

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

Representative(s) Effman offered the following:

Amendment (with title amendment)

On page 1, line 26,

insert:

Section 1. Subsection (1) and paragraph (b) of subsection (2) of section 39.201, Florida Statutes, are 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;

Amendment No. ____ (for drafter's use only)

1 (d) School teacher or other school official or
2 personnel;
3 (e) Social worker, day care center worker, or other
4 professional child care, foster care, residential, or
5 institutional worker;
6 (f) Animal control officer or other agent appointed
7 pursuant to s. 828.03;
8 ~~(g)~~ Law enforcement officer; or
9 ~~(h)~~ Judge,
10
11 who knows, or has reasonable cause to suspect, that a child is
12 abused, abandoned, or neglected by a parent, legal custodian,
13 caregiver, or other person responsible for the child's welfare
14 shall report such knowledge or suspicion to the department in
15 the manner prescribed in subsection (2).
16 (2)
17 (b) The department must consider valid and accept for
18 investigation any report received by the central abuse hotline
19 from a judge, teacher or other professional school official,
20 or physician, as specified in paragraph (1)(a), paragraph
21 (1)(d), or paragraph (1)~~(h)~~, who is acting in his or her
22 professional capacity, alleging harm as defined in s. 39.01.
23 Section 2. Subsection (1) of section 39.205, Florida
24 Statutes, reads:
25 39.205 Penalties relating to reporting of child abuse,
26 abandonment, or neglect.--
27 (1) A person who is required to report known or
28 suspected child abuse, abandonment, or neglect and who
29 knowingly and willfully fails to do so, or who knowingly and
30 willfully prevents another person from doing so, is guilty of
31 a misdemeanor of the first degree, punishable as provided in

Amendment No. ____ (for drafter's use only)

1 s. 775.082 or s. 775.083.

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

4 39.208 Reports of abuse, neglect, cruelty, or
5 abandonment of an animal required.--

6 (1) Any person required to report or investigate child
7 abuse, abandonment, or neglect, except judges, who knows or
8 has reasonable cause to suspect that abuse, neglect, cruelty,
9 or abandonment of an animal has occurred shall report such
10 knowledge or suspicion, within 24 hours, to the local animal
11 control officer or other agent appointed pursuant to s.
12 828.03. Where no such local officer or agent exists, the
13 report shall be made to the law enforcement agency with
14 jurisdictional responsibility.

15 (2) The report shall include the following
16 information:

17 (a) A description of the animal.

18 (b) A description of any injury, cruelty, or abuse of
19 the animal, including any evidence of prior injury, cruelty,
20 or abuse of the animal or of other animals.

21 (c) Any evidence of neglect or abandonment of the
22 animal, including any evidence of prior neglect or abandonment
23 of the animal or of other animals.

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

27 (e) The source of the report.

28 (f) Any action taken by the reporting source with
29 regard to the injury, abuse, neglect, cruelty, or abandonment
30 of the animal.

31 (g) The name, address, and telephone number of the

Amendment No. ____ (for drafter's use only)

1 person making the report.

2 (3) A person who is required to report known or
3 suspected abuse, neglect, cruelty, or abandonment of an animal
4 and who knowingly and willfully fails to do so commits a
5 misdemeanor of the second degree, punishable as provided in s.
6 775.082 or s. 775.083.

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

9 828.073 Animals found in distress; when agent may take
10 charge; hearing; disposition; sale.--

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

17
18

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

20 And the title is amended as follows:

21 On page 1, line 2, after the semicolon

22

23 insert:

24 amending ss. 39.201 and 828.073, F.S.;

25 requiring animal control officers or other

26 agents appointed under s. 828.03, F.S., to

27 report known or suspected child abuse,

28 abandonment, or neglect or abuse, neglect;

29 providing a penalty; creating s. 39.208, F.S.;

30 requiring persons who are required to report or

31 investigate child abuse, abandonment, or

Amendment No. ____ (for drafter's use only)

1 neglect under ch. 39, F.S., to report known or
2 suspected animal abuse, neglect, cruelty, or
3 abandonment; specifying information to be
4 reported; providing a penalty;
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31