

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: CS/CS/HB 23 Panic Alarms in Public Schools

SPONSOR(S): PreK-12 Appropriations Subcommittee and PreK-12 Innovation Subcommittee, Gottlieb, Daley and others

TIED BILLS: None **IDEN./SIM. BILLS:** CS/CS/SB 70

FINAL HOUSE FLOOR ACTION: 119 Y's 0 N's **GOVERNOR'S ACTION:** Approved

SUMMARY ANALYSIS

CS/CS/HB 23 passed the House on March 9, 2020 as CS/CS/SB 70 as amended. The Senate concurred in the House amendment and subsequently passed the bill as amended on March 10, 2020.

The bill requires all public and charter schools to have a mobile panic alert system, named "Alyssa's Alert," to activate during school security emergencies. At a minimum, all mobile panic alert systems in schools must integrate with the local public safety answering point infrastructure to transmit 911 calls and mobile activations. Additionally, all mobile panic alert systems must be capable of connecting emergency service technologies to ensure coordination among first responder agencies.

Subject to an appropriation, the bill requires the Department of Education (DOE) to procure a mobile panic alert system that school districts may implement. The DOE must consult with the Marjory Stoneman Douglas High School Public Safety Commission, the Florida Department of Law Enforcement, and the Florida Division of Emergency Management to develop the procurement solicitation.

The bill is entitled "Alyssa's Law" after Alyssa Alhadeff, a Marjory Stoneman Douglas High School student who was one of the 17 people killed during a shooting at the school on February 14, 2018.

The fiscal impact to the state is included in Specific Appropriation 142 in the FY 2020-21 conference report of the General Appropriations Act, which appropriates \$8 million to the Florida Department of Education to implement the provisions of this act.

The bill was approved by the Governor on June 30, 2020, ch. [2020-145](#) L.O.F. and will become effective on July 1, 2020.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

Alyssa's Law

In 2019, New Jersey passed "Alyssa's Law,"¹ requiring public school buildings in the state to be equipped with panic alarms linked to local law enforcement.² The law is named after Alyssa Alhadeff,³ a Marjory Stoneman Douglas High School student who was one of the 17 people killed during a shooting at the school on February 14, 2018.⁴

Life-Threatening Emergencies

Florida law requires district school boards to provide for the health, safety, and welfare of students at school. They must establish model emergency management and preparedness procedures that include, among other things, notification procedures for life-threatening emergencies.⁵ The policies and procedures must be formulated in consultation with appropriate public safety agencies and include commonly used alarm system responses for specific emergencies. The policy must identify those responsible for reporting the emergency.⁶ Life-threatening emergencies are defined as weapon-use situations; hostage and active shooter situations; hazardous materials or toxic chemical spills; severe weather (hurricanes, tornadoes, and severe storms); and exposure as a result of a manmade emergency.⁷

Enhanced 911

The Federal Communications Commission requires wireless phone companies to implement Enhanced 911 service.⁸ Enhanced 911 is a statewide emergency system that provides rapid access to first responders when a person dials "911" on his or her phone,⁹ and reduces response times by law enforcement, fire departments, and emergency medical services.¹⁰ The caller's phone number, geographic location, and jurisdictional first responder agency¹¹ appear on the 911 emergency operator's screen, as opposed to basic 911 service where the caller has to tell the operator his or her phone number and location.¹² Enhanced 911 "may also include details such as the floor, wing, room, or office of the caller to allow arriving first responders to more quickly locate the source of the emergency."¹³ Enhanced 911 is helpful when a caller cannot communicate with the operator as the

¹ 2019 N.J. Sess. Law Serv. Ch. 33; codified at N.J. Stat. Ann. S. 18A: 41-10 (2019).

² *Id.*

³ Russ Crespolini, *Silent Panic Alarms Coming To All Chatham Schools*, The Patch, May 1, 2019, <https://patch.com/new-jersey/chatham/silent-panic-alarms-coming-all-chatham-schools> (last visited March 13, 2020).

⁴ Marjory Stoneman Douglas High School Public Safety Commission, *Second Report* (Nov. 1, 2019), available at <http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf>. [hereinafter referred to as MSD Commission: Second Report].

⁵ Section 1006.07(4)(a), F.S.

⁶ *Id.*

⁷ Section 1006.07(4)(b), F.S.

⁸ Federal Communications Commission, Fact Sheet, *FCC Wireless 911 Requirements*, available at https://transition.fcc.gov/pshs/services/911-services/enhanced911/archives/factsheet_requirements_012001.pdf.

⁹ Section 365.175(2)(a), F.S.

