

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Fitzenhagen offered the following:

**Amendment to Amendment (589144) (with title amendment)**

Remove lines 74-682 of the amendment and insert:

(4) (a) The direct-support organization may contract with the Florida Forensic Institute for Research, Security, and Tactics to develop the training and information as required by this subsection.

1. The contract with the institute must provide that the direct-support organization may terminate the contract if the institute fails to meet its obligations under this subsection.

2. If the institute ceases to exist, or if the contract between the direct-support organization and the institute is

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14 terminated, the department shall contract with another  
15 organization in order to develop the training and information as  
16 required by this subsection.

17 (b) Recognizing that this state hosts large-scale events,  
18 including sporting events, concerts, and cultural events, which  
19 generate significant tourism to this state, produce significant  
20 economic revenue, and often are conduits for human trafficking,  
21 the institute must develop training that is ready for statewide  
22 dissemination by not later than October 1, 2019.

23 1. Training must focus on detecting human trafficking,  
24 best practices for reporting human trafficking, and the  
25 interventions and treatment for survivors of human trafficking.

26 2. In developing the training, the institute shall consult  
27 with law enforcement agencies, survivors of human trafficking,  
28 industry representatives, tourism representatives, and other  
29 interested parties. The institute also must conduct research to  
30 determine the reduction in recidivism attributable to the  
31 education of the harms of human trafficking for first-time  
32 offenders.

33 (c) The institute shall serve as a repository of  
34 information on human trafficking and training materials and  
35 resources to recognize and prevent human trafficking.

36 (d) The human trafficking task force in each circuit,  
37 pursuant to s. 409.1754(4), shall coordinate on an ongoing basis

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38 with the institute, at least every 6 months, to update training  
39 and information on best practices to combat human trafficking.

40 (e) Sheriffs' offices and local law enforcement agencies  
41 may coordinate with the institute to receive updated training  
42 and information on best practices.

43 (5) In conjunction with the Statewide Council on Human  
44 Trafficking, and funded exclusively by the direct-support  
45 organization, the direct-support organization shall form  
46 strategic partnerships to foster the development of community  
47 and private sector resources to advance the goals of the  
48 council.

49 (6) The direct-support organization shall consider the  
50 participation of counties and municipalities in this state which  
51 demonstrate a willingness to participate and an ability to be  
52 successful in any programs funded by the direct-support  
53 organization.

54 (7) (a) The department may authorize the appropriate use  
55 without charge, of the department's property, facilities, and  
56 personnel by the direct-support organization. The use must be  
57 for the approved purposes of the direct-support organization and  
58 may not be made at times or places that would unreasonably  
59 interfere with opportunities for the general public to use  
60 departmental facilities.

61 (b) The department shall prescribe by agreement conditions  
62 with which the direct-support organization must comply in order

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63 to use department property, facilities, or personnel. Such  
64 conditions must provide for budget and audit review and  
65 oversight by the department.

66 (c) The department may not authorize the use of property,  
67 facilities, or personnel of the council, department, or  
68 designated program by the direct-support organization which does  
69 not provide equal employment opportunities to all persons  
70 regardless of race, color, religion, sex, age, or national  
71 origin.

72 (8) (a) The direct-support organization may conduct  
73 programs and activities; raise funds; request and receive  
74 grants, gifts, and bequests of money; acquire, receive, hold,  
75 invest, and administer, in its own name, securities, funds,  
76 objects of value, or other property, real or personal; and make  
77 expenditures to or for the direct or indirect benefit of the  
78 council or designated program.

79 (b) Notwithstanding s. 287.025(1) (e), the direct-support  
80 organization may enter into contracts to insure the property of  
81 the council or designated programs and may insure objects or  
82 collections on loan from other entities in satisfying security  
83 terms of the lender.

84 (9) A departmental employee, a direct-support organization  
85 or council employee, a volunteer, or a director or a designated  
86 program may not:

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87 (a) Receive a commission, fee, or financial benefit in  
88 connection with serving on the council; or

89 (b) Be a business associate of any individual, firm, or  
90 organization involved in the sale or the exchange of real or  
91 personal property to the direct-support organization, the  
92 council, or a designated program.

93 (10) All moneys received by the direct-support  
94 organization shall be deposited into an account of the direct-  
95 support organization and shall be used in a manner consistent  
96 with the goals of the council or designated program.

97 (11) The department may terminate its agreement with the  
98 direct-support organization at any time if the department  
99 determines that the direct-support organization does not meet  
100 the objectives of this section.

101 (12) This section is repealed October 1, 2024, unless  
102 reviewed and saved from repeal by the Legislature.

