

By the Committee on Children, Families, and Elder Affairs; and  
Senator Book

586-03486-19

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1                   A bill to be entitled  
2           An act relating to child abuse, abandonment, and  
3           neglect; amending s. 39.01, F.S.; deleting the term  
4           "juvenile sexual abuse"; defining the term "child-on-  
5           child sexual abuse"; creating s. 39.101, F.S.;  
6           relocating provisions relating to the central abuse  
7           hotline of the Department of Children and Families;  
8           providing additional requirements relating to the  
9           hotline; amending s. 39.201, F.S.; requiring animal  
10          control officers and certain agents to provide their  
11          names to hotline staff; revising requirements relating  
12          to reports of abuse involving impregnation of  
13          children; amending s. 39.302, F.S.; conforming a  
14          cross-reference; relocating provisions relating to the  
15          representation of alleged perpetrators in  
16          institutional investigations; creating s. 828.075,  
17          F.S.; providing a purpose; requiring individuals who  
18          are required to investigate child abuse, abandonment,  
19          or neglect to also report certain animal abuse to  
20          specified persons or agencies; requiring that the  
21          report include certain information; providing a  
22          criminal penalty for knowingly and willfully failing  
23          to make such report; requiring the department to  
24          include certain training in the training program for  
25          persons required to investigate child abuse,  
26          abandonment, or neglect; amending s. 828.27, F.S.;  
27          requiring training for animal control officers to  
28          include training for detecting child abuse, neglect,  
29          and abandonment; amending s. 39.307, F.S.; conforming

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30 provisions to changes made by the act; amending ss.

31 39.301 and 934.03, F.S.; conforming cross-references;

32 providing an effective date.

33  
34 Be It Enacted by the Legislature of the State of Florida:

35  
36 Section 1. Present subsections (8) through (12) of section  
37 39.01, Florida Statutes, are redesignated as subsections (7)  
38 through (11), respectively, a new subsection (12) is added to  
39 that section, and present subsection (7) of that section is  
40 amended, to read:

41 39.01 Definitions.—When used in this chapter, unless the  
42 context otherwise requires:

43 ~~(7) "Juvenile sexual abuse" means any sexual behavior by a~~  
44 ~~child which occurs without consent, without equality, or as a~~  
45 ~~result of coercion. For purposes of this subsection, the~~  
46 ~~following definitions apply:~~

47 ~~(a) "Coercion" means the exploitation of authority or the~~  
48 ~~use of bribes, threats of force, or intimidation to gain~~  
49 ~~cooperation or compliance.~~

50 ~~(b) "Equality" means two participants operating with the~~  
51 ~~same level of power in a relationship, neither being controlled~~  
52 ~~nor coerced by the other.~~

53 ~~(c) "Consent" means an agreement, including all of the~~  
54 ~~following:~~

55 ~~1. Understanding what is proposed based on age, maturity,~~  
56 ~~developmental level, functioning, and experience.~~

57 ~~2. Knowledge of societal standards for what is being~~  
58 ~~proposed.~~

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59 ~~3. Awareness of potential consequences and alternatives.~~

60 ~~4. Assumption that agreement or disagreement will be~~  
61 ~~accepted equally.~~

62 ~~5. Voluntary decision.~~

63 ~~6. Mental competence.~~

64  
65 ~~Juvenile sexual behavior ranges from noncontact sexual behavior~~  
66 ~~such as making obscene phone calls, exhibitionism, voyeurism,~~  
67 ~~and the showing or taking of lewd photographs to varying degrees~~  
68 ~~of direct sexual contact, such as frottage, fondling, digital~~  
69 ~~penetration, rape, fellatio, sodomy, and various other sexually~~  
70 ~~aggressive acts.~~

71 (12) (a) "Child-on-child sexual abuse" means sexual activity  
72 between children and without the direct involvement of an adult  
73 which:

74 1. Is overt and deliberate;

75 2. Is directed at sexual stimulation; and

76 3.a. Occurs without consent or without equality mentally,  
77 physically, or in age; or

78 b. Occurs as a result of physical or emotional coercion.

