



Broward County Chiefs of Police Association, Inc.

Legal Update

Legal Advisor Committee

Bradley H. Weissman
Melissa Zelniker-Presser
Jeanette Camacho
Gregg Rossman
954-828-5622

NOVEMBER 2019 LEGISLATIVE UPDATE

SB 70 – Panic Alarms in Public Schools [“Alyssa’s Law”]

Introducer(s): Senators Lauren Book & Lori Berman

Last Action: Referred to Infrastructure and Security; App Subcommittee on Education; & Appropriations

Related Bill(s): HB 23

Effective Date: 7/1/20

Bill requires that each public school building be equipped with, at least, one panic alarm for use in a school security emergency, including, but not limited to, a non-fire evacuation, lockdown, or active shooter situation. The panic alarm must be directly linked to the local law enforcement agencies that are designated as first responders to the school’s campus and must immediately transmit a signal or message to those authorities upon activation. A “public school building” includes all buildings on a public elementary, middle, or high school campus where instruction takes place or where students are present during the school day.

SB 80 – Aggravated Child Abuse

Introducer(s): Senator Lauren Book

Last Action: Referred to Children, Families, and Elder Affairs; Criminal Justice; & Rules

Related Bill(s): N/A

Effective Date: 10/1/20

Bill amends F.S. 827.03 (Abuse, aggravated abuse, and neglect of a child), by adding willfully obstructing a child’s breathing as punishment and willfully causing injury to a child’s sexual organs as punishment to the definition of Aggravated Child Abuse.

SB 94 – Transfer of Firearms

Introducer(s): Senators Lauren Book; Linda Stewart; & Jose Javier Rodriguez

Last Action: Now in Infrastructure & Security as of 9/19/19

Related Bill(s): SB 270 & HB 451

Effective Date: 10/1/19

Bill Amends F.S. 790.011 (Definitions), by defining an “adult family member” as an individual’s spouse, parent, child, sibling, grandparent, grandchild, niece, nephew, first cousin, aunt, or uncle who is over 21 years of age.

Bill also amends F.S. 790.0653 (Transfer of firearms through a licensed dealer), by requiring that the sale or transfer of a firearm, including selling or transferring a firearm via the Internet, must be performed through a licensed firearms dealer.

This requirement does not apply to:

- a law enforcement or corrections agency, or a law enforcement or corrections officer acting within the course and scope of his or her employment or official duties,
- activities of the United States Marshals Service, members of the United States Armed Forces or the National Guard,
- federal officials required to carry a firearm while performing their official duties,
- a gunsmith who receives a firearm solely for the purposes of service or repair, or the return of the firearm to its owner by the gunsmith,
- a common carrier, warehouseman, or other person engaged in the business of transportation or storage, to the extent that the receipt of any firearm is in the ordinary course of business and not for the personal use of any such person,
- a person who is loaned a firearm solely for the purpose of shooting at targets, if the loan occurs on the premises of a sport shooting range and the firearm is at all times kept on the premises of the sport shooting range,
- a person who is under 18 years of age who is loaned a firearm for lawful hunting or sporting purposes or for any other lawful recreational activity while under the direct supervision and control of a responsible adult,
- a person who is 18 years of age or older who is loaned a firearm while he or she is accompanying the lawful owner and is using the firearm for lawful hunting or sporting purposes or for any other lawful recreational activity,
- an adult family member of the lawful owner of the firearm if the owner resides with the family member but is not currently present in the residence, provided that the family member does not maintain control over the firearm for more than 14 consecutive days,
- a spouse, child, or parent of the firearm owner who acquired the firearm by operation of law upon the death of the former firearm owner,
- the temporary transfer of a firearm if such transfer is to prevent immediate or imminent death or great bodily harm to one's self or others, provided that the person to whom the firearm is transferred is not prohibited from possessing a firearm under state or federal law and the temporary transfer lasts no longer than is necessary to prevent the immediate or imminent death or great bodily harm, or
- the sale or transfer of an antique firearm.

Any person who violates this section commits a felony of the third degree.

