

Committee on Children, Families, and Elder Affairs

CS/CS/HB 99 — Sexual Exploitation

by Health and Human Services Committee; Health and Human Services Access Subcommittee; Reps. Fresen, Nunez, and others (CS/CS/SB 202 by Budget Committee; Budget Subcommittee on Criminal and Civil Justice Appropriations; Children, Families, and Elder Affairs Committee; and Senators Flores and Lynn)

The bill creates the “Florida Safe Harbor Act,” which is intended to provide a more coordinated response to address the child welfare service needs of sexually exploited children who are dependent. Specifically, the bill:

- Provides legislative findings and intent and establishes legislative goals relating to the status and treatment of sexually exploited children in the dependency system;
- Amends the definitions of the terms “child who is found to be dependent” and “sexual abuse of a child” to reference sexual exploitation;
- Requires a law enforcement officer who takes a child alleged to be dependent for whom there is also probable cause to believe that he or she has been sexually exploited into custody to deliver the child to the department;
- Provides a process for the assessment and placement of sexually exploited children in a safe house, if available;
- Provides for placement updates to the court during judicial review hearings;
- Provides for data collection relating to these placements by the Department of Children and Family Services (DCF or department);
- Provides a definition for the terms: “child advocate,” “safe house,” “secure,” “sexually exploited child” and “short-term safe house”;
- Provides for services for sexually exploited children residing in a safe house;
- Provides that training, for law enforcement officers who might encounter sexually exploited children, is permissive;
- Increases the civil penalty for crimes related to prostitution from \$500 to \$5,000 and specifies that the difference in the increase, to be paid to the department, be used to fund safe houses as well as short-term safe houses; and
- Provides that a victim of child sexual exploitation shall not be ineligible for victim compensation.

If approved by the Governor, these provisions take effect January 1, 2013.

Vote: Senate 39-0; House 116-0