79 (b) For purposes of this subsection, the following  
80 definitions apply:

81 1. "Coercion" means the exploitation of authority or the  
82 use of bribes, threats of force, or intimidation to gain  
83 cooperation or compliance.

84 2. "Consent" means an agreement including all of the  
85 following:

86 a. Understanding of what is proposed which is based on age,  
87 maturity, and developmental level.

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88 b. Knowledge of societal standards for what is being  
89 proposed.

90 c. Awareness of the potential consequences.

91 d. Assumption that participation or non-participation will  
92 be accepted equally.

93 e. Voluntary decision.

94 f. Mental competence.

95 3. "Equality" means two participants operating with the  
96 same level of power in a relationship, without one being  
97 controlled or coerced by the other.

98  
99 The term includes both noncontact sexual behavior, such as  
100 making obscene phone calls, exhibitionism, voyeurism, and the  
101 showing or taking of lewd photographs, and direct sexual  
102 contact, such as frottage, fondling, digital penetration, rape,  
103 fellatio, sodomy, and various other sexually aggressive acts.  
104 Child-on-child sexual abuse does not include normative sexual  
105 play or anatomical curiosity and exploration.

106 Section 2. Section 39.101, Florida Statutes, is created to  
107 read:

108 39.101 Central abuse hotline.—The central abuse hotline is  
109 the first step in the safety assessment and investigation  
110 process.

111 (1) ESTABLISHMENT AND OPERATION.—The department shall  
112 establish and maintain a central abuse hotline capable of  
113 receiving, 24 hours a day, 7 days a week, all reports of known  
114 or suspected child abuse, abandonment, or neglect and reports  
115 that a child is in need of supervision and care and has no  
116 parent, legal custodian, or responsible adult relative

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117 immediately known and available to provide supervision and care  
118 when such reports are made pursuant to s. 39.201. Reports may be  
119 made in writing, through a single statewide toll-free telephone  
120 number, or through electronic reporting. Any person may use any  
121 of these methods to make a report at any hour of the day or  
122 night, on any day of the week.

123 (a) If it appears that the immediate safety or well-being  
124 of a child is endangered, that the family may flee or the child  
125 will be unavailable for purposes of conducting a child  
126 protective investigation, or that the facts otherwise so  
127 warrant, the department must commence an investigation  
128 immediately, regardless of the time of day or night.

129 (b) In all other child abuse, abandonment, or neglect  
130 cases, a child protective investigation must be commenced within  
131 24 hours after receipt of the report.

132 (2) GENERAL REQUIREMENTS.—The central abuse hotline must be  
133 operated in such a manner as to enable the department to:

134 (a) Accept reports for investigation when there is a  
135 reasonable cause to suspect that a child has been or is being  
136 abused or neglected or has been abandoned.

137 (b) Determine whether the allegations made by the reporter  
138 require an immediate or a 24-hour response priority.

139 (c) Immediately identify and locate prior reports or cases  
140 of child abuse, abandonment, or neglect through the use of the  
141 department's automated tracking system.

142 (d) Track critical steps in the investigative process to  
143 ensure compliance with all requirements for any report of abuse,  
144 abandonment, or neglect.

145 (e) When appropriate, refer calls that do not allege the

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146 abuse, neglect, or abandonment of a child to other organizations  
147 that may better resolve the reporter's concerns.

148 (f) Serve as a resource for the evaluation, management, and  
149 planning of preventive and remedial services for children who  
150 have been subject to abuse, abandonment, or neglect.

151 (g) Initiate and enter into agreements with other states  
152 for the purposes of gathering and sharing information contained  
153 in reports on child maltreatment to further enhance programs for  
154 the protection of children.

155  
156 The department shall promote public awareness of the central  
157 abuse hotline through community-based partner organizations and  
158 public service campaigns.