103 Section 2. Section 456.0341, Florida Statutes, is created  
104 to read:

105 456.0341 Requirements for instruction on human  
106 trafficking.—The requirements of this section apply to each  
107 person licensed or certified under chapter 457; chapter 458;  
108 chapter 459; chapter 460; chapter 461; chapter 463; chapter 465;  
109 chapter 466; part II, part III, part V, or part X of chapter  
110 468; chapter 480; or chapter 486.

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111 (1) By January 1, 2021, each licensee or certificate  
112 holder shall complete a board-approved, or department-approved  
113 if there is no board, 1-hour continuing education course on  
114 human trafficking. The course must address both sex trafficking  
115 and labor trafficking, how to identify individuals who may be  
116 victims of human trafficking, how to report cases of human  
117 trafficking, and resources available to victims.

118 (2) Each licensing board that requires a licensee or  
119 certificate holder to complete a course pursuant to this section  
120 must include the hour required for completion in the total hours  
121 of continuing education required by law for such profession.

122 (3) By January 1, 2021, the licensees or certificate  
123 holders shall post in their place of work, in a conspicuous  
124 place accessible to employees and to the public, a sign at least  
125 11 inches by 15 inches in size, printed in a clearly legible  
126 font and in at least a 32-point type, which substantially states  
127 in English and Spanish:

128  
129 "If you or someone you know is being forced to engage in an  
130 activity and cannot leave, whether it is prostitution,  
131 housework, farm work, factory work, retail work, restaurant  
132 work, or any other activity, call the National Human Trafficking  
133 Resource Center at 888-373-7888 or text INFO or HELP to 233-733  
134 to access help and services. Victims of slavery and human  
135 trafficking are protected under United States and Florida law."

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136 Section 3. Subsections (10) and (11) are added to section  
137 480.033, Florida Statutes, to read:

138 480.033 Definitions.—As used in this act:

139 (10) "Establishment owner" means a person who has  
140 ownership interest in a massage establishment. The term includes  
141 an individual who holds a massage establishment license, a  
142 general partner of a partnership, an owner or officer of a  
143 corporation, and a member of a limited liability company and its  
144 subsidiaries who holds a massage establishment license.

145 (11) "Designated establishment manager" means a massage  
146 therapist who holds a clear and active license without  
147 restriction, who is responsible for the operation of a massage  
148 establishment in accordance with the provisions of this chapter,  
149 and who is designated the manager by the rules or practices at  
150 the establishment.

151 Section 4. Subsection (13) of section 480.043, Florida  
152 Statutes, is renumbered as subsection (15) and amended,  
153 subsections (2) and (8), paragraph (a) of subsection (9), and  
154 subsection (12) are amended, and new subsections (13) and (14)  
155 are added to that section, to read:

156 480.043 Massage establishments; requisites; licensure;  
157 inspection; human trafficking awareness training and policies.—

158 (2) An establishment owner ~~A person who has an ownership~~  
159 ~~interest in an establishment~~ shall comply with ~~submit to~~ the  
160 background screening requirements under s. 456.0135. However, if

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161 a corporation submits proof of having more than \$250,000 of  
162 business assets in this state, the department shall require the  
163 establishment owner, the designated establishment manager,  
164 ~~officer, or~~ and each individual directly involved in the  
165 management of the establishment to comply with ~~submit to~~ the  
166 background screening requirements under ~~of~~ s. 456.0135. The  
167 ~~board department~~ may adopt rules regarding the type of proof  
168 that may be submitted by a corporation.

169 (8) The department shall deny an application for a new or  
170 renewal license if an establishment owner or a designated  
171 establishment manager ~~a person with an ownership interest in the~~  
172 ~~establishment~~ or, for a corporation that has more than \$250,000  
173 of business assets in this state, an ~~the~~ establishment owner, a  
174 designated establishment manager, officer, or any individual  
175 directly involved in the management of the establishment has  
176 been convicted of ~~or found guilty of,~~ or entered a plea of  
177 guilty or nolo contendere to any misdemeanor or felony crime,  
178 regardless of adjudication, related to prostitution or related  
179 acts as described in s. 796.07 ~~a violation of s. 796.07(2)(a)~~  
180 ~~which is reclassified under s. 796.07(7)~~ or a felony offense  
181 under any of the following provisions of state law or a similar  
182 provision in another jurisdiction:

183 (a) Section 787.01, relating to kidnapping.

184 (b) Section 787.02, relating to false imprisonment.