SB 114 – Risk Protection Orders

Introducer(s): Senators Lori Berman & Janet Cruz

Last Action: Referred to Infrastructure and Security; Judiciary; & Rules

Related Bill(s): HB 47

Effective Date: 7/1/20

Bill amends F.S. 790.401 (Risk protection orders), by permitting an individual who has a biological or legal parent-child relationship with the respondent, including a stepparent-stepchild relationship and a grandparent-grandchild relationship; an individual who is the legal guardian of a respondent; an individual who is the spouse of a respondent; or a sibling of a respondent to petition the court for a risk protection order.

SB 122 – Child Welfare

Introducer(s): Senators Darryl Rouson; Lori Berman; & Ed Hooper

Last Action: Referred to Children, Families, and Elder Affairs; App. Subcommittee on Health and Human Services; & Appropriations

Related Bill(s): HB 43

Effective Date: 7/1/20

Bill amends F.S. 39.0142 (Notifying law enforcement officers of parent or caregiver names), by requiring the Department of Law Enforcement to provide to a law enforcement officer information stating whether a person is a parent or caregiver who is currently the subject of a child protective investigation for alleged child abuse, abandonment, or neglect or is a parent or caregiver of a child who has been allowed to return to or remain in the home under judicial supervision after an adjudication of dependency. This information shall be provided via a FCIC query into the department's child protection database.

Bill also requires a law enforcement officer who has an interaction with a parent or caregiver which results in the officer having concern about a child's health, safety, or well-being, to report the details of the interaction to the central abuse hotline immediately after the interaction.

Bill also creates F.S. 943.17298 (Training in the recognition of and responses to head trauma and brain injury) by requiring the Training standards commission to establish standards for the instruction of law enforcement officers on the recognition of and responses to head trauma and brain injury in a child under 6 years of age to aid an officer in the detection of head trauma and brain injury due to child abuse. Each law enforcement officer must successfully complete the training as part of the basic recruit training or as a part of continuing training before July 1, 2022.

SB 134 – Preemption of Firearms and Ammunition

Introducer(s): Senators Annette Taddeo & Jose Javier Rodriguez

Last Action: Referred to Infrastructure and Security; Judiciary; & Rules

Related Bill(s): HB 6009

Effective Date: 7/1/20

Bill repeals F.S. 790.33 (Relating to the preemption of the field of regulation of firearms and ammunition)

SB 160 – Peer to Peer Support for First Responders

Introducer(s): Senators Keith Perry & Ed Hopper

Last Action: Now in Rules as of 11/18/19

Related Bill(s): HB 573

Effective Date: 7/1/20

Bill creates F.S. 111.09 (Peer-to-peer support for first responders), which prohibits a first responder peer from divulging a peer support communication or information obtained from a peer support communication or testify regarding information obtained from a peer support communication in any civil, criminal, administrative, or disciplinary proceeding, except in the following circumstances:

- the first responder peer is a defendant in a civil, criminal, administrative, or disciplinary proceeding arising from a complaint filed by the first responder,
- the first responder agrees, in writing, to allow the first responder peer to testify about or divulge information related to the peer support communications,

- the communications by the first responder cause the first responder peer to suspect that the first responder has committed a criminal act or intends to commit a criminal act,
- there are articulable facts or circumstances that would lead a reasonable, prudent person to fear for the safety of the first responder, another person, or society, and the first responder peer communicates the information only to the potential victims, appropriate family members, or a law enforcement agency or other appropriate authorities.

A “first responder peer” is defined as a person who is not a health care practitioner and who is a first responder from the same employing agency as the person seeking peer support; or a civilian designated by the first responder’s employing agency who has received training in providing physical, moral, or emotional support to first responders.

A “peer support communication” is defined as one or more oral communications, made with a mutual expectation of confidentiality, between a first responder and a first responder peer for the purpose of discussing physical or emotional conditions or issues associated with being a first responder and which may extend for a period of 3 days.

SB 170 – Time Limitations on the Prosecution of Sexual Battery Cases

Introducer(s): Senators Linda Stewart & Keith Perry

Last Action: In Approp Subcommittee on Crim & Civil Justice as of 10/24/19

Related Bill(s): SB 892, HB 541, HB 199, & HB 69

Effective Date: 7/1/20

Bill amends F.S. 775.15 (Time limitations), by permitting the commencement of a prosecution of a sexual battery offense at any time, if the victim was younger than 18 y.o. at the time the offense was committed.