159 (3) COLLECTION OF INFORMATION AND DATA.—The department  
160 shall:

161 (a) Voice-record all incoming or outgoing calls that are  
162 received or placed by the central abuse hotline which relate to  
163 suspected or known child abuse, neglect, or abandonment. The  
164 department shall maintain an electronic copy of each electronic  
165 report. The recording or electronic copy of each electronic  
166 report must become a part of the record of the report but,  
167 notwithstanding s. 39.202, must be released in full only to law  
168 enforcement agencies and state attorneys for the purposes of  
169 investigating and prosecuting criminal charges pursuant to s.  
170 39.205, or to employees of the department for the purposes of  
171 investigating and seeking administrative penalties pursuant to  
172 s. 39.206. This paragraph does not prohibit hotline staff from  
173 using the recordings or the electronic reports for quality  
174 assurance or training.

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175 (b) Secure and install electronic equipment that  
176 automatically provides to the hotline the number from which the  
177 call or fax is placed or the Internet protocol address from  
178 which the report is received. This number shall be entered into  
179 the report of abuse, abandonment, or neglect and become a part  
180 of the record of the report, but shall enjoy the same  
181 confidentiality as provided to the identity of the reporter  
182 pursuant to s. 39.202.

183 (c)1. Update the web form used for reporting child abuse,  
184 abandonment, or neglect to include qualifying questions in order  
185 to obtain necessary information required to assess need and a  
186 response.

187 2. The report must be made available to the counselors in  
188 its entirety as needed to update the Florida Safe Families  
189 Network or other similar systems.

190 (d) Monitor and evaluate the effectiveness of the  
191 department's program for the reporting and investigating of  
192 suspected abuse, abandonment, or neglect of children through the  
193 development and analysis of statistical and other information.

194 (e) Maintain and produce aggregate statistical reports  
195 monitoring patterns of child abuse, child abandonment, and child  
196 neglect. The department shall collect and analyze child-on-child  
197 sexual abuse reports and include such information in the  
198 aggregate statistical reports. The department shall collect and  
199 analyze, in separate statistical reports, those reports of child  
200 abuse and sexual abuse which are reported from or which occurred  
201 on the campus of any Florida College System institution or state  
202 university, as those terms are defined in s. 1000.21, or any  
203 school, as defined in s. 1005.02.

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204 (4) EMPLOYMENT SCREENING.—Information received by the  
205 central abuse hotline may not be used for employment screening,  
206 except as provided in s. 39.202(2)(a) and (h) or s. 402.302(15).

207 (a) Information in the central abuse hotline and the  
208 department's automated abuse information system may be used by  
209 the department, its authorized agents or contract providers, the  
210 Department of Health, or county agencies as part of the  
211 licensure or registration process pursuant to ss. 402.301-  
212 402.319 and ss. 409.175-409.176.

213 (b) Information in the central abuse hotline may also be  
214 used by the Department of Education for purposes of educator  
215 certification discipline and review pursuant to s. 39.202(2)(g).

216 (5) QUALITY ASSURANCE.—On an ongoing basis, the  
217 department's quality assurance program shall review screened-out  
218 reports involving three or more unaccepted reports on a single  
219 child, where jurisdiction applies, in order to detect such  
220 things as harassment and situations that warrant an  
221 investigation because of the frequency of the reports or the  
222 variety of the sources of the reports. A component of the  
223 quality assurance program must analyze unaccepted reports to the  
224 hotline by identified relatives as a part of the review of  
225 screened-out calls. The Assistant Secretary for Child Welfare  
226 may refer a case for investigation when it is determined, as a  
227 result of such review, that an investigation may be warranted.

228 Section 3. Section 39.201, Florida Statutes, is amended to  
229 read:

230 (Substantial rewording of section. See

231 s. 39.201, F.S., for present text.)

