

1 A bill to be entitled
2 An act relating to child welfare; amending s. 39.01,
3 F.S.; providing a definition; conforming cross-
4 references; amending s. 39.522, F.S.; providing
5 factors a court must consider when determining whether
6 a child should remain in his or her own home or be
7 placed in out-of-home care; amending s. 39.6011, F.S.;
8 requiring certain parties to a case plan to
9 communicate effectively; requiring the court to be
10 notified if ineffective communication takes place;
11 amending s. 39.701, F.S.; requiring a foster parent or
12 legal custodian to disclose to the court any
13 communication not in compliance with the case plan;
14 providing for agency and caregiver recommendations for
15 a change in visitation; requiring a court and citizen
16 review panel to determine whether certain parties
17 communicate effectively; providing factors a court
18 must consider when determining whether a child should
19 be returned to the custody of his or her parents;
20 amending s. 409.988, F.S.; authorizing a lead agency
21 to provide more than 35 percent of all child welfare
22 services under certain conditions; requiring a certain
23 group to review a request for an exemption from the
24 services threshold; providing membership requirements
25 for the group; amending ss. 39.302, 39.521, 39.6012,

26 | 322.09, 394.495, 627.746, 934.255, and 960.065, F.S.;

27 | conforming cross-references; providing an effective

28 | date.

30 | Be It Enacted by the Legislature of the State of Florida:

31 |

32 | Section 1. Subsections (20) through (87) of section 39.01,

33 | Florida Statutes, are renumbered as subsections (21) through

34 | (88) respectively, subsection (10) and present subsection (37)

35 | are amended, and a new subsection (20) is added to that section,

36 | to read:

37 | 39.01 Definitions.—When used in this chapter, unless the

38 | context otherwise requires:

39 | (10) "Caregiver" means the parent, legal custodian,

40 | permanent guardian, adult household member, or other person

41 | responsible for a child's welfare as defined in this section

42 | ~~subsection (54)~~.

43 | (20) "Conditions for return" means the minimum conditions

44 | that must exist with respect to a specific family's

45 | circumstances, including, but not limited by, the home

46 | environment, behavior, and safety resources, to allow for

47 | reunification to occur with the use of an in-home safety plan.

48 | ~~(38)-(37)~~ "Institutional child abuse or neglect" means

49 | situations of known or suspected child abuse or neglect in which

50 | the person allegedly perpetrating the child abuse or neglect is

51 an employee of a private school, public or private day care
52 center, residential home, institution, facility, or agency or
53 any other person at such institution responsible for the child's
54 care as defined in this section ~~subsection (54)~~.

55 Section 2. Subsection (3) of section 39.522, Florida
56 Statutes, is renumbered as subsection (4), and a new subsection
57 (3) is added to that section to read:

58 39.522 Postdisposition change of custody.—The court may
59 change the temporary legal custody or the conditions of
60 protective supervision at a postdisposition hearing, without the
61 necessity of another adjudicatory hearing.

62 (3) In cases where the issue before the court is whether a
63 child who has remained in his or her own home with an in-home
64 safety plan, or who has been reunited with a parent with an in-
65 home safety plan, should remain in that placement or should be
66 placed in out-of-home care, the court shall place the child in
67 out-of-home care if the parent is unlikely, within a reasonable
68 amount of time, to achieve the full protective capacities needed
69 for the child to be reunified without an in-home safety plan and
70 for the court to end protective supervision without endangering
71 the child's safety, well-being, and physical, mental, and
72 emotional health. In making its determination, the court shall
73 consider all of the following:

74 (a) The circumstances that caused the child's dependency
75 and other issues subsequently identified.

76 (b) The length of time the child has been placed in his or
 77 her own home with an in-home safety plan.

78 (c) The parent's current level of protective capacities.

79 (d) The increase in the parent's demonstrated level of
 80 protective capacities since the child's placement in his or her
 81 own home given the length of time the child has been placed
 82 there.

83
 84 The court shall also evaluate the child's permanency goal and
 85 shall change the permanency goal if doing so would be in the
 86 best interest of the child.

