

By Senator Book

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1 A bill to be entitled
2 An act relating to child welfare; creating s. 39.101,
3 F.S.; transferring existing provisions relating to the
4 central abuse hotline of the Department of Children
5 and Families; providing additional requirements
6 relating to the hotline; revising requirements for
7 certain statistical reports that the department is
8 required to collect and analyze; amending s. 39.201,
9 F.S.; revising when a person is required to report to
10 the central abuse hotline; requiring animal control
11 officers and certain agents to provide their names to
12 hotline staff; requiring central abuse hotline
13 counselors to advise reporters of certain information;
14 requiring counselors to receive specified periodic
15 training; revising requirements relating to reports of
16 abuse involving impregnation of children; providing
17 requirements for the department when handling reports
18 of child abuse, neglect, or abandonment by a parent or
19 caregiver and reports of child-on-child sexual abuse;
20 amending s. 39.2015, F.S.; specifying serious
21 incidents for which the department is required to
22 provide an immediate multiagency investigation;
23 requiring an immediate onsite investigation by a
24 critical incident rapid response team when reports are
25 received by the department containing allegations of
26 the sexual abuse of certain children; revising
27 membership of multiagency teams; amending s. 39.202,
28 F.S.; expanding the authorization of access to certain
29 confidential records to include members of standing or

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30 select legislative committees, upon request, within a
31 specified timeframe; amending s. 39.205, F.S.;
32 providing construction; specifying that certain
33 persons are not relieved from the duty to report by
34 notifying a supervisor; creating s. 39.208, F.S.;
35 providing legislative findings and intent; providing
36 responsibilities for child protective investigators
37 relating to animal cruelty; providing criminal, civil,
38 and administrative immunity to child protective
39 investigators who report known or suspected animal
40 cruelty; providing responsibilities for animal control
41 officers relating to child abuse, abandonment, and
42 neglect; providing criminal penalties; requiring the
43 department to develop training in consultation with
44 the Florida Animal Control Association which relates
45 to child and animal cruelty; providing requirements
46 for such training; requiring the department to adopt
47 rules; amending s. 39.302, F.S.; conforming cross-
48 references; authorizing certain persons to be
49 represented by an attorney or accompanied by another
50 person under certain circumstances during
51 institutional investigations; providing requirements
52 relating to institutional investigations; amending s.
53 39.3035, F.S.; providing a description of child
54 advocacy centers; creating s. 39.4092, F.S.; providing
55 legislative findings; authorizing offices of criminal
56 conflict and civil regional counsel to establish a
57 multidisciplinary legal representation model program
58 to serve parents of children in the dependency system;

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59 requiring the department to collaborate with the
60 office to implement a program and provide funding;
61 specifying program requirements; defining the term
62 "parent-peer specialist"; requiring each region that
63 establishes a multidisciplinary legal representation
64 model program to submit an annual report by a certain
65 date to the Office of Program Policy Analysis and
66 Government Accountability; requiring the office to
67 compile the reports and include such information in a
68 specified report sent to the Governor and the
69 Legislature by a specified date; authorizing the
70 office of criminal conflict and civil regional counsel
71 to adopt rules; amending s. 409.1415, F.S.; requiring
72 the department to make available specified training
73 for caregivers on the life skills necessary for
74 children in out-of-home care; requiring the department
75 to establish the Foster Information Center for
76 specified purposes; requiring community-based care
77 lead agencies to provide certain information and
78 resources to kinship caregivers and to provide
79 specified assistance to such caregivers; requiring
80 lead agencies to provide caregivers with a certain
81 telephone number; repealing s. 409.1453, F.S.,
82 relating to the design and dissemination of training
83 for foster care caregivers; repealing s. 409.1753,
84 F.S.; relating to duties of the department relating to
85 foster care; providing legislative intent; amending s.
86 827.071, F.S.; renaming the term "sexual bestiality"
87 as "sexual contact with an animal" and redefining the

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88 term; amending s. 828.126, F.S.; revising and defining
89 terms; revising prohibitions relating to sexual
90 conduct and sexual contact with an animal; revising
91 criminal penalties; requiring a court to issue certain
92 orders; revising applicability; amending s. 828.27,
93 F.S.; requiring county and municipal animal control
94 officers to complete specified training; requiring
95 that animal control officers be provided with
96 opportunities to attend such training during normal
97 work hours; amending s. 921.0022, F.S.; assigning an
98 offense severity ranking for sexual activities
99 involving animals; amending s. 1012.795, F.S.;
100 requiring the Education Practices Commission to
101 suspend the educator certificate of instructional
102 personnel and school administrators for failing to
103 report known or suspected child abuse under certain
104 circumstances; amending ss. 39.301, 119.071, 322.09,
105 and 934.03, F.S.; conforming cross-references;
106 providing effective dates.

107
108 Be It Enacted by the Legislature of the State of Florida:

109
110 Section 1. Section 39.101, Florida Statutes, is created to
111 read:

112 39.101 Central abuse hotline.—The central abuse hotline is
113 the first step in the safety assessment and investigation
114 process.

115 (1) ESTABLISHMENT AND OPERATION.—

116 (a) The department shall operate and maintain a central

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117 abuse hotline capable of receiving all reports of known or
118 suspected child abuse, abandonment, or neglect and reports that
119 a child is in need of supervision and care and has no parent,
120 legal custodian, or responsible adult relative immediately known
121 and available to provide supervision and care. The hotline must
122 accept reports 24 hours a day, 7 days a week, and such reports
123 must be made in accordance with s. 39.201. The central abuse
124 hotline must be capable of accepting reports made in accordance
125 with s. 39.201 in writing, through a single statewide toll-free
126 telephone number, or through electronic reporting. Any person
127 may use any of these methods to make a report to the central
128 abuse hotline.

129 (b) The central abuse hotline must be operated in such a
130 manner as to enable the department to:

131 1. Accept reports for investigation when there is a
132 reasonable cause to suspect that a child has been or is being
133 abused or neglected or has been abandoned.

134 2. Determine whether the allegations made by the reporter
135 require an immediate or a 24-hour response priority in
136 accordance with subsection (2).

137 3. Immediately identify and locate prior reports or cases
138 of child abuse, abandonment, or neglect through the use of the
139 department's automated tracking system.

140 4. Track critical steps in the investigative process to
141 ensure compliance with all requirements for any report of abuse,
142 abandonment, or neglect.

143 5. When appropriate, refer calls that do not allege the
144 abuse, neglect, or abandonment of a child to other organizations
145 that may better resolve the reporter's concerns.

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146 6. Serve as a resource for the evaluation, management, and
147 planning of preventive and remedial services for children who
148 have been subjected to abuse, abandonment, or neglect.

149 7. Initiate and enter into agreements with other states for
150 the purposes of gathering and sharing information contained in
151 reports on child maltreatment to further enhance programs for
152 the protection of children.

153 8. Promote public awareness of the central abuse hotline
154 through community-based partner organizations and public service
155 campaigns.

156 (2) TIMELINES FOR INITIATING INVESTIGATION.—Upon receiving
157 a report to the central abuse hotline, the department must
158 determine the timeframe in which to initiate an investigation
159 pursuant to chapter 39. An investigation must be commenced:

160 (a) Immediately, regardless of the time of day or night, if
161 it appears that:

162 1. The immediate safety or well-being of a child is
163 endangered;

164 2. The family may flee or the child may be unavailable for
165 purposes of conducting a child protective investigation; or

166 3. The facts reported to the central abuse hotline
167 otherwise so warrant.

168 (b) Within 24 hours after receipt of a report that does not
169 involve the criteria specified in paragraph (a).

170 (3) COLLECTION OF INFORMATION AND DATA.—The department
171 shall:

172 (a)1. Voice-record all incoming or outgoing calls that are
173 received or placed by the central abuse hotline which relate to
174 suspected or known child abuse, neglect, or abandonment and

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175 maintain an electronic copy of each report made to the hotline,
176 whether through a call or the electronic system.

177 2. Make the recording or electronic copy of the report made
178 to the central abuse hotline a part of the record.

179 Notwithstanding s. 39.202, the recording must be released in
180 full only to law enforcement agencies and state attorneys for
181 the purposes of investigating and prosecuting criminal charges
182 pursuant to s. 39.205, or to employees of the department for the
183 purposes of investigating and seeking administrative penalties
184 pursuant to s. 39.206.

185
186 This paragraph does not prohibit hotline staff from using the
187 recordings or the electronic reports for quality assurance or
188 training purposes.