232 39.201 Mandatory reports of child abuse, abandonment, or



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233 neglect; mandatory reports of death; central abuse hotline.—

234 (1) MANDATORY REPORTING.—

235 (a) Any person who knows, or has reasonable cause to  
236 suspect, that any of the following has occurred shall report  
237 such knowledge or suspicion to the central abuse hotline on the  
238 single statewide toll-free telephone number or by electronic  
239 report pursuant to s. 39.101:

240 1. Child abuse, neglect, or abandonment by a parent or  
241 caregiver.—A child is abused, abandoned, or neglected by a  
242 parent, legal custodian, caregiver, or other person responsible  
243 for the child's welfare, or that a child is in need of  
244 supervision and care and has no parent, legal custodian, or  
245 responsible adult relative immediately known and available to  
246 provide supervision and care.

247 a. Personnel at the department's central abuse hotline  
248 shall determine if the report received meets the statutory  
249 definition of child abuse, abandonment, or neglect. Any report  
250 meeting one of these definitions must be accepted for protective  
251 investigation pursuant to part III of this chapter.

252 b. Any call received from a parent or legal custodian  
253 seeking assistance for himself or herself which does not meet  
254 the criteria for being a report of child abuse, abandonment, or  
255 neglect may be accepted by the hotline for response to  
256 ameliorate a potential future risk of harm to a child.

257 c. If it is determined by a child welfare professional that  
258 a need for community services exists, the department must refer  
259 the parent or legal custodian for appropriate voluntary  
260 community services.

261 2. Child abuse by a non-caregiver.—A child is abused by an

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262 adult other than a parent, legal custodian, caregiver, or other  
263 person responsible for the child's welfare. Such reports must be  
264 immediately electronically transferred to the appropriate county  
265 sheriff's office by the central abuse hotline.

266 3. Child-on-child sexual abuse.—A child, including a child  
267 who is in the custody of the department, is the victim of child-  
268 on-child sexual abuse.

269 a. The central abuse hotline shall immediately  
270 electronically transfer the report to the appropriate county  
271 sheriff's office. The department shall conduct an assessment,  
272 assist the family in receiving appropriate services pursuant to  
273 s. 39.307, and send a written report of the allegation to the  
274 appropriate county sheriff's office within 48 hours after the  
275 initial report is made to the central abuse hotline.

276 b. The department shall ensure that the facts and results  
277 of any investigation of child-on-child sexual abuse involving a  
278 child in the custody of or under the protective supervision of  
279 the department are made known to the court at the next hearing  
280 or included in the next report to the court concerning the  
281 child.

282 (b) While central abuse hotline counselors are required to  
283 receive periodic training in encouraging all reporters to  
284 provide their names when making a report and are required to  
285 advise callers that the names of reporters must be entered into  
286 the record of the report but are held confidential and exempt as  
287 provided in s. 39.202, any reporter in the following  
288 occupational categories is required to provide his or her name  
289 to the central abuse hotline staff:

290 1. Physician, osteopathic physician, medical examiner,

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291 chiropractic physician, nurse, or hospital personnel engaged in  
292 the admission, examination, care, or treatment of persons;

293 2. Health professional or mental health professional other  
294 than ones listed in subparagraph 1.;

295 3. Practitioner who relies solely on spiritual means for  
296 healing;

297 4. School teacher or other school official or personnel;

298 5. Social worker, day care center worker, or other  
299 professional child care worker, foster care worker, residential  
300 worker, or institutional worker;

301 6. Law enforcement officer;

302 7. Judge; or

303 8. Animal control officer as defined in s. 828.27 or agents  
304 appointed under s. 828.03.

305 (2) ADDITIONAL CIRCUMSTANCES RELATED TO REPORTS.—

306 (a) Abuse occurring out of state.—If a report is of an  
307 instance of known or suspected child abuse, abandonment, or  
308 neglect that occurred out of state and the alleged perpetrator  
309 and the child alleged to be a victim live out of state, the  
310 central abuse hotline may not accept the report or call for  
311 investigation and shall transfer the information on the report  
312 to the appropriate state.