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- 185 (c) Section 787.025, relating to luring or enticing a  
186 child.
- 187 (d) Section 787.06, relating to human trafficking.
- 188 (e) Section 787.07, relating to human smuggling.
- 189 (f) Section 794.011, relating to sexual battery.
- 190 (g) Section 794.08, relating to female genital mutilation.
- 191 (h) Former s. 796.03, relating to procuring a person under  
192 the age of 18 for prostitution.
- 193 (i) Former s. 796.035, relating to selling or buying of  
194 minors into prostitution.
- 195 (j) Section 796.04, relating to forcing, compelling, or  
196 coercing another to become a prostitute.
- 197 (k) Section 796.05, relating to deriving support from the  
198 proceeds of prostitution.
- 199 ~~(l) Section 796.07(4)(a)3., relating to a felony of the~~  
200 ~~third degree for a third or subsequent violation of s. 796.07,~~  
201 ~~relating to prohibiting prostitution and related acts.~~
- 202 (l)~~(m)~~ Section 800.04, relating to lewd or lascivious  
203 offenses committed upon or in the presence of persons less than  
204 16 years of age.
- 205 (m)~~(n)~~ Section 825.1025(2)(b), relating to lewd or  
206 lascivious offenses committed upon or in the presence of an  
207 elderly or disabled person.
- 208 (n)~~(o)~~ Section 827.071, relating to sexual performance by  
209 a child.

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210 ~~(o)-(p)~~ Section 847.0133, relating to the protection of  
211 minors.

212 ~~(p)-(q)~~ Section 847.0135, relating to computer pornography.

213 ~~(q)-(r)~~ Section 847.0138, relating to the transmission of  
214 material harmful to minors to a minor by electronic device or  
215 equipment.

216 ~~(r)-(s)~~ Section 847.0145, relating to the selling or buying  
217 of minors.

218 (9) (a) ~~Once issued, no license for operation of~~ A massage  
219 establishment license issued to an individual, a partnership, a  
220 corporation, a limited liability company, or another entity may  
221 not be transferred from the licensee ~~one owner~~ to another  
222 individual, partnership, corporation, limited liability company,  
223 or another entity.

224 (12) As a condition of licensure, a massage establishment  
225 must have a designated establishment manager. The designated  
226 establishment manager is responsible for complying with all  
227 requirements related to operating the establishment in this  
228 section and shall practice at the establishment for which he or  
229 she has been designated. Within 10 days after termination of a  
230 designated establishment manager, the establishment owner must  
231 notify the department of the identity of another designated  
232 establishment manager. Failure to have a designated  
233 establishment manager practicing at the location of the  
234 establishment shall result in summary suspension of the

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235 establishment license as described in s. 456.073(8) or s.  
236 120.60(6). An establishment licensed before July 1, 2019, must  
237 identify a designated establishment manager by January 1, 2020 A  
238 ~~person with an ownership interest in or, for a corporation that~~  
239 ~~has more than \$250,000 of business assets in this state, the~~  
240 ~~owner, officer, or individual directly involved in the~~  
241 ~~management of an establishment that was issued a license before~~  
242 ~~July 1, 2014, shall submit to the background screening~~  
243 ~~requirements of s. 456.0135 before January 31, 2015.~~

244 (13) By January 1, 2021, a massage establishment shall  
245 implement a procedure for reporting suspected human trafficking  
246 to the National Human Trafficking Hotline or to a local law  
247 enforcement agency and shall post in a conspicuous place in the  
248 establishment which is accessible to employees, customers, and  
249 the public a sign with the relevant provisions of the reporting  
250 procedure.

251 (14) Except for the requirements of subsection (13), this  
252 section does not apply to a physician licensed under chapter  
253 457, chapter 458, chapter 459, or chapter 460 who employs a  
254 licensed massage therapist to perform massage on the physician's  
255 patients at the physician's place of practice. This subsection  
256 does not restrict investigations by the department for  
257 violations of chapter 456 or this chapter.

258 Section 5. Subsection (4) of section 480.046, Florida  
259 Statutes, is renumbered as subsection (6), subsection (3) is

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260 amended, and new subsections (4) and (5) are added to that  
261 section, to read:

262 480.046 Grounds for disciplinary action by the board.—

263 (3) The board shall ~~have the power to~~ revoke or suspend  
264 the license of a massage establishment licensed under this act,  
265 or ~~to~~ deny subsequent licensure of such an establishment, if any  
266 ~~in either~~ of the following occurs ~~cases~~:

267 (a) ~~The~~ Upon proof that a license has been obtained by  
268 fraud or misrepresentation.

269 (b) ~~Upon proof that~~ The holder of a license is guilty of  
270 fraud or deceit or of gross negligence, incompetency, or  
271 misconduct in the operation of a massage ~~the~~ establishment ~~so~~  
272 ~~licensed~~.