¹⁰ Florida Department of Management Services, *Florida Emergency Communications Number E911 State Plan*, p. 37, available at https://www.dms.myflorida.com/content/download/108633/610926/State_E911_PLAN_2017_post.pdf.

¹¹ *Id.* at 6.

¹² Intrado, *E911 Frequently Asked Questions*, <https://www.west.com/safety-services/enterprise-e911-solutions/what-is-e911-faqs/> (last visited March 13, 2020).

¹³ *Id.*

operator automatically has the caller's location and phone number and can dispatch first responders to the proper location.¹⁴

Enhanced 911 uses selective, alternate, and default routing methods to send 911 calls to the appropriate Public-Safety Answering Point (PSAP) based on the geographic location of the caller.¹⁵ A PSAP is a dispatch center staffed by emergency operators that receives 911 calls and dispatches the appropriate first responder.¹⁶ All PSAPs operate 24 hours a day, seven days a week¹⁷ and are required to have staffing levels that ensure that at least 90 percent of calls are answered within 10 seconds.¹⁸

Marjory Stoneman Douglas High School Public Safety Commission

The Marjory Stoneman Douglas High School Public Safety Commission (commission) is charged with investigating system failures in the Marjory Stoneman Douglas High School shooting and prior mass violence incidents and developing recommendations for system improvements.¹⁹ The commission submitted its initial report to the Governor and the Legislature on January 2, 2019,²⁰ and its second report to the Governor and Legislature on November 1, 2019.²¹ The commission is authorized to issue a report by January 1 each year and is scheduled to sunset July 1, 2023.²²

The commission explored the role of 911 centers in mass violence incidents. The commission found that some school districts implement a multi-step process for reporting emergencies as opposed to allowing any staff member to immediately, and independently, call 911. Additionally, the commission found that some districts have not given staff members the authority to directly alert other staff members of an emergency.²³ The commission recommended that, "The timeliest way to communicate an on-campus emergency is direct reporting from a school staff member to everyone on campus and the 911 center simultaneously."²⁴

Panic Alarms

Panic alarms are devices that an individual can use to alert others of an emergency. In schools, panic alarms can be used to alert first responders, school personnel, students, and the administration of an active assailant or any other emergency.²⁵ Panic alarms come in a variety of systems and can use a plethora of technologies. Panic alarms may be hardwired into a school building similar to a standard fire alarm or may be electronic including a computer-based program or a mobile smart phone application.

¹⁴ *Id.*

¹⁵ Florida Department of Management Services, *supra* note 10, at 16.

¹⁶ Section 365.172(3)(y), F.S.

¹⁷ Rule 60FF-6.005(1)(a), F.A.C.

¹⁸ Rule 60FF-6.005(1)(b), F.A.C.

¹⁹ Section 943.687(3), F.S.

²⁰ Marjory Stoneman Douglas High School Public Safety Commission, *Initial Report* (Jan. 2, 2019), available at <http://www.fdle.state.fl.us/MSDHS/CommissionReport.pdf>.

²¹ MSD Commission: Second Report, *supra* note 4, at 85.

²² Section 943.687(9), F.S.

²³ MSD Commission: Second Report, *supra* note 4, at 81.

²⁴ MSD Commission: Second Report, *supra* note 4, at 85.

²⁵ U.S. Department of Homeland Security, *K-12 School Security: A Guide for Preventing and Protecting Against Gun Violence* (2nd Edition: 2018), available at <https://www.cisa.gov/publication/k-12-school-security-guide>.

Effect of Proposed Changes

The bill creates “Alyssa’s Law” and requires all public and charter schools to have a mobile panic alert system, named “Alyssa’s Alert,” to activate during school security emergencies. At a minimum, all mobile panic alert systems in schools must integrate with the local public safety answering point infrastructure to transmit 911 calls and mobile activations. Additionally, all mobile panic alert systems must be capable of connecting emergency service technologies to ensure coordination among first responder agencies.

The bill authorizes school districts to implement additional panic alarm strategies or systems in order to help ensure first responders coordinate during emergencies, provided the minimum requirements established in law for a mobile panic alert system are met.

Subject to an appropriation, the bill requires the Department of Education (DOE) to competitively procure a mobile panic alert system that school districts may implement. The DOE must consult with the Marjory Stoneman Douglas High School Public Safety Commission, the Florida Department of Law Enforcement, and the Florida Division of Emergency Management to develop the procurement solicitation.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The fiscal impact to the state is included in Specific Appropriation 142 in the FY 2020-21 conference report of the General Appropriations Act, which appropriates \$8 million to the Florida Department of Education to implement the provisions of this act.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The mobile panic alert system for each public school, including charter schools, is sold by private sector vendors. This would have a positive fiscal impact on vendors selling such systems.

D. FISCAL COMMENTS:

None.