189 (b)1. Secure and install electronic equipment that
190 automatically provides to the hotline the number from which the
191 call or fax is placed or the Internet protocol address from
192 which the report is received.

193 2. Enter the number or Internet protocol address into the
194 report of abuse, abandonment, or neglect for it to become a part
195 of the record of the report.

196 3. Maintain the confidentiality of such information in the
197 same manner as given to the identity of the reporter pursuant to
198 s. 39.202.

199 (c)1. Update the web form used for reporting child abuse,
200 abandonment, or neglect to include qualifying questions in order
201 to obtain necessary information required to assess need and the
202 timelines necessary for initiating an investigation under
203 subsection (2).

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204 2. Make the report available in its entirety to the
205 counselors as needed to update the Florida Safe Families Network
206 or other similar systems.

207 (d) Monitor and evaluate the effectiveness of the reporting
208 and investigating of suspected child abuse, abandonment, or
209 neglect through the development and analysis of statistical and
210 other information.

211 (e) Maintain and produce aggregate statistical reports
212 monitoring patterns of child abuse, abandonment, and neglect.

213 (f)1. Collect and analyze child-on-child sexual abuse
214 reports and include such information in the aggregate
215 statistical reports.

216 2. Collect and analyze, in separate statistical reports,
217 those reports of child abuse and sexual abuse which are reported
218 from or which occurred:

219 a. On school premises;

220 b. On school transportation;

221 c. At school-sponsored off-campus events;

222 d. At any school readiness program provider determined to
223 be eligible under s. 1002.88;

224 e. At a private prekindergarten provider or a public school
225 prekindergarten provider, as those terms are defined in s.
226 1002.51;

227 f. At a public K-12 school as described in s. 1000.04;

228 g. At a private school as defined in s. 1002.01;

229 h. At a Florida College System institution or a state
230 university, as those terms are defined in s. 1000.21; or

231 i. At any school, as defined in s. 1005.02.

232 (4) USE OF INFORMATION RECEIVED BY HOTLINE.—

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233 (a) Information received by the central abuse hotline may
234 not be used for employment screening, except as provided in s.
235 39.202(2) (a) or (h) or s. 402.302(15).

236 (b) Information in the central abuse hotline and the
237 department's automated abuse information system may be used by
238 the department, its authorized agents or contract providers, the
239 Department of Health, or county agencies as part of the
240 licensure or registration process pursuant to ss. 402.301-
241 402.319 and ss. 409.175-409.176.

242 (c) Information in the central abuse hotline also may be
243 used by the Department of Education for purposes of educator
244 certification discipline and review pursuant to s. 39.202(2) (q).

245 (5) QUALITY ASSURANCE.—On an ongoing basis, the
246 department's quality assurance program shall review screened-out
247 reports involving three or more unaccepted reports on a single
248 child, when jurisdiction applies, in order to detect such things
249 as harassment and situations that warrant an investigation
250 because of the frequency of the reports or the variety of the
251 sources of the reports. A component of the quality assurance
252 program must analyze unaccepted reports to the hotline by
253 identified relatives as a part of the review of screened-out
254 calls. The Assistant Secretary for Child Welfare may refer a
255 case for investigation when it is determined, as a result of
256 such review, that an investigation may be warranted.

257 Section 2. Section 39.201, Florida Statutes, is amended to
258 read:

259 (Substantial rewording of section. See

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

261 39.201 Required reports of child abuse, abandonment,

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262 neglect, and juvenile sexual abuse; required reports of death;
263 reports involving a child who has exhibited inappropriate sexual
264 behavior.-

265 (1) REQUIRED REPORTING.-

266 (a)1. A person is required to report immediately to the
267 central abuse hotline established in s. 39.101, by a call to the
268 toll-free number or by electronic report, if he or she knows, or
269 has reasonable cause to suspect, that any of the following has
270 occurred:

271 a. Child abuse, neglect, or abandonment by a parent or
272 caregiver, which includes, but is not limited to, when a child
273 is abused, neglected, or abandoned by a parent, legal custodian,
274 caregiver, or other person responsible for the child's welfare
275 or when a child is in need of supervision and care and has no
276 parent, legal custodian, or responsible adult relative
277 immediately known and available to provide supervision and care.

278 b. Child abuse by a noncaregiver, which includes, but is
279 not limited to, when a child is abused by an adult other than a
280 parent, legal custodian, caregiver, or other person responsible
281 for the child's welfare. Such reports must be immediately
282 electronically transferred to the appropriate county sheriff's
283 office by the central abuse hotline.

284 2. Any person who knows, or has reasonable cause to
285 suspect, that a child is the victim of childhood sexual abuse or
286 of juvenile sexual abuse shall report such knowledge or
287 suspicion to the department. This includes any alleged incident
288 involving a child who is in the custody of or under the
289 protective supervision of the department.

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291 Such reports may be made on the single statewide toll-free
292 telephone number or by fax, web-based chat, or web-based report.

293 (b)1. A person from the general public may make a report to
294 the central abuse hotline anonymously if he or she chooses to do
295 so.

296 2. A person making a report to the central abuse hotline
297 under this section who is part of any of the following
298 occupational categories is required to provide his or her name
299 to the central abuse hotline staff:

300 a. Physician, osteopathic physician, medical examiner,
301 chiropractic physician, nurse, or hospital personnel engaged in
302 the admission, examination, care, or treatment of persons;

303 b. Health professional or mental health professional other
304 than a category listed in sub-subparagraph a.;

305 c. Practitioner who relies solely on spiritual means for
306 healing;

307 d. School teacher or other school official or personnel;

308 e. Social worker, day care center worker, or other
309 professional child care worker, foster care worker, residential
310 worker, or institutional worker;

311 f. Law enforcement officer;

312 g. Judge; or

313 h. Animal control officer as defined in s. 828.27 or agent
314 appointed under s. 828.03.

315 (c) Central abuse hotline counselors shall advise persons
316 who are making a report to the central abuse hotline that, while
317 their names must be entered into the record of the report, the
318 names of reporters are held confidential and exempt as provided
319 in s. 39.202. Counselors must receive periodic training in

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320 encouraging all reporters to provide their names when making a
321 report.

322 (2) EXCEPTIONS TO REPORTING.—

323 (a) An additional report of child abuse, abandonment, or
324 neglect does not have to be made by:

325 1. A professional who is hired by or who enters into a
326 contract with the department for the purpose of treating or
327 counseling any person as a result of a report of child abuse,
328 abandonment, or neglect if such person was the subject of the
329 referral for treatment.

330 2. An officer or employee of the judicial branch when the
331 child is currently being investigated by the department, when
332 there is an existing dependency case, or when the matter has
333 previously been reported to the department, if there is
334 reasonable cause to believe that the information is already
335 known to the department. This subparagraph applies only when the
336 information has been provided to the officer or employee in the
337 course of carrying out his or her official duties.

338 3. An officer or employee of a law enforcement agency when
339 the incident under investigation by the law enforcement agency
340 was reported to law enforcement by the central abuse hotline
341 through the electronic transfer of the report or call. The
342 department's central abuse hotline is not required to
343 electronically transfer calls and reports received pursuant to
344 paragraph (1)(b) to the county sheriff's office if the matter
345 was initially reported to the department by the county sheriff's
346 office or by another law enforcement agency. This subparagraph
347 applies only when the information related to the alleged child
348 abuse has been provided to the officer or employee of a law

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349 enforcement agency or central abuse hotline employee in the
350 course of carrying out his or her official duties.

351 (b) Nothing in this chapter or in the contract with
352 community-based care providers for foster care and related
353 services as specified in s. 409.987 may be construed to remove
354 or reduce the duty and responsibility of any person, including
355 any employee of the community-based care provider, to report a
356 suspected or actual case of child abuse, abandonment, or neglect
357 or the sexual abuse of a child to the department's central abuse
358 hotline.

359 (3) ADDITIONAL CIRCUMSTANCES RELATED TO REPORTS.—

360 (a) Abuse occurring out of state.—

361 1. Except as provided in subparagraph 2., the central abuse
362 hotline is prohibited from taking a report of known or suspected
363 child abuse, abandonment, or neglect when the report is related
364 to abuse, abandonment, or neglect that occurred out of state and
365 the alleged perpetrator and the child alleged to be a victim do
366 not live in this state.

367 2. If the child is currently being evaluated in a medical
368 facility in this state, the central abuse hotline must accept
369 the report or call for investigation and must transfer the
370 information on the report or call to the appropriate state or
371 country.

372 3. If the child is not currently being evaluated in a
373 medical facility in this state, the central abuse hotline must
374 transfer the information on the report or call to the
375 appropriate state or county.