87 Section 3. Paragraphs (b) through (d) of subsection (4)
 88 are redesignated as paragraphs (c) through and (e),
 89 respectively, and a new paragraph (b) is added to subsection (4)
 90 of that section to read:

91 39.6011 Case plan development.—

92 (4) The case plan must describe:

93 (b) The responsibility of the parents and caregivers to
 94 communicate effectively, which includes, but is not limited to,
 95 refraining from harassing communication, to promote the safety,
 96 well-being, and physical, mental, and emotional health of the
 97 child. A parent or caregiver shall notify the court if
 98 ineffective communication takes place;

99 Section 4. Paragraphs (a), (c), and (d) of subsection (2)
 100 of section 39.701, Florida Statutes, are amended to read:

101 39.701 Judicial review.—

102 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
103 AGE.—

104 (a) Social study report for judicial review.—Before every
105 judicial review hearing or citizen review panel hearing, the
106 social service agency shall make an investigation and social
107 study concerning all pertinent details relating to the child and
108 shall furnish to the court or citizen review panel a written
109 report that includes, but is not limited to:

110 1. A description of the type of placement the child is in
111 at the time of the hearing, including the safety of the child
112 and the continuing necessity for and appropriateness of the
113 placement.

114 2. Documentation of the diligent efforts made by all
115 parties to the case plan to comply with each applicable
116 provision of the plan.

117 3. The amount of fees assessed and collected during the
118 period of time being reported.

119 4. The services provided to the foster family or legal
120 custodian in an effort to address the needs of the child as
121 indicated in the case plan.

122 5. A statement that either:

123 a. The parent, though able to do so, did not comply
124 substantially with the case plan, and the agency
125 recommendations;

126 b. The parent did substantially comply with the case plan;
127 or

128 c. The parent has partially complied with the case plan,
129 with a summary of additional progress needed and the agency
130 recommendations.

131 6. A statement from the foster parent or legal custodian
132 providing any material evidence concerning the return of the
133 child to the parent or parents, including, but not limited to,
134 any communication that is not in compliance with the case plan.

135 7. A statement concerning the frequency, duration, and
136 results of the parent-child visitation, if any, and the agency
137 and caregiver recommendations for an expansion or restriction of
138 future visitation.

139 8. The number of times a child has been removed from his
140 or her home and placed elsewhere, the number and types of
141 placements that have occurred, and the reason for the changes in
142 placement.

143 9. The number of times a child's educational placement has
144 been changed, the number and types of educational placements
145 which have occurred, and the reason for any change in placement.

146 10. If the child has reached 13 years of age but is not
147 yet 18 years of age, a statement from the caregiver on the
148 progress the child has made in acquiring independent living
149 skills.

150 11. Copies of all medical, psychological, and educational

151 records that support the terms of the case plan and that have
152 been produced concerning the parents or any caregiver since the
153 last judicial review hearing.

154 12. Copies of the child's current health, mental health,
155 and education records as identified in s. 39.6012.

156 (c) Review determinations.—The court and any citizen
157 review panel shall take into consideration the information
158 contained in the social services study and investigation and all
159 medical, psychological, and educational records that support the
160 terms of the case plan; testimony by the social services agency,
161 the parent, the foster parent or legal custodian, the guardian
162 ad litem or surrogate parent for educational decisionmaking if
163 one has been appointed for the child, and any other person
164 deemed appropriate; and any relevant and material evidence
165 submitted to the court, including written and oral reports to
166 the extent of their probative value. These reports and evidence
167 may be received by the court in its effort to determine the
168 action to be taken with regard to the child and may be relied
169 upon to the extent of their probative value, even though not
170 competent in an adjudicatory hearing. In its deliberations, the
171 court and any citizen review panel shall seek to determine:

172 1. If the parent was advised of the right to receive
173 assistance from any person or social service agency in the
174 preparation of the case plan.

175 2. If the parent has been advised of the right to have

176 counsel present at the judicial review or citizen review
177 hearings. If not so advised, the court or citizen review panel
178 shall advise the parent of such right.

179 3. If a guardian ad litem needs to be appointed for the
180 child in a case in which a guardian ad litem has not previously
181 been appointed or if there is a need to continue a guardian ad
182 litem in a case in which a guardian ad litem has been appointed.

183 4. Who holds the rights to make educational decisions for
184 the child. If appropriate, the court may refer the child to the
185 district school superintendent for appointment of a surrogate
186 parent or may itself appoint a surrogate parent under the
187 Individuals with Disabilities Education Act and s. 39.0016.

