

Bill No. CS for CS for SB 1666, 1st Eng.

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Forman moved the following amendment:

**Senate Amendment (with title amendment)**

On page 128, between lines 18 and 19,

insert:

Section 58. Subsection (1) of section 39.201, Florida Statutes, 1998 Supplement, is amended to read:

39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline.--

(1) Any person, including, but not limited to, any:

(a) Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons;

(b) Health or mental health professional other than one listed in paragraph (a);

(c) Practitioner who relies solely on spiritual means for healing;

(d) School teacher or other school official or

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1 personnel;

2 (e) Social worker, day care center worker, or other  
3 professional child care, foster care, residential, or  
4 institutional worker; ~~or~~

5 (f) Animal control officer or other agent appointed  
6 pursuant to s. 828.03; or

7 (g)~~(f)~~ Law enforcement officer,

8  
9 who knows, or has reasonable cause to suspect, that a child is  
10 an abused, abandoned, or neglected child shall report such  
11 knowledge or suspicion to the department in the manner  
12 prescribed in subsection (2).

13 Section 59. Subsection (1) of section 39.205, Florida  
14 Statutes, 1998 Supplement, reads:

15 39.205 Penalties relating to reporting of child abuse,  
16 abandonment, or neglect.--

17 (1) A person who is required to report known or  
18 suspected child abuse, abandonment, or neglect and who  
19 knowingly and willfully fails to do so, or who knowingly and  
20 willfully prevents another person from doing so, is guilty of  
21 a misdemeanor of the second degree, punishable as provided in  
22 s. 775.082 or s. 775.083.

23 Section 60. Section 39.208, Florida Statutes, is  
24 created to read:

25 39.208 Reports of abuse, neglect, cruelty, or  
26 abandonment of an animal required.--

27 (1) Any person required to report child abuse,  
28 abandonment, or neglect, and any person who in the course of  
29 investigating child abuse, abandonment or neglect knows or has  
30 reasonable cause to suspect that abuse, neglect, cruelty, or  
31 abandonment of an animal has occurred shall report such

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1 knowledge or suspicion, within 24 hours, to the local animal  
2 control officer or other agent appointed pursuant to s.  
3 828.03. Where no such local officer or agent exists, the  
4 report shall be made to the law enforcement agency with  
5 jurisdictional responsibility.

6 (2) The report shall, if available, include the  
7 following information:

8 (a) A description of the animal.

9 (b) A description of any injury, cruelty, or abuse of  
10 the animal, including any evidence of prior injury, cruelty,  
11 or abuse of the animal or of other animals.

12 (c) Any evidence of neglect or abandonment of the  
13 animal, including any evidence of prior neglect or abandonment  
14 of the animal or of other animals.

15 (d) The name and address of the person or persons  
16 alleged to be responsible for causing the injury, abuse,  
17 neglect, cruelty, or abandonment of the animal.

18 (e) The source of the report.

19 (f) Any action taken by the reporting source with  
20 regard to the injury, abuse, neglect, cruelty, or abandonment  
21 of the animal.

22 (g) The name, address, and telephone number of the  
23 person making the report.

24 (3) A person who is required to report known or  
25 suspected abuse, neglect, cruelty, or abandonment of an animal  
26 and who knowingly and willfully fails to do so commits a  
27 misdemeanor of the second degree, punishable as provided in s.  
28 775.082 or s. 775.083.

29 Section 61. Subsection (1) of section 415.1034,  
30 Florida Statutes, 1998 Supplement, is amended to read:

31 415.1034 Mandatory reporting of abuse, neglect, or

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1 exploitation of disabled adults or elderly persons; mandatory  
2 reports of death.--

3 (1) MANDATORY REPORTING.--

4 (a) Any person, including, but not limited to, any:

5 1. Physician, osteopathic physician, medical examiner,  
6 chiropractic physician, nurse, or hospital personnel engaged  
7 in the admission, examination, care, or treatment of disabled  
8 adults or elderly persons;

9 2. Health professional or mental health professional  
10 other than one listed in subparagraph 1.;

11 3. Practitioner who relies solely on spiritual means  
12 for healing;

13 4. Nursing home staff; assisted living facility staff;  
14 adult day care center staff; adult family-care home staff;  
15 social worker; or other professional adult care, residential,  
16 or institutional staff;

17 5. State, county, or municipal criminal justice  
18 employee or law enforcement officer;

19 6. Animal control officer or other agent appointed  
20 pursuant to s. 828.03;

21 ~~7.6.~~ Human rights advocacy committee or long-term care  
22 ombudsman council member; or

23 ~~8.7.~~ Bank, savings and loan, or credit union officer,  
24 trustee, or employee,

25  
26 who knows, or has reasonable cause to suspect, that a disabled  
27 adult or an elderly person has been or is being abused,  
28 neglected, or exploited shall immediately report such  
29 knowledge or suspicion to the central abuse registry and  
30 tracking system on the single statewide toll-free telephone  
31 number.

