

1 A bill to be entitled
 2 An act relating to an active shooter alert system;
 3 creating s. 943.45, F.S.; providing for the
 4 development and implementation of an active shooter
 5 alert system by the Department of Law Enforcement;
 6 providing for cooperation by other agencies; providing
 7 for rulemaking; providing for the recruitment of
 8 participants; providing criteria for activation of the
 9 system; providing requirements for law enforcement
 10 agencies requesting activation of the system;
 11 providing duties of state agencies concerning the
 12 system; limiting participation by the Department of
 13 Transportation; providing for termination of the
 14 system; limiting liability for failure to activate the
 15 system; providing an effective date.

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 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Section 943.45, Florida Statutes, is created to
 20 read:

21 943.45 Active shooter alert system.-

22 (1) DEVELOPMENT AND IMPLEMENTATION.-With the cooperation
 23 of the Department of Transportation, the Executive Office of the
 24 Governor, and other appropriate law enforcement agencies in this
 25 state, the department shall develop and implement an alert

26 system to be activated upon report of an active shooter.

27 (2) ADMINISTRATION.—

28 (a) The executive director is the statewide coordinator of
29 the alert system.

30 (b) The department shall adopt rules as necessary to
31 ensure proper implementation of the alert system. The rules must
32 include instructions on the procedures for activating and
33 deactivating the alert system.

34 (c) The department shall prescribe forms for law
35 enforcement agencies to use in requesting activation of the
36 alert system.

37 (3) RECRUITING PARTICIPANTS.—

38 (a) The department shall recruit public and commercial
39 television and radio broadcasters, mobile telephone service
40 providers by use of the federal Wireless Emergency Alert system,
41 private commercial entities, state or local governmental
42 entities, the public, and other appropriate persons to assist in
43 the development and implementation of the alert system.

44 (b) The department may enter into agreements with
45 participants in the alert system to provide necessary support
46 for the alert system.

47 (4) ACTIVATION.—

48 (a) Upon the request of a state or local law enforcement
49 agency or as the department determines appropriate to assist a
50 law enforcement agency regarding an active shooter, the

HB 1271

2022

51 department shall activate the alert system and notify
52 appropriate participants in the alert system as established by
53 rule if the law enforcement agency or department:

54 1. Believes an active shooter is in an agency's
55 jurisdiction.

56 2. Determines an active shooter alert would assist
57 individuals near the active shooter's location.

58 3. Verifies the active shooter situation through a
59 preliminary investigation.

60 4. Provides the active shooter's last known location and
61 any identifiable information about the active shooter.

62 (b) The department may modify the criteria described by
63 paragraph (a) as necessary for the proper implementation of the
64 alert system.

65 (5) LAW ENFORCEMENT AGENCIES.—Before requesting activation
66 of the alert system, a law enforcement agency must verify that
67 the criteria in paragraph (4)(a) have been satisfied. Upon
68 verification that the applicable criteria have been satisfied, a
69 law enforcement agency may immediately contact the department to
70 request activation of the alert system and supply the necessary
71 information.

72 (6) STATE AGENCIES.—

73 (a) A state agency participating in the alert system
74 shall:

75 1. Cooperate with the department and assist in developing

76 | and implementing the alert system.

77 | 2. Establish a plan for providing relevant information to
 78 | its officers, investigators, or employees, as appropriate, on
 79 | activation of the alert system.

80 | (b) In addition to its duties as a state agency under
 81 | paragraph (a), the Department of Transportation shall establish
 82 | a plan for providing relevant information to the public within
 83 | 50 miles of an active shooter for which an alert has been issued
 84 | through an existing system of dynamic message signs located
 85 | across the state.

86 | (7) LIMITATION ON PARTICIPATION BY DEPARTMENT OF
 87 | TRANSPORTATION.—Notwithstanding paragraph (6) (b), the Department
 88 | of Transportation is not required to use any existing system of
 89 | dynamic message signs in a statewide alert system created under
 90 | this section if the Department of Transportation receives notice
 91 | from the United States Department of Transportation Federal
 92 | Highway Administration that the use of the signs would result in
 93 | the loss of federal highway funding or other punitive actions
 94 | taken against this state due to noncompliance with federal laws,
 95 | regulations, or policies.

96 | (8) TERMINATION.—The executive director shall terminate
 97 | any activation of the alert system for a particular active
 98 | shooter if:

99 | (a) The active shooter situation is resolved; or

100 | (b) The executive director or a law enforcement agency

HB 1271

2022

101 determines that the alert system is no longer an effective tool
102 for providing relevant information to the public about the
103 active shooter.

104 (9) LIMITATION OF LIABILITY.—Neither the department nor a
105 law enforcement agency is liable for a failure to activate the
106 alert system.

107 Section 2. This act shall take effect July 1, 2022.