376 (b) Abuse reports received from emergency room physicians.—
377 The department must initiate an investigation when it receives a

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378 report from an emergency room physician.

379 (c) Abuse involving impregnation of a child.—A report must
380 be immediately electronically transferred to the appropriate
381 county sheriff's office or other appropriate law enforcement
382 agency by the central abuse hotline if the report is of an
383 instance of known or suspected child abuse involving
384 impregnation of a child younger than 16 years of age by a person
385 21 years of age or older solely under s. 827.04(3). If the
386 report is of known or suspected child abuse solely under s.
387 827.04(3), the reporting provisions of subsection (1) do not
388 apply to health care professionals or other persons who provide
389 medical or counseling services to pregnant children when such
390 reporting would interfere with the provision of medical
391 services.

392 (d) Institutional child abuse or neglect.—Reports involving
393 known or suspected institutional child abuse or neglect, as
394 defined in s. 39.01, must be made and received in the same
395 manner as all other reports made pursuant to this section.

396 (e) Surrendered newborn infants.—

397 1. The department must receive reports involving
398 surrendered newborn infants as described in s. 383.50.

399 2.a. A report may not be considered a report of abuse,
400 neglect, or abandonment solely because the infant has been left
401 at a hospital, emergency medical services station, or fire
402 station pursuant to s. 383.50.

403 b. If the report involving a surrendered newborn infant
404 does not include indications of abuse, neglect, or abandonment
405 other than that necessarily entailed in the infant having been
406 left at a hospital, emergency medical services station, or fire

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407 station, the department must provide to the caller making the
408 report the name of a licensed child-placing agency on a rotating
409 basis from a list of licensed child-placing agencies eligible
410 and required to accept physical custody of and to place
411 surrendered newborn infants.

412 3. If the report includes indications of abuse or neglect
413 beyond that necessarily entailed in the infant having been left
414 at a hospital, emergency medical services station, or fire
415 station, the report must be considered as a report of abuse,
416 neglect, or abandonment and, notwithstanding chapter 383, is
417 subject to the requirements of s. 39.395 and all other relevant
418 provisions of this chapter.

419 (4) REPORTS OF CHILD ABUSE, NEGLECT, OR ABANDONMENT BY A
420 PARENT OR CAREGIVER.—

421 (a)1. Upon receiving a report made to the department's
422 central abuse hotline, personnel of the department shall
423 determine if the received report meets the statutory definition
424 of child abuse, abandonment, or neglect.

425 2. Any report meeting one of these definitions must be
426 accepted for protective investigation pursuant to part III of
427 this chapter.

428 (b)1. Any call received from a parent or legal custodian
429 seeking assistance for himself or herself which does not meet
430 the criteria for being a report of child abuse, abandonment, or
431 neglect may be accepted by the hotline for response to
432 ameliorate a potential future risk of harm to a child.

433 2. The department must refer the parent or legal custodian
434 for appropriate voluntary community services if it is determined
435 by personnel of the department that a need for community

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436 services exists.

437 (5) REPORTS OF SEXUAL ABUSE OF A CHILD, JUVENILE SEXUAL
438 ABUSE, OR A CHILD WHO HAS EXHIBITED INAPPROPRIATE SEXUAL
439 BEHAVIOR.—

440 (a) Reports involving sexual abuse of a child or juvenile
441 sexual abuse shall be made immediately to the department's
442 central abuse hotline. Such reports may be made on the single
443 statewide toll-free telephone number or by fax, web-based chat,
444 or web-based report. This includes any alleged incident
445 involving a child who is in the custody of or under the
446 protective supervision of the department.

447 (b)1. Within 48 hours after receiving a report required
448 under subparagraph (1)(a)2. made to the department's central
449 abuse hotline, personnel of the department shall conduct an
450 assessment, assist the family in receiving appropriate services
451 pursuant to s. 39.307, and send a written report of the
452 allegation to the appropriate county sheriff's office.

453 2. Reports involving a child who has exhibited
454 inappropriate sexual behavior must be made and received by the
455 department. The central abuse hotline shall immediately
456 electronically transfer the report or call to the county
457 sheriff's office. The department shall conduct an assessment and
458 assist the family in receiving appropriate services pursuant to
459 s. 39.307 and send a written report of the allegation to the
460 appropriate county sheriff's office within 48 hours after the
461 initial report is made to the central abuse hotline.

462 (c) The services identified in the assessment should be
463 provided in the least restrictive environment possible and must
464 include, but need not be limited to, child advocacy center

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465 services pursuant to s. 39.3035 and sexual abuse treatment
466 programs developed and coordinated by the Children's Medical
467 Services Program in the Department of Health pursuant to s.
468 39.303.

469 (d) The department shall ensure that the facts and results
470 of any investigation of such abuse involving a child in the
471 custody of, or under the protective supervision of, the
472 department are made known to the court at the next hearing and
473 are included in the next report to the court concerning the
474 child.

475 (e)1. In addition to conducting an assessment and assisting
476 the family in receiving appropriate services, the department
477 shall conduct a child protective investigation under
478 subparagraph (1)(a)2. which occurs on school premises; on school
479 transportation; at school-sponsored off-campus events; at a
480 public or private school readiness or prekindergarten program;
481 at a public K-12 school; or at a private school. The protective
482 investigation must include an interview with the child's parent
483 or legal guardian.

484 2. Further, the department shall notify the Department of
485 Education; the law enforcement agency having jurisdiction over
486 the municipality or county in which the school is located; and,
487 as appropriate, the superintendent of the school district where
488 the school is located, the administrative officer of the private
489 school, or the owner of the private school readiness or
490 prekindergarten provider.

491 3. The department shall make a full written report to the
492 law enforcement agency within 3 working days after making the
493 oral report. Whenever possible, any criminal investigation must

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494 be coordinated with the department's child protective
495 investigation. Any interested person who has information
496 regarding such abuse may forward a statement to the department.

497 (6) MANDATORY REPORTS OF A CHILD DEATH.—Any person required
498 to report or investigate cases of suspected child abuse,
499 abandonment, or neglect who has reasonable cause to suspect that
500 a child died as a result of child abuse, abandonment, or neglect
501 shall report his or her suspicion to the appropriate medical
502 examiner. The medical examiner shall accept the report for
503 investigation and shall report his or her findings, in writing,
504 to the local law enforcement agency, the appropriate state
505 attorney, and the department. Autopsy reports maintained by the
506 medical examiner are not subject to the confidentiality
507 requirements provided for in s. 39.202.

508 Section 3. Present subsections (3) through (11) of section
509 39.2015, Florida Statutes, are redesignated as subsections (4)
510 through (12), respectively, a new subsection (3) is added to
511 that section, and subsection (1) and present subsection (3) of
512 that section are amended, to read:

513 39.2015 Critical incident rapid response team.—

514 (1) As part of the department's quality assurance program,
515 the department shall provide an immediate multiagency
516 investigation of certain child deaths or other serious
517 incidents, including, but not limited to, allegations of sexual
518 abuse of a child as described in this chapter. The purpose of
519 such investigation is to identify root causes and rapidly
520 determine the need to change policies and practices related to
521 child protection and child welfare.

522 (3) An immediate onsite investigation conducted by a

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523 critical incident rapid response team is required for all
524 reports received by the department containing allegations of
525 sexual abuse of a child as described in this chapter if the
526 child or another child in his or her family was the subject of a
527 verified report of suspected abuse or neglect during the
528 previous 12 months. This includes any alleged incident involving
529 a child who is in the custody of or under the protective
530 supervision of the department.

531 (4)~~(3)~~ Each investigation shall be conducted by a
532 multiagency team of at least five professionals with expertise
533 in child protection, child welfare, and organizational
534 management. The team may consist of employees of the department,
535 community-based care lead agencies, Children's Medical Services,
536 and community-based care provider organizations; faculty from
537 the institute consisting of public and private universities
538 offering degrees in social work established pursuant to s.
539 1004.615; or any other person with the required expertise. The
540 team shall include, at a minimum, a Child Protection Team
541 medical director, a representative from a child advocacy center
542 pursuant to s. 39.3035 who has specialized training in sexual
543 abuse, or a combination of such specialists if deemed
544 appropriate. The majority of the team must reside in judicial
545 circuits outside the location of the incident. The secretary
546 shall appoint a team leader for each group assigned to an
547 investigation.