188 5. The compliance or lack of compliance of all parties
189 with applicable items of the case plan, including the parents'
190 compliance with child support orders.

191 6. The compliance or lack of compliance with a visitation
192 contract between the parent and the social service agency for
193 contact with the child, including the frequency, duration, and
194 results of the parent-child visitation and the reason for any
195 noncompliance.

196 7. The frequency, kind, and duration of contacts among
197 siblings who have been separated during placement, as well as
198 any efforts undertaken to reunite separated siblings if doing so
199 is in the best interest of the child.

200 8. The compliance or lack of compliance of the parent in

201 meeting specified financial obligations pertaining to the care
202 of the child, including the reason for failure to comply, if
203 applicable.

204 9. Whether the child is receiving safe and proper care
205 according to s. 39.6012, including, but not limited to, the
206 appropriateness of the child's current placement, including
207 whether the child is in a setting that is as family-like and as
208 close to the parent's home as possible, consistent with the
209 child's best interests and special needs, and including
210 maintaining stability in the child's educational placement, as
211 documented by assurances from the community-based care provider
212 that:

213 a. The placement of the child takes into account the
214 appropriateness of the current educational setting and the
215 proximity to the school in which the child is enrolled at the
216 time of placement.

217 b. The community-based care agency has coordinated with
218 appropriate local educational agencies to ensure that the child
219 remains in the school in which the child is enrolled at the time
220 of placement.

221 10. A projected date likely for the child's return home or
222 other permanent placement.

223 11. When appropriate, the basis for the unwillingness or
224 inability of the parent to become a party to a case plan. The
225 court and the citizen review panel shall determine if the

226 | efforts of the social service agency to secure party
227 | participation in a case plan were sufficient.

228 | 12. For a child who has reached 13 years of age but is not
229 | yet 18 years of age, the adequacy of the child's preparation for
230 | adulthood and independent living. For a child who is 15 years of
231 | age or older, the court shall determine if appropriate steps are
232 | being taken for the child to obtain a driver license or
233 | learner's driver license.

234 | 13. If amendments to the case plan are required.
235 | Amendments to the case plan must be made under s. 39.6013.

236 | 14. Whether the parent and caregiver communicate
237 | effectively to promote the safety, well-being, and physical,
238 | mental, and emotional health of the child, which includes, but
239 | is not limited to, refraining from harassing communication.

240 | (d) Orders.—

241 | 1. Based upon the criteria set forth in paragraph (c) and
242 | the recommended order of the citizen review panel, if any, the
243 | court shall determine whether or not the social service agency
244 | shall initiate proceedings to have a child declared a dependent
245 | child, return the child to the parent, continue the child in
246 | out-of-home care for a specified period of time, or initiate
247 | termination of parental rights proceedings for subsequent
248 | placement in an adoptive home. Amendments to the case plan must
249 | be prepared as prescribed in s. 39.6013. If the court finds that
250 | the prevention or reunification efforts of the department will

251 allow the child to remain safely at home or be safely returned
252 to the home, the court shall allow the child to remain in or
253 return to the home after making a specific finding of fact that
254 the reasons for the creation of the case plan have been remedied
255 to the extent that the child's safety, well-being, and physical,
256 mental, and emotional health will not be endangered.

257 2. The court shall return the child to the custody of the
258 parents at any time it determines that evidence has been
259 provided that either conditions for return have been met and an
260 in-home safety plan can be implemented or a parent has
261 ~~they have~~ substantially complied with the case plan and is
262 likely to complete the case plan in a reasonable amount of time,
263 and if the court is satisfied that reunification will not be
264 detrimental to the child's safety, well-being, and physical,
265 mental, and emotional health.

266 3. If, in the opinion of the court, the social service
267 agency has not complied with its obligations as specified in the
268 written case plan, the court may find the social service agency
269 in contempt, shall order the social service agency to submit its
270 plans for compliance with the agreement, and shall require the
271 social service agency to show why the child could not safely be
272 returned to the home of the parents.

273 4. If, at any judicial review, the court finds that the
274 parents have failed to substantially comply with the case plan
275 to the degree that further reunification efforts are without

276 merit and not in the best interest of the child, on its own
277 motion, the court may order the filing of a petition for
278 termination of parental rights, whether or not the time period
279 as contained in the case plan for substantial compliance has
280 expired.