SB 212 – Medical Marijuana Retail Facilities

Introducer(s): Senator(s) Perry Thurston

Last Action: Referred to Health Policy; Approp Subcommittee on Health and Human Services; Appropriations; & Rules

Related Bill(s): N/A

Effective Date: Upon becoming law

Bill amends F.S. 381.986 [Medical Use of Marijuana], by permitting edibles, Low-THC Cannabis, Marijuana, and Marijuana delivery devices to be dispensed by a medical marijuana retail facility. Bill defines a “Medical marijuana retail facility” as a facility licensed by the Department to dispense medical marijuana and marijuana delivery devices acquired from a licensed medical marijuana treatment center to qualified patients and caregivers.

Bill also prohibits qualified physicians and caregivers from being employed by or having an economic interest in a medical marijuana retail facility.

SB 228 – Youth in Solitary Confinement

Introducer(s): Senator Perry Thurston

Last Action: Referred to Crim Justice; Approp Subcommittee on Crim and Civil Justice; & Approps

Related Bill(s): SB 762, SB 436, HB 347, & HB 165

Effective Date: 7/1/20

Bill creates F.S. 958.155 (Youthful offenders in solitary confinement), which prohibits the Dept. of Corrections or a local governmental body from subjecting youth prisoners to solitary confinement except under certain circumstances. Bill also requires that the custodial agencies provide an individualized suicide crisis intervention plan for certain youth prisoners, if applicable. Lastly, the Bill requires DOC or the board of county commissioners of each county that administers a detention facility or jail to review their policies relating to youth prisoners to evaluate whether the policies are necessary.

SB 242 – Cannabis Offenses

Introducer(s): Senator Oscar Braynon, II

Last Action: Referred to Crim Justice; Approp Subcommittee on Crim and Civil Justice; & Approp

Related Bill(s): HB 25

Effective Date: 7/1/20

Bill amends F.S. 893.13 (Prohibited acts), by reducing the offense of delivery of 20 grams or less of cannabis without consideration and Possession of less than 20 grams of cannabis to a noncriminal violation. The Bill also reduces the offense of possession of more than 20 grams of cannabis or 600 milligrams of THC to a first degree misdemeanor.

SB 258 – Statements Made by a Criminal Defendant

Introducer(s): Senators Randolph Bracy

Last Action: Referred to Criminal Justice; Judiciary; & Rules

Related Bill(s): N/A

Effective Date: 7/1/20

Bill amends F.S. 90.803(18) of the Florida Evidence Code [Admissions], by requiring that a statement obtained from a custodial interrogation be electronically recorded to meet the requirements for admissibility. The Bill also requires that the recorded statement capture the reading of Miranda warnings and the interrogee's waiver of their rights, and that everyone present during the statement is identified. If law enforcement fails to record the statement, it is presumed inadmissible, unless the agency can demonstrate good cause for its failure to record and the prosecuting authority can demonstrate that the statement was both voluntary and reliable, and made after the interrogee was fully advised of all constitutionally required warnings.

SB 260 – Conviction Integrity Units

Introducer(s): Senators Randolph Bracy

Last Action: Referred to Crim Justice; Judiciary; Approp Subcommittee on Crim and Civil Justice; & Approps

Related Bill(s): HB 299

Effective Date: 10/1/20

Bill creates F.S. 27.272, which requires the state attorney to create a Conviction Integrity Unit for the purpose of investigating whether defendants were wrongfully convicted. The state attorney shall also create an independent review panel which is comprised of three individuals who are not employed by the state attorney's office. An incarcerated person may submit a petition to the state attorney requesting that a conviction integrity review be made of their conviction. The conviction integrity review unit may review a conviction only if: (a) the conviction was a felony that occurred within the judicial circuit of the state attorney; (b) the petitioner has presented a plausible claim of actual innocence which is: 1) supported by information or evidence not previously litigated before the original trier of fact; and 2) is capable of being investigated and resolved; and (c) the petitioner's direct appeal has become final. If the petition meets the

requirements as outlined above, the unit must initiate an investigation to determine whether the petitioner was wrongfully convicted.