313 (b) Abuse involving impregnation of a child.—If the report  
314 is of an instance of known or suspected child abuse involving  
315 impregnation of a child under 16 years of age by a person 21  
316 years of age or older solely under s. 827.04(3), and such person  
317 is not a caregiver, the report must be immediately  
318 electronically transferred to the appropriate county sheriff's  
319 office by the central abuse hotline.

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320 (c) Institutional child abuse or neglect.—Reports involving  
321 known or suspected institutional child abuse or neglect, as  
322 defined in s. 39.01, must be made and received in the same  
323 manner as all other reports made pursuant to this section.

324 (d) Surrendered newborn infants.—Reports involving  
325 surrendered newborn infants as described in s. 383.50 must be  
326 made and received by the department.

327 1. If the report is of a surrendered newborn infant as  
328 described in s. 383.50 and there is no indication of abuse,  
329 neglect, or abandonment other than that necessarily entailed in  
330 the infant having been left at a hospital, emergency medical  
331 services station, or fire station, the department shall provide  
332 to the caller the name of a licensed child-placing agency on a  
333 rotating basis from a list of licensed child-placing agencies  
334 eligible and required to accept physical custody of and to place  
335 newborn infants left at a hospital, emergency medical services  
336 station, or fire station. The report may not be considered a  
337 report of abuse, neglect, or abandonment solely because the  
338 infant has been left at a hospital, emergency medical services  
339 station, or fire station pursuant to s. 383.50.

340 2. If the report includes indications of abuse or neglect  
341 beyond that necessarily entailed in the infant having been left  
342 at a hospital, emergency medical services station, or fire  
343 station, the report must be considered as a report of abuse,  
344 neglect, or abandonment and must be subject to the requirements  
345 of s. 39.395 and all other relevant provisions of this chapter,  
346 notwithstanding chapter 383.

347 (3) EXCEPTIONS TO REPORTING.—

348 (a) An additional report of child abuse, abandonment, or

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349 neglect does not have to be made by:

350 1. A professional who is hired by or who enters into a  
351 contract with the department for the purpose of treating or  
352 counseling any person as a result of a report of child abuse,  
353 abandonment, or neglect if such person was the subject of the  
354 referral for treatment.

355 2. An officer or employee of the judicial branch when the  
356 child is currently being investigated by the department, when  
357 there is an existing dependency case, or when the matter has  
358 previously been reported to the department, if there is  
359 reasonable cause to believe that the information is already  
360 known to the department. This subparagraph applies only when the  
361 information has been provided to the officer or employee in the  
362 course of carrying out his or her official duties.

363 3. An officer or employee of a law enforcement agency when  
364 the incident under investigation by the law enforcement agency  
365 was reported to law enforcement by the central abuse hotline  
366 through the electronic transfer of the report or call. The  
367 department's central abuse hotline is not required to  
368 electronically transfer calls and reports received pursuant to  
369 paragraph (2) (b) to the county sheriff's office if the matter  
370 was initially reported to the department by the county sheriff's  
371 office or by another law enforcement agency. This subparagraph  
372 applies only when the information related to the alleged child  
373 abuse has been provided to the officer or employee of a law  
374 enforcement agency or central abuse hotline employee in the  
375 course of carrying out his or her official duties.

376 (b) Nothing in this chapter or in the contracting with  
377 community-based care providers for foster care and related

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378 services as specified in s. 409.987 may be construed to remove  
379 or reduce the duty and responsibility of any person, including  
380 any employee of the community-based care provider, to report a  
381 suspected or actual case of child abuse, abandonment, or neglect  
382 or the sexual abuse of a child to the department's central abuse  
383 hotline.