273 (c) The establishment owner, the designated establishment  
274 manager, or any individual providing massage therapy services  
275 for the establishment has had the entry in any jurisdiction of:

276 1. A final order or other disciplinary action taken for  
277 sexual misconduct involving prostitution;

278 2. A final order or other disciplinary action taken for  
279 crimes related to the practice of massage therapy involving  
280 prostitution; or

281 3. A conviction or a plea of guilty or nolo contendere to  
282 any misdemeanor or felony crime, regardless of adjudication,  
283 related to prostitution or related acts as described in s.

284 796.07.

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285 (4) The establishment owner who has been the subject of  
286 disciplinary action under subsection (3) may not reapply for an  
287 establishment license and may not transfer such license pursuant  
288 to s. 480.043.

289 (5) A designated establishment manager who has been the  
290 subject of disciplinary action under section (3) may not reapply  
291 for a license.

292 Section 6. Section 509.096, Florida Statutes, is created  
293 to read:

294 509.096 Human trafficking awareness training and policies  
295 for employees of public lodging establishments; enforcement.-

296 (1) A public lodging establishment shall:

297 (a) Provide annual training regarding human trafficking  
298 awareness to employees of the establishment who perform  
299 housekeeping duties in the rental units or who work at the front  
300 desk or reception area where guests ordinarily check in or check  
301 out. Such training must also be provided for new employees  
302 within 60 days after they begin their employment in that role,  
303 or by January 1, 2021, whichever occurs later. Each employee  
304 must submit to the hiring establishment a signed and dated  
305 acknowledgment of having received the training, which the  
306 establishment must provide to the Department of Business and  
307 Professional Regulation upon request.

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308 (b) By January 1, 2021, implement a procedure for the  
309 reporting of suspected human trafficking to the National Human  
310 Trafficking Hotline or to a local law enforcement agency.

311 (c) By January 1, 2021, post in a conspicuous location in  
312 the establishment which is accessible to employees a human  
313 trafficking public awareness sign at least 11 inches by 15  
314 inches in size, printed in an easily legible font and in at  
315 least 32-point type, which states in English and Spanish and any  
316 other language predominantly spoken in that area which the  
317 department deems appropriate substantially the following:

318  
319 "If you or someone you know is being forced to engage in an  
320 activity and cannot leave, whether it is prostitution,  
321 housework, farm work, factory work, retail work, restaurant  
322 work, or any other activity, call the National Human Trafficking  
323 Resource Center at 888-373-7888 or text INFO or HELP to 233-733  
324 to access help and services. Victims of slavery and human  
325 trafficking are protected under United States and Florida law."

326 (2) The human trafficking awareness training required  
327 under paragraph (1) (a) must be submitted to and approved by the  
328 Department of Business and Professional Regulation before the  
329 training is provided to employees and must include all of the  
330 following:

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331 (a) The definition of human trafficking and the difference  
332 between the two forms of human trafficking: sex trafficking and  
333 labor trafficking.

334 (b) Guidance specific to the public lodging sector  
335 concerning how to identify individuals who may be victims of  
336 human trafficking.

337 (c) Guidance concerning the role of the employees of a  
338 public lodging establishment in reporting and responding to  
339 suspected human trafficking.

340 (3) The division shall impose an administrative fine of  
341 \$2,000 per day on a public lodging establishment that is not in  
342 compliance with this section and remit the fines to the direct-  
343 support organization established under s. 16.618, unless the  
344 division receives adequate written documentation from the public  
345 lodging establishment which provides assurance that each  
346 deficiency will be corrected within 90 days after the division  
347 provided the public lodging establishment with notice of its  
348 violation.

349 (4) This section does not establish a private cause of  
350 action. This section does not alter or limit any other existing  
351 remedies available to survivors of human trafficking.

352 Section 7. Effective January 1, 2021, subsection (5) of  
353 section 796.07, Florida Statutes, is amended, and subsection (2)  
354 of that section is republished, to read:

355 796.07 Prohibiting prostitution and related acts.—

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356 (2) It is unlawful:

357 (a) To own, establish, maintain, or operate any place,  
358 structure, building, or conveyance for the purpose of lewdness,  
359 assignation, or prostitution.

360 (b) To offer, or to offer or agree to secure, another for  
361 the purpose of prostitution or for any other lewd or indecent  
362 act.

363 (c) To receive, or to offer or agree to receive, any  
364 person into any place, structure, building, or conveyance for  
365 the purpose of prostitution, lewdness, or assignation, or to  
366 permit any person to remain there for such purpose.

367 (d) To direct, take, or transport, or to offer or agree to  
368 direct, take, or transport, any person to any place, structure,  
369 or building, or to any other person, with knowledge or  
370 reasonable cause to believe that the purpose of such directing,  
371 taking, or transporting is prostitution, lewdness, or  
372 assignation.