Once the investigation is complete, the unit shall present its findings and recommendations to the independent review panel. If the independent review panel agrees with the findings and recommendations, the unit shall make a final recommendation regarding the petitioner's conviction to the state attorney.

SB 266 Safe Storage of Firearms

Introducer(s): Senators: Gary Farmer, Jr; Jose Javier Rodriguez; & Lori Berman

Last Action: Referred to Infrastructure and Security; Criminal Justice; & Rules on 10/15/19

Related Bill(s): HB 631

Effective Date: 7/1/20

Bill amends F.S. 790.174 (Safe storage of firearms), by defining a minor as a person younger than 16 years of age. Bill also removes the language permitting the firearm to be stored in a place where a reasonable person would believe it to be secure. Additionally, the Bill removes the trigger lock requirement exception for circumstances when the firearm was within close proximity to the owner's person.

SB 304 – School Safety Funding

Introducer(s): Senator(s): Janet Cruz

Last Action: Referred to Infrastructure and Security; Approps Subcommittee on Education; & Approps on 10/15/19

Related Bill(s): N/A

Effective Date: 7/1/20

Bill amends F.S. 1011.62(15) [Funds for operation of schools – Safe School Allocation], by requiring that any funds appropriated to this allocation in the 2020-2021 fiscal year for the school resource officer program established pursuant to F.S. 1006.12 shall be used exclusively for employing or contracting for additional school resource officers and shall be distributed among all school districts, regardless of whether the school district chooses to participate in the Guardian Program.

Additionally, upon the request of the sheriff of the county in which a school district is located, the Department may redistribute such funds to any school district that has not previously participated in the Guardian Program for the purpose of implementing school safety programs in accordance with F.S. 1006.07.

SB 308 – Traffic Offenses [“Vulnerable Road User Act”]

Introducer(s): Senator Dennis Baxley

Last Action: Filed on 9/18/19

Related Bill(s): HB 455

Effective Date: 10/1/20

Bill creates F.S. 318.195 (Enhanced penalties for moving violations causing injury or death to vulnerable road users), by creating a moving violation for causing serious bodily injury, as defined in F.S. 316.1933, to a vulnerable road user.

A person who commits a moving violation that causes serious bodily injury to a vulnerable road user commits a second degree misdemeanor. Upon conviction, the violator shall pay a fine of not less than \$1,500, serve a minimum of 30 days of house arrest, and attend a department approved driver

improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway. Additionally, the court shall revoke the person's driver license for at least 30 days.

A person who commits a moving violation that causes the death of a vulnerable road user commits a misdemeanor of the first degree, and, upon conviction, shall pay a fine of not less than \$5,000, serve a minimum of 180 days of house arrest, and attend a department-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway. Additionally, the court shall revoke the person's driver license for at least 1 year.

SB 310 – Three Dimensional Printed Firearms

Introducer(s): Senators Linda Stewart; Jose Javier Rodriguez, & Lori Berman

Last Action: Referred to Infrastructure and Security; Judiciary; & Rules on 10/15/19

Related Bill(s): N/A

Effective Date: 7/1/20

Bill creates F.S. 790.224 (3D-printed firearms), by prohibiting, on or after January 1, 2021, the printing, transfer, importation into the state, distribution, sale, possession, or giving to another person a 3D-printed firearm that:

- is created using: polyethylene terephthalate; polycarbonate; polylactic acid; or acrylonitrile butadiene styrene; and
- does not contain at least 4 ounces of a metal detectable by metal detectors used for security checks.

A violation of this section is a third degree felony.

Any person who owns or is in possession of a 3D-printed firearm shall either destroy the firearm or relinquish the firearm to a law enforcement agency or to the Department of Law Enforcement. Upon receipt of the 3D-printed firearm, the law enforcement agency must destroy the firearm within 120 days.

As "3D-printed firearm" is defined as a firearm that is created using a three-dimensional printer or an additive manufacturing process, or a similar device or process, and that is capable of firing one or more projectiles.