548 Section 4. Paragraph (t) of subsection (2) of section
549 39.202, Florida Statutes, is amended, and paragraph (u) is added
550 to that subsection, to read:

551 39.202 Confidentiality of reports and records in cases of

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552 child abuse or neglect.—

553 (2) Except as provided in subsection (4), access to such
554 records, excluding the name of, or other identifying information
555 with respect to, the reporter which shall be released only as
556 provided in subsection (5), shall be granted only to the
557 following persons, officials, and agencies:

558 (t) Persons with whom the department is seeking to place
559 the child or to whom placement has been granted, including
560 foster parents for whom an approved home study has been
561 conducted, the designee of a licensed child-caring agency as
562 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or
563 nonrelative with whom a child is placed pursuant to s. 39.402,
564 preadoptive parents for whom a favorable preliminary adoptive
565 home study has been conducted, adoptive parents, or an adoption
566 entity acting on behalf of preadoptive or adoptive parents.

567 (u) Members of standing or select legislative committees,
568 as provided under s. 11.143(2), within 7 business days, upon
569 request of the member.

570 Section 5. Subsections (1), (3), and (4) of section 39.205,
571 Florida Statutes, are amended, and subsection (11) is added to
572 that section, to read:

573 39.205 Penalties relating to reporting of child abuse,
574 abandonment, or neglect.—

575 (1) A person ~~who is required to report known or suspected~~
576 ~~child abuse, abandonment, or neglect and~~ who knowingly and
577 willfully fails to report known or suspected child abuse,
578 abandonment, or neglect ~~do so~~, or who knowingly and willfully
579 prevents another person from doing so, commits a felony of the
580 third degree, punishable as provided in s. 775.082, s. 775.083,

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581 or s. 775.084. A judge subject to discipline pursuant to s. 12,
582 Art. V of the Florida Constitution shall not be subject to
583 criminal prosecution when the information was received in the
584 course of official duties.

585 (3) Any Florida College System institution, state
586 university, or nonpublic college, university, or school, as
587 defined in s. 1000.21 or s. 1005.02, whose administrators
588 ~~knowingly and willfully~~, upon receiving information from
589 faculty, staff, or other institution employees, knowingly and
590 willfully fail to report to the central abuse hotline pursuant
591 to this chapter known or suspected child abuse, abandonment, or
592 neglect committed on the property of the university, college, or
593 school, or during an event or function sponsored by the
594 university, college, or school, or who knowingly and willfully
595 prevent another person from doing so, shall be subject to fines
596 of \$1 million for each such failure.

597 (a) A Florida College System institution subject to a fine
598 shall be assessed by the State Board of Education.

599 (b) A state university subject to a fine shall be assessed
600 by the Board of Governors.

601 (c) A nonpublic college, university, or school subject to a
602 fine shall be assessed by the Commission for Independent
603 Education.

604 (4) Any Florida College System institution, state
605 university, or nonpublic college, university, or school, as
606 defined in s. 1000.21 or s. 1005.02, whose law enforcement
607 agency fails to report to the central abuse hotline pursuant to
608 this chapter known or suspected child abuse, abandonment, or
609 neglect committed on the property of the university, college, or

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610 school, or during an event or function sponsored by the
611 university, college, or school, shall be subject to fines of \$1
612 million for each such failure, assessed in the same manner as
613 specified in subsection (3).

614 (11) This section may not be construed to remove or reduce
615 the requirement of any person, including any employee of a
616 school readiness program provider determined to be eligible
617 under s. 1002.88; a private prekindergarten provider or a public
618 school prekindergarten provider, as those terms are defined in
619 s. 1002.51; a public K-12 school as described in s. 1000.04; a
620 home education program or a private school, as those terms are
621 defined in s. 1002.01; a Florida College System institution or a
622 state university, as those terms are defined in s. 1000.21; a
623 college as defined in s. 1005.02; or a school as defined in s.
624 1005.02, to directly report a suspected or actual case of child
625 abuse, abandonment, or neglect or the sexual abuse of a child to
626 the department's central abuse hotline pursuant to this chapter.
627 A person required to report to the central abuse hotline is not
628 relieved of the obligation by notifying his or her supervisor.

629 Section 6. Section 39.208, Florida Statutes, is created to
630 read:

631 39.208 Cross-reporting child abuse, abandonment, or neglect
632 and animal cruelty.—

633 (1) LEGISLATIVE FINDINGS AND INTENT.—

634 (a) The Legislature recognizes that animal cruelty of any
635 kind is a type of interpersonal violence that often co-occurs
636 with child abuse and other forms of family violence, including
637 elder abuse and domestic violence. Early identification of
638 animal cruelty is an important tool in safeguarding children

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639 from abuse and neglect, providing needed support to families,
640 and protecting animals.

641 (b) The Legislature finds that education and training for
642 child protective investigators and animal care and control
643 personnel should include information on the link between the
644 welfare of animals in the family and child safety and
645 protection.

646 (c) Therefore, it is the intent of the Legislature to
647 require reporting and cross-reporting protocols and
648 collaborative training between child protective services and
649 animal control services personnel to help protect the safety and
650 well-being of children, their families, and their animals.

651 (2) RESPONSIBILITIES OF CHILD PROTECTIVE INVESTIGATORS.—

652 (a) Any person who is required to investigate child abuse,
653 abandonment, or neglect under this chapter and who, while acting
654 in his or her professional capacity or within the scope of
655 employment, knows or has reasonable cause to suspect that animal
656 cruelty has occurred at the same address shall report such
657 knowledge or suspicion within 72 hours to his or her supervisor
658 for submission to a local animal control agency. The report must
659 include all of the following information:

660 1. A description of the animal and of the known or
661 suspected animal cruelty.

662 2. The name and address of the animal's owner or keeper, if
663 that information is available to the child protective
664 investigator.

665 3. Any other information available to the child protective
666 investigator which might assist an animal control officer or law
667 enforcement officer in establishing the cause of the animal

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668 cruelty and the manner in which it occurred.

669 (b) A child protective investigator who makes a report
670 under this section is presumed to have acted in good faith. An
671 investigator acting in good faith who makes a report under this
672 section or who cooperates in an investigation of suspected
673 animal cruelty is immune from any civil or criminal liability or
674 administrative penalty or sanction that might otherwise be
675 incurred in connection with making the report or otherwise
676 cooperating.

677 (3) RESPONSIBILITIES OF ANIMAL CONTROL OFFICERS.—Any person
678 who is required to investigate animal cruelty under chapter 828
679 and who, while acting in his or her professional capacity or
680 within the scope of employment, knows or has reasonable cause to
681 suspect that a child is abused, abandoned, or neglected by a
682 parent, legal custodian, caregiver, or other person responsible
683 for the child's welfare or that a child is in need of
684 supervision and care and does not have a parent, a legal
685 custodian, or a responsible adult relative immediately known and
686 available to provide supervision and care to that child shall
687 immediately report such knowledge or suspicion to the
688 department's central abuse hotline.

689 (4) PENALTIES.—

690 (a) A child protective investigator who is required to
691 report known or suspected animal cruelty under subsection (2)
692 and who knowingly and willfully fails to do so commits a
693 misdemeanor of the second degree, punishable as provided in s.
694 775.082 or s. 775.083.

695 (b) An animal control officer who observes, in the course
696 of his or her duties, known or suspected abuse, neglect, or

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697 abandonment of a child, who is required to report known or
698 suspected abuse, neglect, or abandonment of a child under
699 subsection (3), and who knowingly and willfully fails to report
700 an incident of known or suspected abuse, abandonment, or
701 neglect, as required by s. 39.201, is subject to the penalties
702 imposed in s. 39.205.

703 (5) TRAINING.—The department, in consultation with the
704 Florida Animal Control Association, shall develop or adapt and
705 use already available training materials in a 1-hour training
706 for all child protective investigators and animal control
707 officers on the accurate and timely identification and reporting
708 of child abuse, abandonment, or neglect or animal cruelty and
709 the interconnectedness of such abuse and neglect. The department
710 shall incorporate into the required training for child
711 protective investigators information on the identification of
712 harm to and neglect of animals and the relationship of such
713 activities to child welfare case practice. The 1-hour training
714 developed for animal control officers must include a component
715 that advises such officers of the mandatory duty to report any
716 known or suspected child abuse, abandonment, or neglect under
717 this section and s. 39.201 and the criminal penalties associated
718 with a violation of failing to report known or suspected child
719 abuse, abandonment, or neglect which is punishable in accordance
720 with s. 39.205.

721 (6) RULEMAKING.—The department shall adopt rules to
722 implement this section.

