

1 HB404
2 147028-1
3 By Representative Morrow (N & P)
4 RFD: Local Legislation
5 First Read: 07-MAR-13

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Franklin County; to authorize the
14 formation of volunteer emergency security forces at public
15 schools in the county consisting of current and retired school
16 employees and local citizens; to provide for the role of the
17 sheriff and the chief of police in the training and
18 supervision of emergency security forces; to provide for
19 implementation of the act by each local board of education;
20 and to provide for indemnification.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) Upon a determination by the principal
23 of any Franklin County public K-12 school that the safety of
24 the students at the school is not adequately protected or that
25 additional security is necessary to ensure the safety of the
26 students or employees, he or she may request volunteers to
27 serve on an emergency security force for the school.

1 Volunteers shall consist of current employees of the school,
2 retired employees of the school, and residents of the school
3 district.

4 (b) Once a list of volunteers has been compiled by
5 the principal, the principal shall submit the list to the
6 Sheriff of Franklin County or the local chief of police, as
7 applicable. The sheriff or chief of police shall review the
8 list to determine whether the list contains a sufficient
9 number of suitable volunteers to staff an emergency security
10 force at the school. If the sheriff or chief of police
11 determines the number of suitable volunteers is sufficient, he
12 or she may initiate an emergency security force program for
13 the school. To the extent possible, the identity of volunteers
14 selected to serve on an emergency security force shall be
15 protected.

16 (c) Upon formation of an emergency security force,
17 the sheriff or the chief of police, in conjunction with
18 administrative school personnel, shall prepare a detailed
19 crisis plan for the school that includes a comprehensive plan
20 of action for the emergency security force to follow in the
21 event the security of the school is compromised or the safety
22 of students or employees is threatened. The plan shall also
23 specify how and where weapons may be stored and carried by
24 emergency security force members and circumstances under which
25 certain weapons may be used. All weapons and equipment used
26 shall be approved by the sheriff or the chief of police, as
27 applicable.

1 (d) A volunteer emergency security force member
2 shall be classified as a reserve deputy sheriff or reserve
3 police officer and shall serve in that position at the
4 pleasure of the sheriff or chief of police. Service as a
5 reserve deputy sheriff or reserve police officer under this
6 section shall not include the power of arrest. As a member of
7 an emergency security force, a volunteer shall receive any
8 training deemed necessary by the sheriff or the chief of
9 police and, when fulfilling his or her duties as a member of
10 the emergency security force, shall be under the supervision
11 and direction of the sheriff or chief of police. The sheriff
12 or chief of police may offer self defense or other training to
13 those school employees who are not selected to serve on an
14 emergency security force.

15 (e) An emergency security force member shall receive
16 no compensation for his or her service on an emergency
17 security force, but may be reimbursed for actual necessary
18 expenses incurred in the discharge of his or her duties on
19 behalf of the emergency security force from funds otherwise
20 appropriated by the local board of education. Nothing in this
21 subsection shall prohibit a local board of education from
22 providing a salary supplement to the members of an emergency
23 security force.

24 (f) Expenses related to the training of emergency
25 security force members and the purchase of any equipment and
26 weapons deemed necessary by the sheriff or chief of police

1 shall be administered by the local board of education and paid
2 from funds appropriated for that purpose.

3 (g) The state shall indemnify and hold the members
4 of an emergency security force, the members of the local board
5 of education, the local superintendents of education, the
6 members of the State Board of Education, the Sheriff of
7 Franklin County, the local chief of police, the county, or any
8 municipality within the county harmless in the amount of any
9 settlement or judgment obtained against such persons arising
10 out of any actual or alleged act, error, or omission that
11 occurred within the scope of service, employment, duties, or
12 responsibilities, or that such persons had a reasonable basis
13 for believing occurred within the scope of service,
14 employment, duties, or responsibilities, provided that the
15 actual or alleged act, error, or omission did not result from
16 intentional or willful and wanton misconduct on the part of
17 such persons.

18 (h) Each local board of education in the county
19 shall oversee and provide for the implementation of this
20 section within the schools under its jurisdiction.

21 Section 2. This act shall become effective
22 immediately following its passage and approval by the
23 Governor, or its otherwise becoming law.