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1           Section 62. Subsection (1) of section 415.111, Florida  
2 Statutes, 1998 Supplement, reads:

3           415.111 Criminal penalties.--

4           (1) A person who knowingly and willfully fails to  
5 report a case of known or suspected abuse, neglect, or  
6 exploitation of a disabled adult or an elderly person, or who  
7 knowingly and willfully prevents another person from doing so,  
8 commits a misdemeanor of the second degree, punishable as  
9 provided in s. 775.082 or s. 775.083.

10           Section 63. Section 415.1114, Florida Statutes, is  
11 created to read:

12           415.1114 Reports of abuse, neglect, cruelty, or  
13 abandonment of an animal required.--

14           (1) Any person required to report abuse, neglect, or  
15 exploitation of a disabled adult or elderly person, and any  
16 person who, in the course of investigating abuse, neglect or  
17 exploitation of a disabled adult or elderly person, knows or  
18 has reasonable cause to suspect that abuse, neglect, cruelty,  
19 or abandonment of an animal has occurred shall report such  
20 knowledge or suspicion, within 24 hours, to the local animal  
21 control officer or other agent appointed pursuant to s.  
22 828.03. Where no such local officer or agent exists, the  
23 report shall be made to the law enforcement agency with  
24 jurisdictional responsibility.

25           (2) The report shall, if available, include the  
26 following information:

27           (a) A description of the animal.

28           (b) A description of any injury, cruelty, or abuse of  
29 the animal, including any evidence of prior injury, cruelty,  
30 or abuse of the animal or of other animals.

31           (c) Any evidence of neglect or abandonment of the

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1 animal, including any evidence of prior neglect or abandonment  
2 of the animal or of other animals.

3 (d) The name and address of the person or persons  
4 alleged to be responsible for causing the injury, abuse,  
5 neglect, cruelty, or abandonment of the animal.

6 (e) The source of the report.

7 (f) Any action taken by the reporting source with  
8 regard to the injury, abuse, neglect, cruelty, or abandonment  
9 of the animal.

10 (g) The name, address, and telephone number of the  
11 person making the report.

12 (3) A person who is required to report known or  
13 suspected abuse, neglect, cruelty, or abandonment of an animal  
14 and who knowingly and willfully fails to do so commits a  
15 misdemeanor of the second degree, punishable as provided in s.  
16 775.082 or s. 775.083.

17 Section 64. Subsection (8) is added to section  
18 828.073, Florida Statutes, to read:

19 828.073 Animals found in distress; when agent may take  
20 charge; hearing; disposition; sale.--

21 (8)(a) Any person authorized to enforce the provisions  
22 of this section who knows, or has reasonable cause to suspect,  
23 that a child is or has been a victim of abuse, abandonment,  
24 neglect, or domestic violence shall immediately report such  
25 knowledge or suspicion to the Department of Children and  
26 Family Services as provided in s. 39.201.

27 (b) Any person authorized to enforce the provisions of  
28 this section who knows, or has reasonable cause to suspect,  
29 that a disabled adult or an elderly person is or has been a  
30 victim of abuse, abandonment, exploitation, or domestic  
31 violence shall immediately report such knowledge or suspicion

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1 to the Department of Children and Family Services as provided  
2 in s. 415.1034.

3  
4 (Redesignate subsequent sections.)

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 5, line 12, after the semicolon,

10  
11 insert:

12 amending ss. 39.201, 415.1034, and 828.073,  
13 F.S.; requiring animal control officers or  
14 other agents appointed under s. 828.03, F.S.,  
15 to report known or suspected child abuse,  
16 abandonment, or neglect or abuse, neglect, or  
17 exploitation of a disabled adult or elderly  
18 person; providing a penalty; creating s.  
19 39.208, F.S.; requiring persons who are  
20 required to report or investigate child abuse,  
21 abandonment, or neglect under ch. 39, F.S., to  
22 report known or suspected animal abuse,  
23 neglect, cruelty, or abandonment; creating s.  
24 415.1114, F.S.; requiring persons who are  
25 required to report or investigate abuse,  
26 neglect, or exploitation of a disabled adult or  
27 elderly person to report known or suspected  
28 animal abuse, neglect, cruelty, or abandonment;  
29 specifying information to be reported;  
30 providing a penalty;

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