723 Section 7. Subsections (1) and (2) of section 39.302,
724 Florida Statutes, are amended to read:

725 39.302 Protective investigations of institutional child

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726 abuse, abandonment, or neglect.—

727 (1) The department shall conduct a child protective
728 investigation of each report of institutional child abuse,
729 abandonment, or neglect. Upon receipt of a report that alleges
730 that an employee or agent of the department, or any other entity
731 or person covered by s. 39.01(37) or (54), acting in an official
732 capacity, has committed an act of child abuse, abandonment, or
733 neglect, the department shall initiate a child protective
734 investigation within the timeframe established under s.
735 39.101(2) ~~s. 39.201(5)~~ and notify the appropriate state
736 attorney, law enforcement agency, and licensing agency, which
737 shall immediately conduct a joint investigation, unless
738 independent investigations are more feasible. When conducting
739 investigations or having face-to-face interviews with the child,
740 investigation visits shall be unannounced unless it is
741 determined by the department or its agent that unannounced
742 visits threaten the safety of the child. If a facility is exempt
743 from licensing, the department shall inform the owner or
744 operator of the facility of the report. Each agency conducting a
745 joint investigation is entitled to full access to the
746 information gathered by the department in the course of the
747 investigation. A protective investigation must include an
748 interview with the child's parent or legal guardian. The
749 department shall make a full written report to the state
750 attorney within 3 working days after making the oral report. A
751 criminal investigation shall be coordinated, whenever possible,
752 with the child protective investigation of the department. Any
753 interested person who has information regarding the offenses
754 described in this subsection may forward a statement to the

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755 state attorney as to whether prosecution is warranted and
756 appropriate. Within 15 days after the completion of the
757 investigation, the state attorney shall report the findings to
758 the department and shall include in the report a determination
759 of whether or not prosecution is justified and appropriate in
760 view of the circumstances of the specific case.

761 (2) (a) If in the course of the child protective
762 investigation, the department finds that a subject of a report,
763 by continued contact with children in care, constitutes a
764 threatened harm to the physical health, mental health, or
765 welfare of the children, the department may restrict a subject's
766 access to the children pending the outcome of the investigation.
767 The department or its agent shall employ the least restrictive
768 means necessary to safeguard the physical health, mental health,
769 and welfare of the children in care. This authority shall apply
770 only to child protective investigations in which there is some
771 evidence that child abuse, abandonment, or neglect has occurred.
772 A subject of a report whose access to children in care has been
773 restricted is entitled to petition the circuit court for
774 judicial review. The court shall enter written findings of fact
775 based upon the preponderance of evidence that child abuse,
776 abandonment, or neglect did occur and that the department's
777 restrictive action against a subject of the report was justified
778 in order to safeguard the physical health, mental health, and
779 welfare of the children in care. The restrictive action of the
780 department shall be effective for no more than 90 days without a
781 judicial finding supporting the actions of the department.

782 (b) In an institutional investigation, the alleged
783 perpetrator may be represented by an attorney, at his or her own

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784 expense, or may be accompanied by another person, if the
785 attorney or the person executes an affidavit of understanding
786 with the department and agrees to comply with the
787 confidentiality requirements under s. 39.202. The absence of an
788 attorney or an accompanying person does not prevent the
789 department from proceeding with other aspects of the
790 investigation, including interviews with other persons. In
791 institutional child abuse cases when the institution is not
792 operational and the child cannot otherwise be located, the
793 investigation must commence immediately upon the resumption of
794 operation. If requested by a state attorney or local law
795 enforcement agency, the department shall furnish all
796 investigative reports to such state attorney or agency.

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

802 Section 8. Present subsections (1), (2), and (3) of section
803 39.3035, Florida Statutes, are redesignated as subsections (2),
804 (3), and (4), respectively, a new subsection (1) is added to
805 that section, and present subsection (3) is amended, to read:

806 39.3035 Child advocacy centers; standards; state funding.-

807 (1) Child advocacy centers are facilities that offer
808 multidisciplinary services in a community-based, child-focused
809 environment to children who are alleged to be victims of abuse
810 or neglect. The children served by such centers may have
811 experienced a variety of types of abuse or neglect, including,
812 but not limited to, sexual abuse or severe physical abuse. The

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813 centers bring together, often in one location, child protective
814 investigators, law enforcement, prosecutors, and medical and
815 mental health professionals to provide a coordinated,
816 comprehensive response to victims and their caregivers.

817 (4)~~(3)~~ A child advocacy center within this state may not
818 receive the funds generated pursuant to s. 938.10, state or
819 federal funds administered by a state agency, or any other funds
820 appropriated by the Legislature unless all of the standards of
821 subsection (2) ~~(1)~~ are met and the screening requirement of
822 subsection (3) ~~(2)~~ is met. The Florida Network of Children's
823 Advocacy Centers, Inc., shall be responsible for tracking and
824 documenting compliance with subsections (2) and (3) ~~(1)~~ and ~~(2)~~
825 for any of the funds it administers to member child advocacy
826 centers.

827 (a) Funds for the specific purpose of funding children's
828 advocacy centers shall be appropriated to the Department of
829 Children and Families from funds collected from the additional
830 court cost imposed in cases of certain crimes against minors
831 under s. 938.10. Funds shall be disbursed to the Florida Network
832 of Children's Advocacy Centers, Inc., as established under this
833 section, for the purpose of providing community-based services
834 that augment, but do not duplicate, services provided by state
835 agencies.

836 (b) The board of directors of the Florida Network of
837 Children's Advocacy Centers, Inc., shall retain 10 percent of
838 all revenues collected to be used to match local contributions,
839 at a rate not to exceed an equal match, in communities
840 establishing children's advocacy centers. The board of directors
841 may use up to 5 percent of the remaining funds to support the

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842 activities of the network office and must develop funding
843 criteria and an allocation methodology that ensures an equitable
844 distribution of remaining funds among network participants. The
845 criteria and methodologies must take into account factors that
846 include, but need not be limited to, the center's accreditation
847 status with respect to the National Children's Alliance, the
848 number of clients served, and the population of the area being
849 served by the children's advocacy center.

850 (c) At the end of each fiscal year, each children's
851 advocacy center receiving revenue as provided in this section
852 must provide a report to the board of directors of the Florida
853 Network of Children's Advocacy Centers, Inc., which reflects
854 center expenditures, all sources of revenue received, and
855 outputs that have been standardized and agreed upon by network
856 members and the board of directors, such as the number of
857 clients served, client demographic information, and number and
858 types of services provided. The Florida Network of Children's
859 Advocacy Centers, Inc., must compile reports from the centers
860 and provide a report to the President of the Senate and the
861 Speaker of the House of Representatives in August of each year.

862 Section 9. Section 39.4092, Florida Statutes, is created to
863 read:

864 39.4092 Multidisciplinary legal representation model
865 program for parents of children in the dependency system.-

866 (1) LEGISLATIVE FINDINGS.-

867 (a) The Legislature finds that the use of a specialized
868 team that includes a lawyer, a social worker, and a parent-peer
869 specialist, also known as a multidisciplinary legal
870 representation model, in dependency judicial matters is

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871 effective in reducing safety risks to children and providing
872 families with better outcomes, such as significantly reducing
873 the time such children spend in out-of-home care and achieving
874 permanency more quickly.

875 (b) The Legislature finds that parents in dependency court
876 often suffer from multiple challenges, such as mental illness,
877 substance use disorder, domestic violence and other trauma,
878 unstable housing, and unemployment. Such issues are often a
879 contributing factor to children experiencing instability or
880 safety risks. While these issues may result in legal involvement
881 or require legal representation, addressing such underlying
882 challenges in a manner that achieves stability often falls
883 within the core functions of the practice of social work.

884 (c) The Legislature also finds that social work
885 professionals have a unique skill set, including client
886 assessment and clinical knowledge of family dynamics. This
887 unique skill set allows these professionals to interact and
888 engage with clients in meaningful and unique ways that are
889 distinct from the ways in which the clients interact with
890 attorneys or other professional staff involved with dependency
891 matters. Additionally, social work professionals are skilled at
892 quickly connecting families facing such crises to resources that
893 can address the specific underlying challenges.

894 (d) The Legislature finds that there is a great benefit to
895 using parent-peer specialists in the dependency system, which
896 allows parents who have successfully navigated the dependency
897 system and have been successfully reunified with their children
898 to be paired with parents whose children are currently involved
899 in the dependency system. By working with someone who has

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900 personally lived the experience of overcoming great personal
901 crisis, parents currently involved in the dependency system have
902 a greater ability to address the underlying challenges that
903 resulted in the instability and safety risk to the children,
904 provide a safe and stable home environment, and be successfully
905 reunified.