373 (e) For a person 18 years of age or older to offer to  
374 commit, or to commit, or to engage in, prostitution, lewdness,  
375 or assignation.

376 (f) To solicit, induce, entice, or procure another to  
377 commit prostitution, lewdness, or assignation.

378 (g) To reside in, enter, or remain in, any place,  
379 structure, or building, or to enter or remain in any conveyance,  
380 for the purpose of prostitution, lewdness, or assignation.

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381 (h) To aid, abet, or participate in any of the acts or  
382 things enumerated in this subsection.

383 (i) To purchase the services of any person engaged in  
384 prostitution.

385 (5) (a) A person who violates paragraph (2) (f) commits:

386 1. A misdemeanor of the first degree for a first  
387 violation, punishable as provided in s. 775.082 or s. 775.083.

388 2. A felony of the third degree for a second violation,  
389 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

390 3. A felony of the second degree for a third or subsequent  
391 violation, punishable as provided in s. 775.082, s. 775.083, or  
392 s. 775.084.

393 (b) In addition to any other penalty imposed, the court  
394 shall order a person convicted of a violation of paragraph  
395 (2) (f) to:

396 1. Perform 100 hours of community service; and

397 2. Pay for and attend an educational program about the  
398 negative effects of prostitution and human trafficking, such as  
399 a sexual violence prevention education program, including such  
400 programs offered by faith-based providers, if such programs  
401 exist in the judicial circuit in which the offender is  
402 sentenced.

403 (c) In addition to any other penalty imposed, the court  
404 shall sentence a person convicted of a second or subsequent

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405 violation of paragraph (2)(f) to a minimum mandatory period of  
406 incarceration of 10 days.

407 (d)1. If a person who violates paragraph (2)(f) uses a  
408 vehicle in the course of the violation, the judge, upon the  
409 person's conviction, may issue an order for the impoundment or  
410 immobilization of the vehicle for a period of up to 60 days. The  
411 order of impoundment or immobilization must include the names  
412 and telephone numbers of all immobilization agencies meeting all  
413 of the conditions of s. 316.193(13). Within 7 business days  
414 after the date that the court issues the order of impoundment or  
415 immobilization, the clerk of the court must send notice by  
416 certified mail, return receipt requested, to the registered  
417 owner of the vehicle, if the registered owner is a person other  
418 than the defendant, and to each person of record claiming a lien  
419 against the vehicle.

420 2. The owner of the vehicle may request the court to  
421 dismiss the order. The court must dismiss the order, and the  
422 owner of the vehicle will incur no costs, if the owner of the  
423 vehicle alleges and the court finds to be true any of the  
424 following:

425 a. The owner's family has no other private or public means  
426 of transportation;

427 b. The vehicle was stolen at the time of the offense;

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428 c. The owner purchased the vehicle after the offense was  
429 committed, and the sale was not made to circumvent the order and  
430 allow the defendant continued access to the vehicle; or

431 d. The vehicle is owned by the defendant but is operated  
432 solely by employees of the defendant or employees of a business  
433 owned by the defendant.

434 3. If the court denies the request to dismiss the order,  
435 the petitioner may request an evidentiary hearing. If, at the  
436 evidentiary hearing, the court finds to be true any of the  
437 circumstances described in sub-subparagraphs (d)2.a.-d., the  
438 court must dismiss the order and the owner of the vehicle will  
439 incur no costs.

440 (e) The Soliciting for Prostitution Public Database  
441 created pursuant to s. 943.0433 must include the criminal  
442 history record of a person who is found guilty as a result of a  
443 trial or who enters a plea of guilty or nolo contendere,  
444 regardless of whether adjudication is withheld, of paragraph  
445 (2) (f), and there is evidence that such person provided a form  
446 of payment or arranged for the payment of such services. Upon  
447 conviction, the clerk of the court shall forward the criminal  
448 history record of the person to the Department of Law  
449 Enforcement, pursuant to s. 943.052(2), for inclusion in the  
450 database. This paragraph shall stand repealed on January 1,  
451 2024, unless reviewed and saved from repeal by the Legislature.

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452 Section 8. Effective January 1, 2021, section 943.0433,  
453 Florida Statutes, is created to read:

454 943.0433 Soliciting for Prostitution Public Database.-

455 (1) The department shall create and administer the  
456 Soliciting for Prostitution Public Database. The clerk of the  
457 court shall forward to the department the criminal history  
458 record of a person in accordance with s. 796.07(5)(e), and the  
459 department shall add the criminal history record to the  
460 database.

461 (2)(a) The department shall automatically remove the  
462 criminal history record of a person from the database if, after  
463 5 years following the commission of an offense that meets the  
464 criteria set forth in s. 796.07(5)(e), such person has not  
465 subsequently committed a violation that meets such criteria or  
466 any other offense within that time that would constitute a  
467 sexual offense, including, but not limited to, human  
468 trafficking, or an offense that would require registration as a  
469 sexual offender.

