

By the Committee on Children and Families; and Senator Campbell

300-2057-00

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 requiring a training component; creating s.

9 39.208, F.S.; requiring persons who are

10 required to report or investigate child abuse,

11 abandonment, or neglect under ch. 39, F.S., to

12 report known or suspected animal abuse,

13 neglect, cruelty, or abandonment; specifying

14 information to be reported; providing a

15 penalty; requiring a training component;

16 providing an effective date.

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

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20 Section 1. Subsection (1) and paragraph (b) of

21 subsection (2) of section 39.201, Florida Statutes, are

22 amended to read:

23 39.201 Mandatory reports of child abuse, abandonment,

24 or neglect; mandatory reports of death; central abuse

25 hotline.--

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

27 (a) Physician, osteopathic physician, medical

28 examiner, chiropractic physician, nurse, or hospital personnel

29 engaged in the admission, examination, care, or treatment of

30 persons;

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

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

5 (d) School teacher or other school official or
6 personnel;

7 (e) Social worker, day care center worker, or other
8 professional child care, foster care, residential, or
9 institutional worker;

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

12 (g)~~(f)~~ Law enforcement officer; or

13 (h)~~(g)~~ Judge,

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15 who knows, or has reasonable cause to suspect, that a child is
16 abused, abandoned, or neglected by a parent, legal custodian,
17 caregiver, or other person responsible for the child's welfare
18 shall report such knowledge or suspicion to the department in
19 the manner prescribed in subsection (2).

20 (2)

21 (b) The department must consider valid and accept for
22 investigation any report received by the central abuse hotline
23 from a judge, teacher or other professional school official,
24 or physician, as specified in paragraph (1)(a), paragraph
25 (1)(d), or paragraph (1)(h)~~(g)~~, who is acting in his or her
26 professional capacity, alleging harm as defined in s. 39.01.

27 Section 2. Subsection (1) of section 39.205, Florida
28 Statutes, reads:

29 39.205 Penalties relating to reporting of child abuse,
30 abandonment, or neglect.--

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1 (1) A person who is required to report known or
2 suspected child abuse, abandonment, or neglect and who
3 knowingly and willfully fails to do so, or who knowingly and
4 willfully prevents another person from doing so, is guilty of
5 a misdemeanor of the first degree, punishable as provided in
6 s. 775.082 or s. 775.083.

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

9 39.208 Reports of abuse, neglect, cruelty, or
10 abandonment of an animal required.--

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

20 (2) The report shall include the following
21 information:

22 (a) A description of the animal.

23 (b) A description of any injury, cruelty, or abuse of
24 the animal, including any evidence of prior injury, cruelty,
25 or abuse of the animal or of other animals.

26 (c) Any evidence of neglect or abandonment of the
27 animal, including any evidence of prior neglect or abandonment
28 of the animal or of other animals.

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

1 (e) The source of the report.

2 (f) Any action taken by the reporting source with
3 regard to the injury, abuse, neglect, cruelty, or abandonment
4 of the animal.

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

7 (3) A person who is required to report known or
8 suspected abuse, neglect, cruelty, or abandonment of an animal
9 and who knowingly and willfully fails to do so commits a
10 misdemeanor of the second degree, punishable as provided in s.
11 775.082 or s. 775.083.

12 (4) The department's training program for persons
13 required to investigate child abuse, abandonment, or neglect
14 shall include the detection of animal abuse, neglect, cruelty,
15 and abandonment.

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

18 828.073 Animals found in distress; when agent may take
19 charge; hearing; disposition; sale.--

20 (8) Any person authorized to enforce the provisions of
21 this section who knows, or has reasonable cause to suspect,
22 that a child is or has been a victim of abuse, abandonment,
23 neglect, or domestic violence shall immediately report such
24 knowledge or suspicion to the Department of Children and
25 Family Services as provided in s. 39.201. The training course
26 required for county-employed animal control officers and
27 municipal-employed animal control officers, pursuant to s.
28 828.027(4) shall include the detection of child abuse,
29 neglect, and abandonment.

30 Section 5. This act shall take effect October 1, 2000.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 690

- Excludes judges from those persons required to report animal abuse.
- Stipulates that the requirement to report animal abuse applies to knowledge or suspicion gained of the abuse during the course of performing the person's job.
- Adds the detection of animal abuse to the Department of Children and Family Services' training program required for persons investigating child abuse.
- Adds the detection of child abuse to the training course required for county-employed and municipal-employed animal control officers.