906 (e) The Legislature further finds that current federal
907 provisions authorize the reimbursement of half the cost of
908 attorneys for parents and children in eligible cases, whereas
909 such funds were formerly restricted to foster care
910 administrative costs.

911 (f) The Legislature finds it is necessary to encourage and
912 facilitate the use of a multidisciplinary legal representation
913 model for parents and their children in order to improve
914 outcomes for those families involved in the dependency system
915 and provide the families who find themselves in a crisis the
916 best opportunity to be successful in creating safe and stable
917 homes for their children.

918 (2) ESTABLISHMENT.—Each office of criminal conflict and
919 civil regional counsel established under s. 27.511 may establish
920 a multidisciplinary legal representation model program to serve
921 families who are in the dependency system. The department shall
922 collaborate with the office of criminal conflict and civil
923 regional counsel to implement a program and provide funding with
924 available federal matching resources for such multidisciplinary
925 legal representation model programs for eligible families
926 involved in the dependency system.

927 (3) PROGRAM REQUIREMENTS.—Any multidisciplinary legal
928 representation model program established must, at a minimum:

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929 (a) Use a team that consists of a lawyer, a forensic social
930 worker, and a parent-peer specialist. For purposes of this
931 section, a "parent-peer specialist" means a person who has:

932 1. Previously had his or her child involved in the
933 dependency system and removed from his or her care to be placed
934 in out-of-home care;

935 2. Been successfully reunified with the child for more than
936 2 years; and

937 3. Received specialized training to become a parent-peer
938 specialist.

939 (b) Provide any necessary cost-sharing agreements to
940 maximize financial resources and enable access to available
941 federal Title IV-E matching funding.

942 (c) Provide specialized training and support for attorneys,
943 social workers, and parent-peer specialists involved in the
944 model program.

945 (d) Collect uniform data on each child whose parent is
946 served by the program and ensure that reporting of data is
947 conducted through the child's unique FINS/fin identification
948 number, if applicable.

949 (e) Develop consistent operational program policies and
950 procedures throughout each region that establishes the model
951 program.

952 (f) Obtain agreements with universities relating to
953 approved placements for social work students to ensure the
954 placement of social workers in the program.

955 (g) Execute conflict of interest agreements with each team
956 member.

957 (4) REPORTING.—

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958 (a) Each regional office of the office of criminal conflict
959 and civil regional counsel which establishes a multidisciplinary
960 legal representation model program that meets the requirements
961 of this section must provide an annual report to the Office of
962 Program Policy Analysis and Government Accountability. The
963 annual report must use the uniform data collected on each unique
964 child whose parents are served by the program and must detail,
965 at a minimum, all of the following:

- 966 1. Reasons for the original involvement of the family in
967 the dependency system.
- 968 2. Length of time it takes to achieve a permanency goal for
969 the children whose parents are served by the program.
- 970 3. Frequency of each type of permanency goal achieved by
971 parents that are served by the program.
- 972 4. Rate of re-abuse or re-removal of children whose parents
973 are served by the program.
- 974 5. Any other relevant factors that tend to show the impact
975 of the use of such multidisciplinary legal representation model
976 programs on the outcomes for children in the dependency system,
977 provided each region that has established such a program agrees
978 to uniform additional factors and how to collect data on such
979 additional factors in the annual report.

980 (b) By October 1, 2022, and annually thereafter, the annual
981 report from each regional counsel office must be submitted to
982 the Office of Program Policy Analysis and Government
983 Accountability, which shall compile the results of such reports
984 and compare the reported outcomes from the multidisciplinary
985 legal representation model program to known outcomes of children
986 in the dependency system whose parents are not served by a

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987 multidisciplinary legal representation model program. By
988 December 1, 2022, and annually thereafter, the Office of Program
989 Policy Analysis and Government Accountability must submit a
990 report to the Governor, the President of the Senate, and the
991 Speaker of the House of Representatives.

992 (5) RULEMAKING.—The office of criminal conflict and civil
993 regional counsel may adopt rules to administer this section.

994 Section 10. Section 409.1415, Florida Statutes, is amended
995 to read:

996 409.1415 Parenting partnerships for children in out-of-home
997 care; resources.—

998 (1) LEGISLATIVE FINDINGS AND INTENT.—

999 (a) The Legislature finds that reunification is the most
1000 common outcome for children in out-of-home care and that
1001 caregivers are one of the most important resources to help
1002 children reunify with their families.

1003 (b) The Legislature further finds that the most successful
1004 caregivers understand that their role goes beyond supporting the
1005 children in their care to supporting the children's families, as
1006 a whole, and that children and their families benefit when
1007 caregivers and birth or legal parents are supported by an agency
1008 culture that encourages a meaningful partnership between them
1009 and provides quality support.

1010 (c) Therefore, in keeping with national trends, it is the
1011 intent of the Legislature to bring caregivers and birth or legal
1012 parents together in order to build strong relationships that
1013 lead to more successful reunifications and more stability for
1014 children being fostered in out-of-home care.

1015 (2) PARENTING PARTNERSHIPS.—

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1016 (a) In order to ensure that children in out-of-home care
1017 achieve legal permanency as soon as possible, to reduce the
1018 likelihood that they will reenter care or that other children in
1019 the family are abused or neglected or enter out-of-home care,
1020 and to ensure that families are fully prepared to resume custody
1021 of their children, the department and community-based care lead
1022 agencies shall develop and support relationships between
1023 caregivers and birth or legal parents of children in out-of-home
1024 care, to the extent that it is safe and in the child's best
1025 interest, by:

1026 1. Facilitating telephone communication between the
1027 caregiver and the birth or legal parent as soon as possible
1028 after the child is placed in the home of the caregiver.

1029 2. Facilitating and attending an in-person meeting between
1030 the caregiver and the birth or legal parent as soon as possible
1031 after the child is placed in the home of the caregiver.

1032 3. Developing and supporting a plan for the birth or legal
1033 parent to participate in medical appointments, educational and
1034 extracurricular activities, and other events involving the
1035 child.

1036 4. Facilitating participation by the caregiver in
1037 visitation between the birth or legal parent and the child.

1038 5. Involving the caregiver in planning meetings with the
1039 birth or legal parent.

1040 6. Developing and implementing effective transition plans
1041 for the child's return home or placement in any other living
1042 environment.

1043 7. Supporting continued contact between the caregiver and
1044 the child after the child returns home or moves to another

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1045 permanent living arrangement.

1046 (b) To ensure that a child in out-of-home care receives
1047 support for healthy development which gives the child the best
1048 possible opportunity for success, caregivers, birth or legal
1049 parents, the department, and the community-based care lead
1050 agency shall work cooperatively in a respectful partnership by
1051 adhering to the following requirements:

1052 1. All members of the partnership must interact and
1053 communicate professionally with one another, must share all
1054 relevant information promptly, and must respect the
1055 confidentiality of all information related to the child and his
1056 or her family.

1057 2. The caregiver; the birth or legal parent; the child, if
1058 appropriate; the department; and the community-based care lead
1059 agency must participate in developing a case plan for the child
1060 and the birth or legal parent. All members of the team must work
1061 together to implement the case plan. The caregiver must have the
1062 opportunity to participate in all team meetings or court
1063 hearings related to the child's care and future plans. The
1064 department and community-based care lead agency must support and
1065 facilitate caregiver participation through timely notification
1066 of such meetings and hearings and provide alternative methods
1067 for participation for a caregiver who cannot be physically
1068 present at a meeting or hearing.

1069 3. A caregiver must strive to provide, and the department
1070 and community-based care lead agency must support, excellent
1071 parenting, which includes:

1072 a. A loving commitment to the child and the child's safety
1073 and well-being.

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- 1074 b. Appropriate supervision and positive methods of
1075 discipline.
- 1076 c. Encouragement of the child's strengths.
- 1077 d. Respect for the child's individuality and likes and
1078 dislikes.
- 1079 e. Providing opportunities to develop the child's interests
1080 and skills.
- 1081 f. Being aware of the impact of trauma on behavior.
- 1082 g. Facilitating equal participation of the child in family
1083 life.
- 1084 h. Involving the child within his or her community.
- 1085 i. A commitment to enable the child to lead a normal life.
- 1086 4. A child in out-of-home care must be placed with a
1087 caregiver who has the ability to care for the child, is willing
1088 to accept responsibility for providing care, and is willing and
1089 able to learn about and be respectful of the child's culture,
1090 religion, and ethnicity; special physical or psychological
1091 needs; circumstances unique to the child; and family
1092 relationships. The department, the community-based care lead
1093 agency, and other agencies must provide a caregiver with all
1094 available information necessary to assist the caregiver in
1095 determining whether he or she is able to appropriately care for
1096 a particular child.
- 1097 5. A caregiver must have access to and take advantage of
1098 all training that he or she needs to improve his or her skills
1099 in parenting a child who has experienced trauma due to neglect,
1100 abuse, or separation from home; to meet the child's special
1101 needs; and to work effectively with child welfare agencies, the
1102 courts, the schools, and other community and governmental

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1103 agencies.