384 (4) MANDATORY REPORTS OF A CHILD DEATH.—Any person required  
385 to report or investigate cases of suspected child abuse,  
386 abandonment, or neglect who has reasonable cause to suspect that  
387 a child died as a result of child abuse, abandonment, or neglect  
388 shall report his or her suspicion to the appropriate medical  
389 examiner. The medical examiner shall accept the report for  
390 investigation and shall report his or her findings, in writing,  
391 to the local law enforcement agency, the appropriate state  
392 attorney, and the department. Autopsy reports maintained by the  
393 medical examiner are not subject to the confidentiality  
394 requirements provided for in s. 39.202.

395 Section 4. Subsections (1) and (2) of section 39.302,  
396 Florida Statutes, are amended to read:

397 39.302 Protective investigations of institutional child  
398 abuse, abandonment, or neglect.—

399 (1) The department shall conduct a child protective  
400 investigation of each report of institutional child abuse,  
401 abandonment, or neglect. Upon receipt of a report that alleges  
402 that an employee or agent of the department, or any other entity  
403 or person covered by s. 39.01(37) or (54), acting in an official  
404 capacity, has committed an act of child abuse, abandonment, or  
405 neglect, the department shall initiate a child protective  
406 investigation within the timeframe established under s.

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407 39.101(1) ~~s. 39.201(5)~~ and notify the appropriate state  
408 attorney, law enforcement agency, and licensing agency, which  
409 shall immediately conduct a joint investigation, unless  
410 independent investigations are more feasible. When conducting  
411 investigations or having face-to-face interviews with the child,  
412 investigation visits shall be unannounced unless it is  
413 determined by the department or its agent that unannounced  
414 visits threaten the safety of the child. If a facility is exempt  
415 from licensing, the department shall inform the owner or  
416 operator of the facility of the report. Each agency conducting a  
417 joint investigation is entitled to full access to the  
418 information gathered by the department in the course of the  
419 investigation. A protective investigation must include an  
420 interview with the child's parent or legal guardian. The  
421 department shall make a full written report to the state  
422 attorney within 3 working days after making the oral report. A  
423 criminal investigation shall be coordinated, whenever possible,  
424 with the child protective investigation of the department. Any  
425 interested person who has information regarding the offenses  
426 described in this subsection may forward a statement to the  
427 state attorney as to whether prosecution is warranted and  
428 appropriate. Within 15 days after the completion of the  
429 investigation, the state attorney shall report the findings to  
430 the department and shall include in the report a determination  
431 of whether or not prosecution is justified and appropriate in  
432 view of the circumstances of the specific case.

433 (2) (a) If in the course of the child protective  
434 investigation, the department finds that a subject of a report,  
435 by continued contact with children in care, constitutes a

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436 threatened harm to the physical health, mental health, or  
437 welfare of the children, the department may restrict a subject's  
438 access to the children pending the outcome of the investigation.  
439 The department or its agent shall employ the least restrictive  
440 means necessary to safeguard the physical health, mental health,  
441 and welfare of the children in care. This authority shall apply  
442 only to child protective investigations in which there is some  
443 evidence that child abuse, abandonment, or neglect has occurred.  
444 A subject of a report whose access to children in care has been  
445 restricted is entitled to petition the circuit court for  
446 judicial review. The court shall enter written findings of fact  
447 based upon the preponderance of evidence that child abuse,  
448 abandonment, or neglect did occur and that the department's  
449 restrictive action against a subject of the report was justified  
450 in order to safeguard the physical health, mental health, and  
451 welfare of the children in care. The restrictive action of the  
452 department shall be effective for no more than 90 days without a  
453 judicial finding supporting the actions of the department.

454 (b) In an institutional investigation, the alleged  
455 perpetrator may be represented by an attorney, at his or her own  
456 expense, or may be accompanied by another person, if the  
457 attorney or the person executes an affidavit of understanding  
458 with the department and agrees to comply with the  
459 confidentiality requirements under s. 39.202. The absence of an  
460 attorney or an accompanying person does not prevent the  
461 department from proceeding with other aspects of the  
462 investigation, including interviews with other persons. In  
463 institutional child abuse cases when the institution is not  
464 operational and the child cannot otherwise be located, the



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465 investigation must commence immediately upon the resumption of  
466 operation. If requested by a state attorney or local law  
467 enforcement agency, the department shall furnish all  
468 investigative reports to such state attorney or agency.