281 5. Within 6 months after the date that the child was
282 placed in shelter care, the court shall conduct a judicial
283 review hearing to review the child's permanency goal as
284 identified in the case plan. At the hearing the court shall make
285 findings regarding the likelihood of the child's reunification
286 with the parent or legal custodian. In making such findings, the
287 court shall consider the level of the parent or legal
288 custodian's compliance with the case plan and demonstrated
289 change in protective capacities compared to that necessary to
290 achieve timely reunification within 12 months after the removal
291 of the child from the home. The court shall also consider the
292 frequency, duration, manner, and level of engagement of the
293 parent or legal custodian's visitation with the child in
294 compliance with the case plan. If the court makes a written
295 finding that it is not likely that the child will be reunified
296 with the parent or legal custodian within 12 months after the
297 child was removed from the home, the department must file with
298 the court, and serve on all parties, a motion to amend the case
299 plan under s. 39.6013 and declare that it will use concurrent
300 planning for the case plan. The department must file the motion

301 within 10 business days after receiving the written finding of
 302 the court. The department must attach the proposed amended case
 303 plan to the motion. If concurrent planning is already being
 304 used, the case plan must document the efforts the department is
 305 taking to complete the concurrent goal.

306 6. The court may issue a protective order in assistance,
 307 or as a condition, of any other order made under this part. In
 308 addition to the requirements included in the case plan, the
 309 protective order may set forth requirements relating to
 310 reasonable conditions of behavior to be observed for a specified
 311 period of time by a person or agency who is before the court;
 312 and the order may require any person or agency to make periodic
 313 reports to the court containing such information as the court in
 314 its discretion may prescribe.

315 Section 5. Paragraph (j) of subsection (1) of section
 316 409.988, Florida Statutes, is amended to read:

317 409.988 Lead agency duties; general provisions.—

318 (1) DUTIES.—A lead agency:

319 (j) May subcontract for the provision of services required
 320 by the contract with the lead agency and the department;
 321 however, the subcontracts must specify how the provider will
 322 contribute to the lead agency meeting the performance standards
 323 established pursuant to the child welfare results-oriented
 324 accountability system required by s. 409.997. The lead agency
 325 shall directly provide no more than 35 percent of all child

326 welfare services provided unless it can demonstrate a need,
327 within the lead agency's geographic service area, to exceed this
328 threshold. The justification for need shall be reviewed by a
329 group comprised of the local community alliance, a
330 representative from another lead agency, and a representative
331 from a child welfare service provider from another geographic
332 area. The group shall recommend to the department whether the
333 department should approve or deny the request for an exemption
334 from the services threshold. If there is not a community
335 alliance operating in a lead agency's geographic service area,
336 the recommendation for approval or denial of the exemption shall
337 be made by representatives of local stakeholders, including at
338 least one representative from each of the following:

- 339 1. The department.
- 340 2. The county government.
- 341 3. The school district.
- 342 4. The county United Way.
- 343 5. The county sheriff's office.
- 344 6. The circuit court corresponding to the county.
- 345 7. The county children's board, if one exists.
- 346 8. Another lead agency.
- 347 9. A child welfare service provider from another
348 geographic service area.

350 If a lead agency's geographic service area has more than one

351 community alliance, county government, school district, United
352 Way, sheriff, circuit court, or county children's board, the
353 chair of each community alliance, county commission, school
354 board, United Way, or county children's board or the sheriff or
355 chief judge of the circuit court corresponding to each county in
356 the geographic service area shall select one person to serve as
357 the representative of such local stakeholder. Such persons shall
358 comprise the group that must recommend to the department whether
359 the department should approve or deny the request for exemption
360 from the services threshold. There must be representation in the
361 group from every county in the lead agency's geographic service
362 area, including counties that do not have a community alliance.
363 The department may adopt rules to administer this paragraph.