470 (b) The department may not remove a criminal history  
471 record from the database if a person commits a violation that  
472 meets the criteria set forth in s. 796.07(5)(e) a second or  
473 subsequent time.

474 (c) The department shall create policies and procedures  
475 that allow a person whose conviction has been overturned or who  
476 has received an expunction of a criminal history record for

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477 which his or her record was placed on the database to petition  
478 the department for the removal of the petitioner's criminal  
479 history record. The department, after receiving a completed  
480 petition form with adequate documentation, must remove the  
481 criminal history record from the database within 30 days after  
482 receipt of such petition. The department shall create a form,  
483 publish it online, and provide it upon request in paper form for  
484 petitioners to complete.

485 (3) The database must include all of the following on each  
486 offender:

487 (a) His or her full legal name.

488 (b) His or her last known address.

489 (c) A color photograph of him or her.

490 (d) The offense for which he or she was convicted.

491 (4) The department shall adopt rules to administer this  
492 section.

493 (5) The Office of Program Policy Analysis and Government  
494 Accountability (OPPAGA) shall perform a study of the  
495 effectiveness of the database. The study's scope must include,  
496 but need not be limited to, review of the administration of the  
497 database, the policies and procedures of the database, and  
498 whether the database prevents and deters human trafficking  
499 networks and persons who aid and abet these networks from  
500 operating in this state. The study must include recommendations  
501 for any changes needed to the database or if the database should

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502 be repealed. In conducting the study, OPPAGA shall consult with  
503 the Florida Department of Law Enforcement and any other  
504 interested entities. OPPAGA shall submit a report to the  
505 Governor, the President of the Senate, and the Speaker of the  
506 House of Representatives by January 1, 2023.

507 (6) This section shall stand repealed on January 1, 2024,  
508 unless reviewed and saved from repeal through reenactment by the  
509 Leg

510 Section 9. Section 943.17297, Florida Statutes, is created  
511 to read:

512 943.17297 Continuing employment training in identifying  
513 and investigating human trafficking.—Within 1 year after  
514 beginning employment, each certified law enforcement officer  
515 must successfully complete 4 hours of training in identifying  
516 and investigating human trafficking. Completion of the training  
517 component may count toward the 40 hours of instruction for  
518 continued employment or appointment as a law enforcement officer  
519 required under s. 943.135. This training component must be  
520 completed by current law enforcement officers by July 1, 2022.  
521 The training must be developed by the commission in consultation  
522 with the Department of Legal Affairs and the Statewide Council  
523 on Human Trafficking. If an officer fails to complete the  
524 required training, his or her certification must be placed on  
525 inactive status until the employing agency notifies the  
526 commission that the officer has completed the training.

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527 Section 10. Paragraph (d) is added to subsection (3) of  
528 section 450.045, Florida Statutes, and paragraphs (a), (b), and  
529 (c) of that subsection are republished, to read:

530 450.045 Proof of identity and age; posting of notices.—

531 (3) (a) In order to provide the department and law  
532 enforcement agencies the means to more effectively identify,  
533 investigate, and arrest persons engaging in human trafficking,  
534 an adult theater, as defined in s. 847.001(2) (b), shall obtain  
535 proof of the identity and age of each of its employees or  
536 independent contractors, and shall verify the validity of the  
537 identification and age verification document with the issuer,  
538 before his or her employment or provision of services as an  
539 independent contractor.

540 (b) The adult theater shall obtain and keep on record a  
541 photocopy of the person's driver license or state or federal  
542 government-issued photo identification card, along with a record  
543 of the verification of the validity of the identification and  
544 age verification document with the issuer, during the entire  
545 period of employment or business relationship with the  
546 independent contractor and for at least 3 years after the  
547 employee or independent contractor ceases employment or the  
548 provision of services.

549 (c) The department and its agents have the authority to  
550 enter during operating hours, unannounced and without prior  
551 notice, and inspect at any time a place or establishment covered

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552 by this subsection and to have access to age verification  
553 documents kept on file by the adult theater and such other  
554 records as may aid in the enforcement of this subsection.

555 (d) An adult theater owner, operator, or manager who  
556 knowingly violates this subsection commits a misdemeanor in the  
557 first degree, punishable as provided in s. 775.082 or s.  
558 775.083.

