both confidential and exempt information.
- Appropriates \$200 million in recurring and \$200 million in nonrecurring funds from the General Revenue Fund to implement the bill provisions.

The bill takes effect upon becoming a law