1104 6. The department and community-based care lead agency must
1105 provide a caregiver with the services and support they need to
1106 enable them to provide quality care for the child pursuant to
1107 subsection (3).

1108 7. Once a caregiver accepts the responsibility of caring
1109 for a child, the child may be removed from the home of the
1110 caregiver only if:

1111 a. The caregiver is clearly unable to safely or legally
1112 care for the child;

1113 b. The child and the birth or legal parent are reunified;

1114 c. The child is being placed in a legally permanent home in
1115 accordance with a case plan or court order; or

1116 d. The removal is demonstrably in the best interests of the
1117 child.

1118 8. If a child must leave the caregiver's home for one of
1119 the reasons stated in subparagraph 7., and in the absence of an
1120 unforeseeable emergency, the transition must be accomplished
1121 according to a plan that involves cooperation and sharing of
1122 information among all persons involved, respects the child's
1123 developmental stage and psychological needs, ensures the child
1124 has all of his or her belongings, allows for a gradual
1125 transition from the caregiver's home, and, if possible, allows
1126 for continued contact with the caregiver after the child leaves.

1127 9. When the case plan for a child includes reunification,
1128 the caregiver, the department, and the community-based care lead
1129 agency must work together to assist the birth or legal parent in
1130 improving his or her ability to care for and protect the child
1131 and to provide continuity for the child.

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1132 10. A caregiver must respect and support the child's ties
1133 to his or her birth or legal family, including parents,
1134 siblings, and extended family members, and must assist the child
1135 in maintaining allowable visitation and other forms of
1136 communication. The department and community-based care lead
1137 agency must provide a caregiver with the information, guidance,
1138 training, and support necessary for fulfilling this
1139 responsibility.

1140 11. A caregiver must work in partnership with the
1141 department and community-based care lead agency to obtain and
1142 maintain records that are important to the child's well-being,
1143 including, but not limited to, child resource records, medical
1144 records, school records, photographs, and records of special
1145 events and achievements.

1146 12. A caregiver must advocate for a child in his or her
1147 care with the child welfare system, the court, and community
1148 agencies, including schools, child care providers, health and
1149 mental health providers, and employers. The department and
1150 community-based care lead agency must support a caregiver in
1151 advocating for a child and may not retaliate against the
1152 caregiver as a result of this advocacy.

1153 13. A caregiver must be as fully involved in the child's
1154 medical, psychological, and dental care as he or she would be
1155 for his or her biological child. The department and community-
1156 based care lead agency must support and facilitate such
1157 participation. The caregiver, the department, and the community-
1158 based care lead agency must share information with each other
1159 about the child's health and well-being.

1160 14. A caregiver must support a child's school success,

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1161 including, when possible, maintaining school stability by
1162 participating in school activities and meetings. The department
1163 and community-based care lead agency must facilitate this
1164 participation and be informed of the child's progress and needs.

1165 15. A caregiver must ensure that a child in his or her care
1166 who is between 13 and 17 years of age learns and masters
1167 independent living skills. The department shall make available
1168 the training for caregivers developed in collaboration with the
1169 Florida Foster and Adoptive Parent Association and the Quality
1170 Parenting Initiative on the life skills necessary for children
1171 in out-of-home care.

1172 16. The case manager and case manager supervisor must
1173 mediate disagreements that occur between a caregiver and the
1174 birth or legal parent.

1175 (c) An employee of a residential group home must meet the
1176 background screening requirements under s. 39.0138 and the level
1177 2 screening standards for screening under chapter 435. An
1178 employee of a residential group home who works directly with a
1179 child as a caregiver must meet, at a minimum, the same
1180 education, training, background, and other screening
1181 requirements as caregivers in family foster homes licensed as
1182 level II under s. 409.175(5).

1183 (3) RESOURCES AND SUPPORT FOR CAREGIVERS.-

1184 (a) Foster parents.-The department shall establish the
1185 Foster Information Center to connect current and former foster
1186 parents, known as foster parent advocates, to prospective and
1187 current foster parents in order to provide information and
1188 services, including, but not limited to:

1189 1. Navigating the application and approval process,

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1190 including timelines for each, preparing for transitioning from
1191 approval for placement to accepting a child into the home, and
1192 learning about and connecting with any available resources in
1193 the prospective foster parent's community.

1194 2. Accessing available resources and services, including
1195 those from the Florida Foster and Adoptive Parent Association,
1196 for any current foster parents who need additional assistance.

1197 3. Providing information specific to a foster parent's
1198 individual needs.

1199 4. Providing immediate assistance when needed.

1200 (b) Kinship caregivers.—

1201 1. A community-based care lead agency shall provide a
1202 caregiver with resources and supports that are available and
1203 discuss whether the caregiver meets any eligibility criteria. If
1204 the caregiver is unable to access resources and supports
1205 beneficial to the well-being of the child, the community-based
1206 care lead agency or case management agency must assist the
1207 caregiver in initiating access to resources by:

1208 a. Providing referrals to kinship navigation services.

1209 b. Assisting with linkages to community resources and
1210 completion of program applications.

1211 c. Scheduling appointments.

1212 d. Initiating contact with community service providers.

1213 2. The community-based care lead agency shall provide each
1214 caregiver with a telephone number to call during normal working
1215 hours whenever immediate assistance is needed and the child's
1216 caseworker is unavailable. The telephone number must be staffed
1217 and answered by individuals possessing the knowledge and
1218 authority necessary to assist caregivers.

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1219 ~~(4)~~~~(3)~~ RULEMAKING.—The department shall adopt rules
1220 necessary to administer this section.

1221 Section 11. Section 409.1453, Florida Statutes, is
1222 repealed.

1223 Section 12. Section 409.1753, Florida Statutes, is
1224 repealed.

1225 Section 13. The Legislature recognizes that animal cruelty
1226 of any kind is a type of interpersonal violence and often co-
1227 occurs with child abuse and other forms of family violence,
1228 including elder abuse and domestic violence, and that early
1229 identification of animal cruelty, including animal sexual abuse,
1230 serves the purpose of providing an important tool to safeguard
1231 children from abuse and neglect, to provide needed support to
1232 families, and to protect animals.

1233 Section 14. Section 827.071, Florida Statutes, is amended
1234 to read:

1235 827.071 Sexual performance by a child; penalties.—

1236 (1) As used in this section, the following definitions
1237 shall apply:

1238 (a) "Deviate sexual intercourse" means sexual conduct
1239 between persons not married to each other consisting of contact
1240 between the penis and the anus, the mouth and the penis, or the
1241 mouth and the vulva.

1242 (b) "Intentionally view" means to deliberately,
1243 purposefully, and voluntarily view. Proof of intentional viewing
1244 requires establishing more than a single image, motion picture,
1245 exhibition, show, image, data, computer depiction,
1246 representation, or other presentation over any period of time.

1247 (c) "Performance" means any play, motion picture,

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1248 photograph, or dance or any other visual representation
1249 exhibited before an audience.

1250 (d) "Promote" means to procure, manufacture, issue, sell,
1251 give, provide, lend, mail, deliver, transfer, transmute,
1252 publish, distribute, circulate, disseminate, present, exhibit,
1253 or advertise or to offer or agree to do the same.

1254 (e) "Sadomasochistic abuse" means flagellation or torture
1255 by or upon a person, or the condition of being fettered, bound,
1256 or otherwise physically restrained, for the purpose of deriving
1257 sexual satisfaction from inflicting harm on another or receiving
1258 such harm oneself.

1259 (f) "Sexual battery" means oral, anal, or vaginal
1260 penetration by, or union with, the sexual organ of another or
1261 the anal or vaginal penetration of another by any other object;
1262 however, "sexual battery" does not include an act done for a
1263 bona fide medical purpose.