559 Section 11. Paragraph (b) of subsection (2) of section  
560 847.001, Florida Statutes, is amended to read:

561 847.001 Definitions.—As used in this chapter, the term:

562 (2) "Adult entertainment establishment" means the  
563 following terms as defined:

564 (b) "Adult theater" means an enclosed building or an  
565 enclosed space within a building used for presenting either  
566 films, live plays, dances, or other performances that are  
567 distinguished or characterized by an emphasis on matter  
568 depicting, describing, or relating to specific sexual activities  
569 for observation by patrons, and which restricts or purports to  
570 restrict admission only to adults, or any business that features  
571 a person who engages in specific sexual activities for  
572 observation by a patron, and which restricts or purports to  
573 restrict admission to only adults.

574 -----  
575  
576 **T I T L E A M E N D M E N T**

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577 Remove lines 708-863 of the amendment and insert:  
578 authorizing the direct-support organization to  
579 contract to develop certain training and information  
580 with the Florida Forensic Institute for Research,  
581 Security, and Tactics or another organization under  
582 certain circumstances; providing a contractual  
583 requirement; requiring the institute to develop  
584 specified training by a certain date; requiring the  
585 institute to serve as a repository for certain  
586 information and training materials and resources;  
587 requiring certain task forces to coordinate with the  
588 institute on an ongoing, periodic basis; authorizing  
589 certain law enforcement offices and agencies to  
590 coordinate with the institute to receive training and  
591 information; requiring the direct-support  
592 organization, in conjunction with the Statewide  
593 Council on Human Trafficking, to form certain  
594 partnerships for specified purposes; authorizing the  
595 department to allow appropriate use of department  
596 property, facilities, and personnel by the direct-  
597 support organization; providing requirements and  
598 conditions for such use of department property,  
599 facilities, and personnel by the direct-support  
600 organization; authorizing the direct-support  
601 organization to engage in certain activities for the

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602 direct or indirect benefit of the council; prohibiting  
603 certain persons and employees from receiving specified  
604 benefits as they relate to the council or the direct-  
605 support organization; providing for moneys received by  
606 the direct-support organization; authorizing the  
607 department to terminate its agreement with the direct-  
608 support organization if the department determines that  
609 the direct-support organization does not meet  
610 specified objectives; providing for future review and  
611 repeal by the Legislature; creating s. 456.0341, F.S.;  
612 providing for instruction on human trafficking;  
613 requiring specified licensees or certificate holders  
614 to complete a certain continuing education course by a  
615 specified date; providing course requirements;  
616 requiring specified licensees or certificate holders  
617 to post a human trafficking public awareness sign in  
618 their place of work by a specified date; providing  
619 requirements; amending s. 480.033, F.S.; providing  
620 definitions; amending s. 480.043, F.S.; conforming  
621 provisions to changes made by the act; providing for  
622 suspension of an establishment license under specified  
623 circumstances; requiring a massage establishment to  
624 implement a procedure for reporting suspected human  
625 trafficking to certain entities and to post a sign  
626 with such reporting procedure in a conspicuous place

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627 by a specified date; providing an exception; amending  
628 s. 480.046, F.S.; conforming provisions to changes  
629 made by the act; revising grounds for disciplinary  
630 action by the board; creating s. 509.096, F.S.;  
631 requiring a public lodging establishment to train  
632 certain employees and implement a certain procedure  
633 relating to human trafficking by a specified date;  
634 requiring each employee to submit a signed and dated  
635 acknowledgement of having received the training;  
636 requiring the public lodging establishment to provide  
637 a copy to the Department of Business and Professional  
638 Regulation upon request; requiring a public lodging  
639 establishment to post in the establishment a human  
640 trafficking public awareness sign by a specified date;  
641 providing requirements for the sign; requiring that  
642 certain training be submitted to and approved by the  
643 department; providing training requirements; requiring  
644 the Division of Hotels and Restaurants of the  
645 Department of Business and Professional Regulation to  
646 impose an administrative fine on a public lodging  
647 establishment for failure to comply with certain  
648 requirements and to remit the fines to a certain  
649 direct-support organization; providing an exception;  
650 providing that this section does not establish a  
651 private cause of action against a public lodging

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652 establishment and does not alter or limit any existing  
653 remedies for survivors of human trafficking; amending  
654 s. 796.07, F.S.; requiring that the criminal history  
655 record of a person who is found guilty of, or who  
656 enters a plea of guilty or nolo contendere to,  
657 soliciting, inducing, enticing, or procuring another  
658 to commit prostitution, lewdness, or assignation and  
659 who provides or arranges payment for such violations  
660 be added to the Soliciting for Prostitution Public  
661 Database; requiring the clerk of the court to forward  
662 the criminal history record of such persons to the  
663 Department of Law Enforcement for inclusion in the  
664 database; providing for future legislative review and  
665 repeal by the Legislature; creating s. 456.0341, F.S.;  
666 providing for instruction on human trafficking;  
667 requiring specified licensees or certificate holders  
668 to complete a certain continuing education course by a  
669 specified date; providing course requirements;  
670 requiring specified licensees or certificate holders  
671 to post a human trafficking public awareness sign in  
672 their place of work by a specified date; providing  
673 requirements; amending s. 480.033, F.S.; providing  
674 definitions; amending s. 480.043, F.S.; conforming  
675 provisions to changes made by the act; providing for  
676 suspension of an establishment license under specified