SB 346 – Criminal Justice [Controlled Substances]

Introducer(s): Senators Mark Bradley; Jeff Brandes; Keith Perry; Manny Diaz, Jr.; Joe Gruters; Randolph Bracy; & Darryl Rouson

Last Action: In Appropriations Subcommittee on Criminal and Civil Justice as of 11/18/19 (Passed CJ 5-0)

Related Bill(s): SB 468; HB 339; & HB 259

Effective Date: 7/1/20

Bill amends F.S. 893.13(10) [Drug Offenses, Prohibited Acts; Penalties], by prohibiting the punishment for purchasing or possessing a controlled substance of less than two (2) grams from being longer than 12 months incarceration.

Bill amends F.S. 893.135 [Trafficking; Mandatory Sentences], by permitting a court to waive any minimum mandatory sentence if the defendant has no prior conviction for a forcible felony, did not use violence or credible threats of violence, or possess a firearm or other dangerous weapon, or induce another participant to use violence or credible threats of violence, in connection with the offense, the offense did not result in the death of or serious bodily injury to any person, the defendant was not an

organizer, leader, manager, or supervisor of others in the offense and was not engaged in a continuing criminal enterprise. Additionally, at the time of the sentencing hearing or earlier, the defendant must have truthfully provided to the state all information and evidence that they possess concerning the offense(s) that were part of the same course of conduct or of a common scheme or plan. A defendant may only once avail themselves to this waiver.

The Bill also creates F.S. 900.06, which requires a law enforcement officer to record any custodial interrogations of individuals accused of specific offenses, taken in a place of detention, unless certain circumstances exist.

SB 370 – Safe School Officers

Introducer(s): Senator Janet Cruz

Last Action: Referred to Education; Infrastructure and Security; Rules on 10/15/19

Related Bill(s): HB 553

Effective Date: 7/1/20

Bill amends F.S. 1006.12 (Safe-school officers at each public school), by requiring that a district school board approve the employment of a school resource officer or school safety officer before they are employed by a charter school. The Bill also permits a district school board to oversee and manage the employment of school resource officers and school safety officers by a charter school to ensure that the charter school is in compliance with state law and best practices. Additionally, a district school board may establish best practices for the employment of school resource officers by charter schools.

SB 398 – Concealed Weapons and Firearms

Introducer(s): Senators Lori Berman & Jose Javier Rodriguez

Last Action: Referred to Infrastructure and Security; Judiciary; & Rules on 10/15/19

Related Bill(s): HB 245

Effective Date: 7/1/20

Bill amends F.S. 790.06 (License to Carry concealed weapon or firearm), by prohibiting carry in any child care facility.

SB 428 – Prohibited Places for Weapons and Firearms

Introducer(s): Senators Oscar Braynon, II; Jose Javier Rodriguez; & Lori Berman

Last Action: Referred to Infrastructure and Security; Judiciary; & Rules on 10/15/19

Related Bill(s): HB 245

Effective Date: 7/1/20

Bill amends F.S. 790.06 (License to Carry concealed weapon or firearm), by prohibiting carry in any performing arts center or legitimate theater.

SB 460 – Sales of Ammunition [“Jaime’s Law”]

Introducer(s): Senators Lauren Book & Jose Javier Rodriguez

Last Action: Referred to Infrastructure and Security; Judiciary; & Rules on 10/15/19

Related Bill(s): SB 462; HB 289; & HB 291

Effective Date: 10/1/20

Bill amends F.S. 790.065 (Sale and delivery of firearms), by requiring the same background checks for the purchase of ammunition as for firearms with the same exceptions. Additionally, the background check requirement does not apply if the transferor has no reason to believe that the transferee will use or

intends to use the ammunition in a crime or that the transferee is prohibited from possessing ammunition under state or federal law, and the transfer takes place and the transferee's possession of the ammunition is exclusively: at a shooting range or in a shooting gallery or other area designated for the purpose of target shooting; or while reasonably necessary for the purposes of hunting, trapping, or fishing, if the transferor has no reason to believe that the transferee intends to use the ammunition in a place where it is illegal; and has reason to believe that the transferee will comply with all licensing and permit requirements for such hunting, trapping, or fishing; or is in the presence of the transferee.

