

By Senator Forman

32-1225-99

See HB

1 A bill to be entitled
2 An act relating to cross-reporting of family
3 violence; amending ss. 39.201 and 828.073,
4 F.S.; requiring animal control officers or
5 other agents appointed under s. 828.03, F.S.,
6 to report known or suspected child abuse,
7 abandonment, or neglect; providing a penalty;
8 creating s. 39.208, F.S.; requiring persons who
9 are required to report or investigate child
10 abuse, abandonment, or neglect under ch. 39,
11 F.S., to report known or suspected animal
12 abuse, maltreatment, neglect, or abandonment;
13 specifying information to be reported;
14 providing a penalty; providing an effective
15 date.

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

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

21 39.201 Mandatory reports of child abuse, abandonment,
22 or neglect; mandatory reports of death; central abuse
23 hotline.--

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

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

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

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

3 (d) School teacher or other school official or
4 personnel;

5 (e) Social worker, day care center worker, or other
6 professional child care, foster care, residential, or
7 institutional worker; ~~or~~

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

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

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

16 Section 2. Subsection (1) of section 39.205, Florida
17 Statutes, 1998 Supplement, reads:

18 39.205 Penalties relating to reporting of child abuse,
19 abandonment, or neglect.--

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

26 Section 3. Section 39.208, Florida Statutes, is
27 created to read:

28 39.208 Reports of abuse, maltreatment, neglect, or
29 abandonment of an animal required.--

30 (1) Any person required to report or investigate cases
31 of suspected child abuse, abandonment, or neglect who knows or

1 has reasonable cause to suspect that abuse, maltreatment,
2 neglect, or abandonment of an animal has occurred shall
3 immediately report such knowledge or suspicion to an animal
4 control officer or other agent appointed pursuant to s.
5 828.03.

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

8 (a) A description of the animal.

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

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

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

19 (e) The source of the report.

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

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

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

30 Section 4. Subsection (8) is added to section 828.073,
31 Florida Statutes, to read:

1 828.073 Animals found in distress; when agent may take
2 charge; hearing; disposition; sale.--

3 (8) Any person charged with enforcing this section who
4 knows, or has reasonable cause to suspect, that a child is an
5 abused, abandoned, or neglected child is required to report
6 such knowledge or suspicion to the Department of Children and
7 Family Services as provided in s. 39.201.

8 Section 5. This act shall take effect October 1, 1999.

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11 HOUSE SUMMARY

12 Requires animal control officers to report known or
13 suspected child abuse, abandonment, or neglect pursuant
14 to the provisions of chapter 39, F.S. (Proceedings
15 Relating to Children). Requires persons required to
16 report or investigate child abuse, abandonment, or
17 neglect under said chapter to report known or suspected
18 abuse, maltreatment, neglect, or abandonment of an
19 animal. Provides a second degree misdemeanor penalty for
20 knowing and willful failure to make such reports.
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