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677 | circumstances; requiring a massage establishment to  
678 | implement a procedure for reporting suspected human  
679 | trafficking to certain entities and to post a sign  
680 | with such reporting procedure in a conspicuous place  
681 | by a specified date; providing an exception; amending  
682 | s. 480.046, F.S.; conforming provisions to changes  
683 | made by the act; revising grounds for disciplinary  
684 | action by the board; creating s. 509.096, F.S.;  
685 | requiring a public lodging establishment to train  
686 | certain employees and implement a certain procedure  
687 | relating to human trafficking by a specified date;  
688 | requiring each employee to submit a signed and dated  
689 | acknowledgement of having received the training;  
690 | requiring the public lodging establishment to provide  
691 | a copy to the Department of Business and Professional  
692 | Regulation upon request; requiring a public lodging  
693 | establishment to post in the establishment a human  
694 | trafficking public awareness sign by a specified date;  
695 | providing requirements for the sign; requiring that  
696 | certain training be submitted to and approved by the  
697 | department; providing training requirements; requiring  
698 | the Division of Hotels and Restaurants of the  
699 | Department of Business and Professional Regulation to  
700 | impose an administrative fine on a public lodging  
701 | establishment for failure to comply with certain

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702 requirements and to remit the fines to a certain  
703 direct-support organization; providing an exception;  
704 providing that this section does not establish a  
705 private cause of action against a public lodging  
706 establishment and does not alter or limit any existing  
707 remedies for survivors of human trafficking; amending  
708 s. 796.07, F.S.; requiring that the criminal history  
709 record of a person who is found guilty of, or who  
710 enters a plea of guilty or nolo contendere to,  
711 soliciting, inducing, enticing, or procuring another  
712 to commit prostitution, lewdness, or assignation and  
713 who provides or arranges payment for such violations  
714 be added to the Soliciting for Prostitution Public  
715 Database; requiring the clerk of the court to forward  
716 the criminal history record of such persons to the  
717 Department of Law Enforcement for inclusion in the  
718 database; providing for future legislative review and  
719 repeal; creating s. 943.0433, F.S.; requiring the  
720 Department of Law Enforcement to create and administer  
721 the Soliciting for Prostitution Public Database;  
722 requiring the department to add certain criminal  
723 history records to the database; requiring the  
724 department to automatically remove certain criminal  
725 history records from the database under certain  
726 circumstances; prohibiting the department from

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727 removing certain criminal history records from the  
728 database for second or subsequent violations of  
729 specified provisions; requiring the department to  
730 create policies and procedures that allow certain  
731 persons to petition the department for the removal of  
732 criminal history records from the database; requiring  
733 the department to remove such a record within a  
734 specified timeframe after receipt of the petition;  
735 requiring the department to create a certain form, to  
736 publish it online, and to provide the form in paper  
737 form upon request; requiring the database to include  
738 specified information on offenders; requiring the  
739 department to adopt rules; requiring the Office of  
740 Program Policy Analysis and Government Accountability  
741 (OPPAGA) to perform a study reviewing the  
742 effectiveness of the database; providing study  
743 requirements; requiring OPPAGA to consult with the  
744 department and other interested entities; requiring  
745 OPPAGA to submit a report to the Governor and  
746 Legislature by a certain date; providing for future  
747 legislative review and repeal; creating s. 943.17297,  
748 F.S.; requiring each certified law enforcement officer  
749 to successfully complete training on identifying and  
750 investigating human trafficking within a certain  
751 timeframe; authorizing the completion of such training

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752 to count toward a certain requirement; requiring that  
753 the training be completed by a certain date; requiring  
754 that the training be developed by the Criminal Justice  
755 Standards and Training Commission in consultation with  
756 specified entities; specifying that an officer's  
757 certification must be placed on inactive status if he  
758 or she fails to complete the required training until  
759 the employing agency notifies the Criminal Justice  
760 Standards and Training Commission that the officer has  
761 completed the training; amending s. 450.045, F.S.;  
762 penalizing the knowing failure to verify and maintain  
763 specified documentation of an adult theater employee  
764 or contractor; amending s. 847.001, F.S.; revising the  
765 definition of the term "adult theater"; providing an  
766 appropriation;

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