

THE FLORIDA SENATE
2017 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/SB 852 — Human Trafficking

by Appropriations Committee; Criminal Justice Committee; and Senators Garcia, Benacquisto, Flores, Campbell, Braynon, Latvala, Hukill, and Torres

The bill amends multiple statutes to include the term “commercial sexual exploitation.” The term emphasizes the fact that sex is exchanged for money, goods, or services and better defines the victims served by the Department of Children and Families (DCF), sheriff’s offices conducting child abuse investigations, and community-based care agencies.

The bill:

- Defines the term “commercial sexual exploitation” to mean the use of any person under the age of 18 for sexual purposes in exchange for, or the promise of, money, goods, or services;
- Changes the date of the annual report by the DCF on commercial sex trafficking of minors from December 1st to October 1st;
- Requires the DCF to maintain data specifying certain services that are available for verified victims of commercial sexual exploitation;
- Adds the crime of “human trafficking involving commercial sexual activity” to the list of crimes where the defendant’s confession is admissible during specified situations in trial;
- Amends various sections of statute to remove references to the outdated definition of “sexually exploited child” and replaces it with references to “commercial sexual exploitation”;
- Clarifies procedures for conducting a multidisciplinary staffing for alleged or verified victims of commercial sexual exploitation who are not eligible for relief or benefits under the federal Trafficking Victims Protection Act;
- Requires that the multidisciplinary staffing develop a service plan for any child victims suspected or verified as victims of commercial sexual exploitation and that the plan identify the victim’s needs and local services;
- Specifies that services provided in the service plan be in the least restrictive environment and identifies types of services that may be included in the service plan;
- Requires the DCF or the sheriff’s office to follow up with the verified victims of commercial sexual exploitation within six months;
- Requires a person licensed or certified under ch. 464, part 1, F.S., relating to nursing, to complete a two-hour course on human trafficking as part of the continuing education currently required (for license renewals on or after January 1, 2019); and
- Adds “human trafficking” to the list of crimes considered dangerous for which the court may not grant nonmonetary pretrial release at first appearance.

If approved by the Governor, these provisions take effect October 1, 2017.

Vote: Senate 39-0; House 116-0