

Committee Substitute for Senate Bill No. 124

An act relating to the Chief of Domestic Security Initiatives; amending s. 943.0311, F.S.; providing for security assessments of all buildings, facilities, and structures owned or occupied by state agencies, state universities, and community colleges, by the employees and within existing resources of such state agencies, state universities, or community colleges; requiring completion of initial security assessments by a specified date; providing for subsequent security assessments; providing for reports; requiring the chief to communicate to local governments and water management districts regarding security assessments of buildings and facilities; providing that costs of security assessments of local government buildings and facilities shall be borne by the local government or water management district; authorizing the chief to communicate certain information concerning security assessments to private entities; requiring that the costs of such assessments be borne by the private entities; defining the term “state agency” for purposes of the act; providing an effective date.

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

Section 1. Section 943.0311, Florida Statutes, is amended to read:

943.0311 Chief of Domestic Security Initiatives; ~~and the department’s duties of the department~~ with respect to domestic security.—

(1) The executive director of the department, or a member of the department designated by the executive director, shall serve as the Chief of Domestic Security Initiatives.

(1) The Chief of Domestic Security Initiatives shall:

(a) Coordinate the efforts of the department in the ongoing assessment of this state’s vulnerability to, and ability to detect and respond to, acts of terrorism, ~~as defined in s. 775.30~~, within or affecting this state.

(b) Prepare recommendations for the ~~Executive Office of the Governor~~, the President of the Senate, and the Speaker of the House of Representatives, which are based upon ongoing assessments to limit the vulnerability of the state to terrorism.

(c) Coordinate the collection of proposals to limit the vulnerability of the state to terrorism.

(d) Use regional task forces to support the duties of the department set forth in this section.

(e) Use public or private resources to perform the duties assigned to the department under this section.

~~(f) Perform other duties assigned by law.~~

(2)(a) The chief shall conduct or cause to be conducted by the personnel and with the resources of the state agency, state university, or community college that owns or leases a building, facility, or structure, specific security assessments of buildings, and facilities, and structures owned or leased by state agencies, state universities, and community colleges. Each state agency, state university, and community college or local governments. All state agencies and local governments shall cooperate with the department and provide the assistance of employees within existing resources to provide to the chief information in the format requested by the chief. The chief must report to the Governor, the President of the Senate, and the Speaker of the House of Representatives if any state agency, state university, or community college substantially fails to cooperate with the chief in making a security assessment of the buildings, facilities, and structures of the state agency, state university, or community college.

(a) The initial assessment of each building, facility, or structure owned or leased by a state agency, state university, or community college shall be completed by the state agency, state university, or community college and shall be provided to the chief no later than November 1, 2004.

(b) The chief may request followup assessments to ensure that the security assessments of buildings, facilities, and structures, owned or leased by state agencies, state universities, and community colleges, remain reasonably current and valid. requested information and resources to assist the department in meeting its responsibilities under this section.

~~(b) Based upon the security assessments, the chief shall prepare recommendations to enhance the security of buildings and facilities owned or leased by state agencies or local governments.~~

(3)(e) The chief shall report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1 of each year prioritized suggestions for specific security enhancement of recommended minimum security standards or security-enhancement needs for any building, or facility, or structure owned or leased by a state agency, state university, or community college or any entity that has conducted an assessment under subsection (5) or local government. The report must identify and prioritize the recommended security enhancements and provide recommendations to maximize federal funding in support of building and facility security.

(4)(3) The chief shall report develop and submit to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives recommended best practices for safety and security of buildings, facilities, and structures owned or leased by state agencies, state universities, community colleges, and local governments. To promote the continued safety of government buildings, facilities, and structures within the state, the best practices may be revised or enhanced by the chief as necessary. The recommended best practices are not a rule as defined in chapter 120.

(5) The chief shall communicate to local governments and water management districts the importance of conducting security assessments of build-

ings, facilities, and structures owned or leased by such local governments or water management districts, and the options local governments and water management districts should consider in obtaining security assessments. The cost of any security assessment of a building, facility, or structure owned or leased by a local government or water management district shall be borne by the local government or water management district, as applicable. The chief shall review the recommended best practices as necessary, but at least once each year, and shall submit any recommended changes to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(6)(4) The chief may communicate to private entities the options private entities should consider in obtaining security assessments and may solicit private entities for the purpose of communicating such options. The cost of any security assessment of a private entity shall be borne by the private entity. conduct specific security assessments of a building or facility owned by a private entity upon the request of that private entity. The chief may prioritize requests, and such prioritization is not agency action that is subject to review under chapter 120. The chief may solicit private entities for the purpose of receiving requests to perform security assessments of buildings or facilities. Private entities are urged to cooperate with and assist the department in meeting its responsibilities for domestic security.

(7) As used in this section, the term “state agency” includes the Agency for Health Care Administration, the Agency for Workforce Innovation, the Department of Agriculture and Consumer Services, the Department of Business and Professional Regulation, the Department of Children and Family Services, the Department of Citrus, the Department of Community Affairs, the Department of Corrections, the Department of Education, the Department of Elderly Affairs, the Department of Environmental Protection, the Department of Financial Services, the Department of Health, the Department of Highway Safety and Motor Vehicles, the Department of Juvenile Justice, the Department of Law Enforcement, the Department of Legal Affairs, the Department of Management Services, the Department of Military Affairs, the Department of Revenue, the Department of State, the Department of the Lottery, the Department of Transportation, the Department of Veterans’ Affairs, the Fish and Wildlife Conservation Commission, the Parole Commission, the State Board of Administration, and the Executive Office of the Governor.

(5) By November 1 of each year, the executive director shall compile, coordinate, and prioritize recommendations and proposals concerning security and shall present the recommendations and proposals to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives. All recommendations seeking funding shall be prioritized, with critical domestic security needs requiring immediate or top-priority funding being clearly identified. Such recommendations shall include recommendations to maximize federal funding in support of the state’s domestic security efforts.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 28, 2004.

Filed in Office Secretary of State May 28, 2004.