364 Section 6. Subsection (1) of section 39.302, Florida
365 Statutes, is amended to read:

366 39.302 Protective investigations of institutional child
367 abuse, abandonment, or neglect.—

368 (1) The department shall conduct a child protective
369 investigation of each report of institutional child abuse,
370 abandonment, or neglect. Upon receipt of a report that alleges
371 that an employee or agent of the department, or any other entity
372 or person covered by s. 39.01 ~~s. 39.01(37) or (54)~~, acting in an
373 official capacity, has committed an act of child abuse,
374 abandonment, or neglect, the department shall initiate a child
375 protective investigation within the timeframe established under

376 s. 39.201(5) and notify the appropriate state attorney, law
377 enforcement agency, and licensing agency, which shall
378 immediately conduct a joint investigation, unless independent
379 investigations are more feasible. When conducting investigations
380 or having face-to-face interviews with the child, investigation
381 visits shall be unannounced unless it is determined by the
382 department or its agent that unannounced visits threaten the
383 safety of the child. If a facility is exempt from licensing, the
384 department shall inform the owner or operator of the facility of
385 the report. Each agency conducting a joint investigation is
386 entitled to full access to the information gathered by the
387 department in the course of the investigation. A protective
388 investigation must include an interview with the child's parent
389 or legal guardian. The department shall make a full written
390 report to the state attorney within 3 working days after making
391 the oral report. A criminal investigation shall be coordinated,
392 whenever possible, with the child protective investigation of
393 the department. Any interested person who has information
394 regarding the offenses described in this subsection may forward
395 a statement to the state attorney as to whether prosecution is
396 warranted and appropriate. Within 15 days after the completion
397 of the investigation, the state attorney shall report the
398 findings to the department and shall include in the report a
399 determination of whether or not prosecution is justified and
400 appropriate in view of the circumstances of the specific case.

401 Section 7. Paragraph (c) of subsection (1) of section
402 39.521, Florida Statutes, is amended to read:

403 39.521 Disposition hearings; powers of disposition.—

404 (1) A disposition hearing shall be conducted by the court,
405 if the court finds that the facts alleged in the petition for
406 dependency were proven in the adjudicatory hearing, or if the
407 parents or legal custodians have consented to the finding of
408 dependency or admitted the allegations in the petition, have
409 failed to appear for the arraignment hearing after proper
410 notice, or have not been located despite a diligent search
411 having been conducted.

412 (c) When any child is adjudicated by a court to be
413 dependent, the court having jurisdiction of the child has the
414 power by order to:

415 1. Require the parent and, when appropriate, the legal
416 guardian or the child to participate in treatment and services
417 identified as necessary. The court may require the person who
418 has custody or who is requesting custody of the child to submit
419 to a mental health or substance abuse disorder assessment or
420 evaluation. The order may be made only upon good cause shown and
421 pursuant to notice and procedural requirements provided under
422 the Florida Rules of Juvenile Procedure. The mental health
423 assessment or evaluation must be administered by a qualified
424 professional as defined in s. 39.01, and the substance abuse
425 assessment or evaluation must be administered by a qualified

426 professional as defined in s. 397.311. The court may also
427 require such person to participate in and comply with treatment
428 and services identified as necessary, including, when
429 appropriate and available, participation in and compliance with
430 a mental health court program established under chapter 394 or a
431 treatment-based drug court program established under s. 397.334.
432 Adjudication of a child as dependent based upon evidence of harm
433 as defined in s. 39.01 ~~s. 39.01(35)(g)~~ demonstrates good cause,
434 and the court shall require the parent whose actions caused the
435 harm to submit to a substance abuse disorder assessment or
436 evaluation and to participate and comply with treatment and
437 services identified in the assessment or evaluation as being
438 necessary. In addition to supervision by the department, the
439 court, including the mental health court program or the
440 treatment-based drug court program, may oversee the progress and
441 compliance with treatment by a person who has custody or is
442 requesting custody of the child. The court may impose
443 appropriate available sanctions for noncompliance upon a person
444 who has custody or is requesting custody of the child or make a
445 finding of noncompliance for consideration in determining
446 whether an alternative placement of the child is in the child's
447 best interests. Any order entered under this subparagraph may be
448 made only upon good cause shown. This subparagraph does not
449 authorize placement of a child with a person seeking custody of
450 the child, other than the child's parent or legal custodian, who

451 requires mental health or substance abuse disorder treatment.

452 2. Require, if the court deems necessary, the parties to
453 participate in dependency mediation.