SB 470 – Search of Cellular Phones and Other Electronic Devices

Introducer(s): Senators Jeff Brandes & Randolph Bracy

Last Action: In Judiciary as of 11/18/19 (Passed CJ 5-0)

Related Bill(s): N/A

Effective Date: 7/1/20

Bill amends various statutes by requiring that a search warrant be obtained for searching the contents of a cellular phone or other electronic devices and the obtaining of cell site locations information. Bill also requires a search warrant for the interception of wire, oral, or electronic communications. Additionally, the Bill requires a warrant for the installation of a mobile tracking device and for the obtaining of real-time and historical location tracking.

SB 476 – Law Enforcement Vehicles

Introducer(s): Senator Ed Hooper

Last Action: Referred to Innovation, Industry, and Tech; Governmental Oversight and Accountability; & Rules on 11/1/19

Related Bill(s): HB 307

Effective Date: Upon becoming law

Bill creates F.S. 718.129, 719.131, and 720.318, by prohibiting a homeowner, condominium, cooperative association from preventing a law enforcement officer who is a unit owner, tenant, guest, or invitee from parking their law enforcement vehicle in an area where they would be able to park their personal vehicles.

SB 520 – Drones

Introducer(s): Senators Joe Gruters & Darryl Rouson

Last Action: In Infrastructure and Security as of 11/12/19 (Passed CJ 4-1)

Related Bill(s):

Effective Date: 7/1/20

Bill amends F.S. 934.50 (Searches and seizure using a drone), by expanding the use of a drone for:

- law enforcement to obtain an aerial perspective of a crowd of 50 people or more,
- to assist a law enforcement agency with traffic management; however, a law enforcement agency may not issue a traffic infraction citation based on images or video captured by a drone,
- to facilitate a law enforcement agency's collection of evidence at a crime scene or traffic crash scene,
- by a state agency or political subdivision for the assessment of damage due to a flood, wildfire, or natural disaster or for vegetation or wildlife management on publicly owned land or water,
- by certified fire department personnel to perform tasks within the scope and practice authorized under their certifications to a flood, wildfire, or natural disaster or for vegetation or wildlife management on publicly owned land or water, or

- by certified fire department personnel to perform tasks within the scope and practice authorized under their certifications.

SB 548 – Firearms

Introducer(s): Senators Jose Javier Rodriguez & Lori Berman

Last Action: Referred to Infrastructure and Security; Judiciary; & Rules on 11/1/19

Related Bill(s): SB 270

Effective Date: 7/1/20

Bill amends F.S. 790.065 (Sale and delivery of firearms), by requiring FDLE to revise the forms necessary to purchase a firearm by including questions regarding the purchasers criminal history and their eligibility to purchase firearms.

The Bill also requires that if the review of records indicates that the potential buyer or transferee is prohibited under state or federal law from having in her or his care, custody, possession, or control a firearm and that the potential transfer, sale, or purchase has received a non-approval number, FDLE shall send notification of the non-approval to the law enforcement agency that has jurisdiction in the county where the transfer or purchase was attempted. The notification of non-approval must include the identity of the potential buyer or transferee, the identity of the licensee who made the inquiry, the date and time of issuance of the non-approval number, the reason for the non-approval, and the location where the attempted purchase or transfer occurred.

SB 558 – Large Capacity Magazines

Introducer(s): Senator Randolph Bracy

Last Action: Referred to Infrastructure and Security; Criminal Justice; Appropriations on 11/1/19

Related Bill(s): SB 794 & HB 627

Effective Date: 10/1/20

Creates F.S. 790.236 (Large-capacity magazines prohibited), by prohibiting a person from importing into the state or distributing, transporting, selling, keeping for sale, offering, exposing for sale, or giving a to another, or possessing a large capacity magazine. A violation thereof is a third degree felony.

A “large-capacity magazine” is defined as any ammunition feeding device with the capacity to accept more than 10 rounds, or any conversion kit, part, or combination of parts in the possession or under the control of a person from which such a device can be assembled, but does not include any of the following:

- an ammunition feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds;
- a .22 caliber tube ammunition feeding device; or
- a tubular magazine that is contained in a lever-action firearm.