469 (c) ~~(b)~~ Upon completion of the department's child protective  
470 investigation, the department may make application to the  
471 circuit court for continued restrictive action against any  
472 person necessary to safeguard the physical health, mental  
473 health, and welfare of the children in care.

474 Section 5. Section 828.075, Florida Statutes, is created to  
475 read:

476 828.075 Cross-reporting child and animal abuse and  
477 cruelty.—

478 (1) The purpose of this section is to recognize the  
479 importance of the strong link between child abuse and animal  
480 abuse and cruelty.

481 (2) Any person who is required to investigate child abuse,  
482 abandonment, or neglect under chapter 39 and who knows or has  
483 reasonable cause to suspect that abuse, neglect, cruelty, or  
484 abandonment of an animal has occurred must report such knowledge  
485 or suspicion within 24 hours to the local animal control officer  
486 or an agent appointed under s. 828.03. If no local animal  
487 control officer or agent exists, the report must be made to the  
488 appropriate local law enforcement agency.

489 (3) The report must include all of the following  
490 information:

491 (a) A description of the animal.

492 (b) A description of any injury, cruelty, or abuse of the  
493 animal, including any evidence of prior injury, cruelty, or

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494 abuse of the animal or of other animals.

495 (c) Any evidence of neglect or abandonment of the animal,  
496 including any evidence of prior neglect or abandonment of the  
497 animal or of other animals.

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

501 (e) The source of the report.

502 (f) Any action taken by the reporting source with regard to  
503 the injury, abuse, neglect, cruelty, or abandonment of the  
504 animal.

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

507 (4) A person who is required to report known or suspected  
508 abuse, neglect, cruelty, or abandonment of an animal and who  
509 knowingly and willfully fails to do so commits a misdemeanor of  
510 the second degree, punishable as provided in s. 775.082 or s.  
511 775.083.

512 (5) The Department of Children and Families' training  
513 program for persons who are required to investigate child abuse,  
514 abandonment, or neglect must include training on identifying  
515 harm to, neglect of, and cruelty toward animals and on the  
516 strong link between animal abuse and cruelty and child welfare  
517 case practice.

518 Section 6. Paragraph (a) of subsection (4) of section  
519 828.27, Florida Statutes, is amended to read:

520 828.27 Local animal control or cruelty ordinances;  
521 penalty.—

522 (4) (a) 1. County-employed animal control officers must, and

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523 municipally employed animal control officers may, successfully  
524 complete a 40-hour minimum standards training course. Such  
525 course must include, but is not limited to, training for: animal  
526 cruelty investigations;; search and seizure;; animal handling;;  
527 courtroom demeanor;;~~and~~ civil citations;; and detecting child  
528 abuse, neglect, and abandonment. The course curriculum must be  
529 approved by the Florida Animal Control Association. An animal  
530 control officer who successfully completes such course shall be  
531 issued a certificate indicating that he or she has received a  
532 passing grade.

533 2. Any animal control officer who is authorized before  
534 January 1, 1990, by a county or municipality to issue citations  
535 is not required to complete the minimum standards training  
536 course.

537 3. In order to maintain valid certification, every 2 years  
538 each certified animal control officer must complete 4 hours of  
539 postcertification continuing education training. Such training  
540 may include, but is not limited to, training for: animal cruelty  
541 investigations, search and seizure, animal handling, courtroom  
542 demeanor, and civil citations.

543 Section 7. Subsection (1) and paragraph (a) of subsection  
544 (2) of section 39.307, Florida Statutes, are amended to read:

545 39.307 Reports of child-on-child sexual abuse.—

546 (1) Upon receiving a report alleging child-on-child  
547 ~~juvenile~~ sexual abuse or inappropriate sexual behavior as  
548 defined in s. 39.01, the department shall assist the family,  
549 child, and caregiver in receiving appropriate services to  
550 address the allegations of the report.