454 3. Require placement of the child either under the
455 protective supervision of an authorized agent of the department
456 in the home of one or both of the child's parents or in the home
457 of a relative of the child or another adult approved by the
458 court, or in the custody of the department. Protective
459 supervision continues until the court terminates it or until the
460 child reaches the age of 18, whichever date is first. Protective
461 supervision shall be terminated by the court whenever the court
462 determines that permanency has been achieved for the child,
463 whether with a parent, another relative, or a legal custodian,
464 and that protective supervision is no longer needed. The
465 termination of supervision may be with or without retaining
466 jurisdiction, at the court's discretion, and shall in either
467 case be considered a permanency option for the child. The order
468 terminating supervision by the department must set forth the
469 powers of the custodian of the child and include the powers
470 ordinarily granted to a guardian of the person of a minor unless
471 otherwise specified. Upon the court's termination of supervision
472 by the department, further judicial reviews are not required if
473 permanency has been established for the child.

474 4. Determine whether the child has a strong attachment to
475 the prospective permanent guardian and whether such guardian has

476 a strong commitment to permanently caring for the child.

477 Section 8. Paragraph (c) of subsection (1) of section
478 39.6012, Florida Statutes, is amended to read:

479 39.6012 Case plan tasks; services.—

480 (1) The services to be provided to the parent and the
481 tasks that must be completed are subject to the following:

482 (c) If there is evidence of harm as defined in s. 39.01 ~~s.~~
483 ~~39.01(35)(g)~~, the case plan must include as a required task for
484 the parent whose actions caused the harm that the parent submit
485 to a substance abuse disorder assessment or evaluation and
486 participate and comply with treatment and services identified in
487 the assessment or evaluation as being necessary.

488 Section 9. Subsection (4) of section 322.09, Florida
489 Statutes, is amended to read:

490 322.09 Application of minors; responsibility for
491 negligence or misconduct of minor.—

492 (4) Notwithstanding subsections (1) and (2), if a
493 caregiver of a minor who is under the age of 18 years and is in
494 out-of-home care as defined in s. 39.01 ~~s. 39.01(49)~~, an
495 authorized representative of a residential group home at which
496 such a minor resides, the caseworker at the agency at which the
497 state has placed the minor, or a guardian ad litem specifically
498 authorized by the minor's caregiver to sign for a learner's
499 driver license signs the minor's application for a learner's
500 driver license, that caregiver, group home representative,

501 caseworker, or guardian ad litem does not assume any obligation
502 or become liable for any damages caused by the negligence or
503 willful misconduct of the minor by reason of having signed the
504 application. Before signing the application, the caseworker,
505 authorized group home representative, or guardian ad litem shall
506 notify the caregiver or other responsible party of his or her
507 intent to sign and verify the application.

508 Section 10. Paragraph (p) of subsection (4) of section
509 394.495, Florida Statutes, is amended to read:

510 394.495 Child and adolescent mental health system of care;
511 programs and services.—

512 (4) The array of services may include, but is not limited
513 to:

514 (p) Trauma-informed services for children who have
515 suffered sexual exploitation as defined in s. 39.01 ~~s.~~
516 ~~39.01(77)(g)~~.

517 Section 11. Section 627.746, Florida Statutes, is amended
518 to read:

519 627.746 Coverage for minors who have a learner's driver
520 license; additional premium prohibited.—An insurer that issues
521 an insurance policy on a private passenger motor vehicle to a
522 named insured who is a caregiver of a minor who is under the age
523 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~
524 ~~39.01(49)~~ may not charge an additional premium for coverage of
525 the minor while the minor is operating the insured vehicle, for

526 | the period of time that the minor has a learner's driver
527 | license, until such time as the minor obtains a driver license.

528 | Section 12. Paragraph (c) of subsection (1) of section
529 | 934.255, Florida Statutes, is amended to read:

530 | 934.255 Subpoenas in investigations of sexual offenses.—

531 | (1) As used in this section, the term:

532 | (c) "Sexual abuse of a child" means a criminal offense
533 | based on any conduct described in s. 39.01 ~~s. 39.01(71)~~.

534 | Section 13. Subsection (5) of section 960.065, Florida
535 | Statutes, is amended to read:

536 | 960.065 Eligibility for awards.—

537 | (5) A person is not ineligible for an award pursuant to
538 | paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that
539 | person is a victim of sexual exploitation of a child as defined
540 | in s. 39.01 ~~s. 39.01(77)(g)~~.

541 | Section 14. This act shall take effect October 1, 2019.