Additionally, the sale, transfer, or possession of a large-capacity magazine by employees of FDLE, a law enforcement agency, the Department of Corrections, or the Armed Forces of the United States or of this state for use in the discharge of their official duties, when on duty if their use is within the scope of their duties.

SB 634 – Lawful Ownership, Possession, and Use of Firearms and Weapons

Introducer(s): Senator Bobby Powell

Last Action: Referred to Infrastructure and Security; Judiciary; & Rules on 11/6/19

Related Bills: N/A

Effective Date: 7/1/20

Bill amends F.S. 790.25 (Lawful ownership, possession, and use of firearms and other weapons), by prohibiting the use of firearms while engaged in fishing, camping or lawful hunting or going to or from such activities when within 1,500 feet of the real property comprising any school, house of worship, government building, or guarded beach.

SB 656 – Arrests

Introducer(s): Senator Jason Pizzo

Last Action: Referred to Criminal Justice; Judiciary; & Rules on 11/6/19

Related Bills: N/A

Effective Date: 10/1/20

Bill amends F.S. 901.15 (When arrest by officer without warrant is lawful), by adding a violation of F.S. 790.22 (Use of BB guns, air or gas-operated guns, or electric weapons or devices by minor under 16; limitation; possession of firearms by minor under 18 prohibited; penalties) to the warrantless arrest exceptions.

SB 728 – Threats

Introducer(s): Senator Kelli Stargel

Last Action: Filed 11/1/19

Related Bills: HB 311

Effective Date: 10/1/20

Bill amends F.S. 790.162 (Threat to throw, project, place, or discharge any destructive device), by adding the threat of the use of a firearm or any weapon.

SB 834 – Emergency Alerts

Introducer(s): Senator David Simmons

Last Action: File 11/7/19

Related Bills: N/A

Effective Date: 10/1/20

Bill creates F.S. 784.072 (Notification of imminent threat to schools and child care facilities or the public; Lockdown Alert; Imminent Threat Alert), which authorizes a local law enforcement agency that has jurisdiction over the scene of an incident giving rise to an imminent threat to the public may activate the emergency alert system and issue a Lockdown Alert to all public and private schools and child care facilities it determines are at risk, given their proximity to the incident, including an incident in which all of the following conditions are satisfied:

- a person has been killed or has suffered serious bodily injury or a person has been assaulted with a deadly weapon by another person,
- the person suspected of committing the offense has fled the scene of the offense, and
- the law enforcement agency investigating the offense has determined that the suspect poses an imminent threat to the public safety.

For purposes of complying with this section, each local law enforcement agency shall create and maintain a list of all public schools, private schools, and child care facilities within its jurisdiction. Additionally, any private school or child care facility may require a law enforcement agency to remove their school from the agency's list.

Additionally, at the request of a local law enforcement agency, FDLE, in cooperation with DHSMV and DOT, must activate the emergency alert system and issue an Imminent Threat Alert to the public when the local law enforcement agency confirms that an imminent threat to the public exists.

An Imminent Threat Alert must, to the extent practicable, provide a detailed description of a suspect's vehicle or other means of escape, the license plate number of the suspect's vehicle, or any other available information that may assist in averting further harm or in the apprehending of the suspect. The Imminent Threat Alert must be immediately disseminated to the public through the emergency alert system and through the use of the dynamic message signs that are located along the State Highway System.

SB 884 – Law Enforcement and Correctional Officers

Introducer(s): Senator Ed Hooper

Last Action: Filed 11/12/19

Related Bills: HB 453

Effective Date: 7/1/20

Bill amends F.S. 112.531 (Definitions), by including part-time police officers and correctional officers into their respective definitions.

Bill also amends F.S. 112.553 (Law enforcement officers' and correctional officers' rights) by requiring that any disciplinary action against a law enforcement or correctional officer, regardless of the origin, must be completed within 180 days. Additionally, the proposed amendment would require the 180 day period to start as soon as the agency receives the complaint. Thereby removing the requirement that the complaint be received by a person authorized by the agency to initiate an investigation of misconduct to trigger the 180 day period.