551 (a) The department shall ensure that information describing

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552 the child's history of child sexual abuse is included in the  
553 child's electronic record. This record must also include  
554 information describing the services the child has received as a  
555 result of his or her involvement with child sexual abuse.

556 (b) Placement decisions for a child who has been involved  
557 with child sexual abuse must include consideration of the needs  
558 of the child and any other children in the placement.

559 (c) The department shall monitor the occurrence of child  
560 sexual abuse and the provision of services to children involved  
561 in child-on-child ~~child sexual abuse or juvenile~~ sexual abuse,  
562 or who have displayed inappropriate sexual behavior.

563 (2) The department, contracted sheriff's office providing  
564 protective investigation services, or contracted case management  
565 personnel responsible for providing services, at a minimum,  
566 shall adhere to the following procedures:

567 (a) The purpose of the response to a report alleging child-  
568 on-child ~~juvenile~~ sexual abuse behavior or inappropriate sexual  
569 behavior shall be explained to the caregiver.

570 1. The purpose of the response shall be explained in a  
571 manner consistent with legislative purpose and intent provided  
572 in this chapter.

573 2. The name and office telephone number of the person  
574 responding shall be provided to the caregiver of the alleged  
575 abuser or child who has exhibited inappropriate sexual behavior  
576 and the victim's caregiver.

577 3. The possible consequences of the department's response,  
578 including outcomes and services, shall be explained to the  
579 caregiver of the alleged abuser or child who has exhibited  
580 inappropriate sexual behavior and the victim's caregiver.

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581 Section 8. Subsection (6) of section 39.301, Florida  
582 Statutes, is amended to read:

583 39.301 Initiation of protective investigations.-

584 (6) Upon commencing an investigation under this part, if a  
585 report was received from a reporter under s. 39.201(1)(a)2. ~~s.~~  
586 ~~39.201(1)(b)~~, the protective investigator must provide his or  
587 her contact information to the reporter within 24 hours after  
588 being assigned to the investigation. The investigator must also  
589 advise the reporter that he or she may provide a written summary  
590 of the report made to the central abuse hotline to the  
591 investigator which shall become a part of the electronic child  
592 welfare case file.

593 Section 9. Paragraph (g) of subsection (2) of section  
594 934.03, Florida Statutes, is amended to read:

595 934.03 Interception and disclosure of wire, oral, or  
596 electronic communications prohibited.-

597 (2)

598 (g) It is lawful under this section and ss. 934.04-934.09  
599 for an employee of:

600 1. An ambulance service licensed pursuant to s. 401.25, a  
601 fire station employing firefighters as defined by s. 633.102, a  
602 public utility, a law enforcement agency as defined by s.  
603 934.02(10), or any other entity with published emergency  
604 telephone numbers;

605 2. An agency operating an emergency telephone number "911"  
606 system established pursuant to s. 365.171; or

607 3. The central abuse hotline operated pursuant to s. 39.101  
608 ~~s. 39.201~~

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610 to intercept and record incoming wire communications; however,  
611 such employee may intercept and record incoming wire  
612 communications on designated "911" telephone numbers and  
613 published nonemergency telephone numbers staffed by trained  
614 dispatchers at public safety answering points only. It is also  
615 lawful for such employee to intercept and record outgoing wire  
616 communications to the numbers from which such incoming wire  
617 communications were placed when necessary to obtain information  
618 required to provide the emergency services being requested. For  
619 the purpose of this paragraph, the term "public utility" has the  
620 same meaning as provided in s. 366.02 and includes a person,  
621 partnership, association, or corporation now or hereafter owning  
622 or operating equipment or facilities in the state for conveying  
623 or transmitting messages or communications by telephone or  
624 telegraph to the public for compensation.

625 Section 10. This act shall take effect July 1, 2019.