1264 (g) "Sexual contact with an animal" has the same meaning as
1265 in s. 828.126 when an adult encourages or forces such act to be
1266 committed between a child and an animal ~~bestiality" means any~~
1267 ~~sexual act between a person and an animal involving the sex~~
1268 ~~organ of the one and the mouth, anus, or vagina of the other.~~

1269 (h) "Sexual conduct" means actual or simulated sexual
1270 intercourse, deviate sexual intercourse, sexual contact with an
1271 animal ~~bestiality~~, masturbation, or sadomasochistic abuse;
1272 actual lewd exhibition of the genitals; actual physical contact
1273 with a person's clothed or unclothed genitals, pubic area,
1274 buttocks, or, if such person is a female, breast, with the
1275 intent to arouse or gratify the sexual desire of either party;
1276 or any act or conduct which constitutes sexual battery or

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1277 simulates that sexual battery is being or will be committed. A
1278 mother's breastfeeding of her baby does not under any
1279 circumstance constitute "sexual conduct."

1280 (i) "Sexual performance" means any performance or part
1281 thereof which includes sexual conduct by a child of less than 18
1282 years of age.

1283 (j) "Simulated" means the explicit depiction of conduct set
1284 forth in paragraph (h) which creates the appearance of such
1285 conduct and which exhibits any uncovered portion of the breasts,
1286 genitals, or buttocks.

1287 (2) A person is guilty of the use of a child in a sexual
1288 performance if, knowing the character and content thereof, he or
1289 she employs, authorizes, or induces a child less than 18 years
1290 of age to engage in a sexual performance or, being a parent,
1291 legal guardian, or custodian of such child, consents to the
1292 participation by such child in a sexual performance. Whoever
1293 violates this subsection is guilty of a felony of the second
1294 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1295 775.084.

1296 (3) A person is guilty of promoting a sexual performance by
1297 a child when, knowing the character and content thereof, he or
1298 she produces, directs, or promotes any performance which
1299 includes sexual conduct by a child less than 18 years of age.
1300 Whoever violates this subsection is guilty of a felony of the
1301 second degree, punishable as provided in s. 775.082, s. 775.083,
1302 or s. 775.084.

1303 (4) It is unlawful for any person to possess with the
1304 intent to promote any photograph, motion picture, exhibition,
1305 show, representation, or other presentation which, in whole or

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1306 in part, includes any sexual conduct by a child. The possession
1307 of three or more copies of such photograph, motion picture,
1308 representation, or presentation is prima facie evidence of an
1309 intent to promote. Whoever violates this subsection is guilty of
1310 a felony of the second degree, punishable as provided in s.
1311 775.082, s. 775.083, or s. 775.084.

1312 (5) (a) It is unlawful for any person to knowingly possess,
1313 control, or intentionally view a photograph, motion picture,
1314 exhibition, show, representation, image, data, computer
1315 depiction, or other presentation which, in whole or in part, he
1316 or she knows to include any sexual conduct by a child. The
1317 possession, control, or intentional viewing of each such
1318 photograph, motion picture, exhibition, show, image, data,
1319 computer depiction, representation, or presentation is a
1320 separate offense. If such photograph, motion picture,
1321 exhibition, show, representation, image, data, computer
1322 depiction, or other presentation includes sexual conduct by more
1323 than one child, then each such child in each such photograph,
1324 motion picture, exhibition, show, representation, image, data,
1325 computer depiction, or other presentation that is knowingly
1326 possessed, controlled, or intentionally viewed is a separate
1327 offense. A person who violates this subsection commits a felony
1328 of the third degree, punishable as provided in s. 775.082, s.
1329 775.083, or s. 775.084.

1330 (b) This subsection does not apply to material possessed,
1331 controlled, or intentionally viewed as part of a law enforcement
1332 investigation.

1333 (6) Prosecution of any person for an offense under this
1334 section shall not prohibit prosecution of that person in this

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1335 state for a violation of any law of this state, including a law
1336 providing for greater penalties than prescribed in this section
1337 or any other crime punishing the sexual performance or the
1338 sexual exploitation of children.

1339 Section 15. Section 828.126, Florida Statutes, is amended
1340 to read:

1341 828.126 Sexual activities involving animals.—

1342 (1) As used in this section, the term:

1343 (a) "Animal husbandry" includes the day-to-day care of,
1344 selective breeding of, and the raising of livestock that is
1345 commonly defined as domesticated animals or animals raised for
1346 agricultural purposes and that is located on land used for bona
1347 fide agricultural purposes as defined in s. 193.461(3) (b)

1348 ~~"Sexual conduct" means any touching or fondling by a person,~~
1349 ~~either directly or through clothing, of the sex organs or anus~~
1350 ~~of an animal or any transfer or transmission of semen by the~~
1351 ~~person upon any part of the animal for the purpose of sexual~~
1352 ~~gratification or arousal of the person.~~

1353 (b) "Sexual contact with an animal" means any act committed
1354 between a person and an animal for the purpose of sexual
1355 gratification, abuse, or financial gain which involves:

1356 1. Contact between the sex organ or anus of one and the
1357 mouth, sex organ, or anus of the other;

1358 2. The fondling of the sex organ or anus of an animal; or

1359 3. The insertion, however slight, of any part of the body
1360 of a person or any object into the vaginal or anal opening of an
1361 animal, or the insertion of any part of the body of an animal
1362 into the vaginal or anal opening of a person ~~contact, however~~
1363 ~~slight, between the mouth, sex organ, or anus of a person and~~

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1364 ~~the sex organ or anus of an animal, or any penetration, however~~
1365 ~~slight, of any part of the body of the person into the sex organ~~
1366 ~~or anus of an animal, or any penetration of the sex organ or~~
1367 ~~anus of the person into the mouth of the animal, for the purpose~~
1368 ~~of sexual gratification or sexual arousal of the person.~~

1369 (2) A person may not:

1370 (a) Knowingly engage in any ~~sexual conduct or sexual~~
1371 contact with an animal;

1372 (b) Knowingly cause, aid, or abet another person to engage
1373 in any ~~sexual conduct or~~ sexual contact with an animal;

1374 (c) Knowingly permit any ~~sexual conduct or~~ sexual contact
1375 with an animal to be conducted on any premises under his or her
1376 charge or control; or

1377 (d) Knowingly organize, promote, conduct, ~~advertise,~~ aid,
1378 abet, participate in as an observer, or advertise, offer,
1379 solicit, or accept an offer of an animal for the purpose of
1380 sexual contact with such animal, or perform any service in the
1381 furtherance of an act involving any ~~sexual conduct or~~ sexual
1382 contact with an animal ~~for a commercial or recreational purpose.~~

1383 (e) Knowingly film, distribute, or possess pornographic
1384 images of a person and an animal engaged in any of the
1385 activities prohibited by this section.

1386 (3) A person who violates this section commits a felony of
1387 the third ~~misdemeanor of the first~~ degree, punishable as
1388 provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

1389 (4) In addition to other penalties prescribed by law, the
1390 court shall issue an order prohibiting a person convicted under
1391 this section from harboring, owning, possessing, or exercising
1392 control over any animal; from residing in any household where

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1393 animals are present; and from engaging in an occupation, whether
1394 paid or unpaid, or participating in a volunteer position at any
1395 establishment where animals are present. The order may be
1396 effective for up to 5 years from the date of the conviction
1397 regardless of whether adjudication is withheld.

1398 (5)~~(4)~~ This section does not apply to accepted animal
1399 husbandry practices, accepted conformation judging practices, ~~or~~
1400 accepted veterinary medical practices, or artificial
1401 insemination of an animal for reproductive purposes.

1402 Section 16. Paragraph (a) of subsection (4) of section
1403 828.27, Florida Statutes, is amended to read:

1404 828.27 Local animal control or cruelty ordinances;
1405 penalty.—

1406 (4) (a) 1. County-employed animal control officers must, and
1407 municipally employed animal control officers may, successfully
1408 complete a 40-hour minimum standards training course. Such
1409 course must include, but is not limited to, training for: animal
1410 cruelty investigations, search and seizure, animal handling,
1411 courtroom demeanor, and civil citations. The course curriculum
1412 must be approved by the Florida Animal Control Association. An
1413 animal control officer who successfully completes such course
1414 shall be issued a certificate indicating that he or she has
1415 received a passing grade.

1416 2. County-employed and municipally employed animal control
1417 officers must successfully complete the 1-hour training course
1418 developed by the Department of Children and Families and the
1419 Florida Animal Control Association pursuant to s. 39.208(5).
1420 Animal control officers must be provided with opportunities to
1421 attend the training during their normal work hours.

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1422 ~~3.2.~~ Any animal control officer who is authorized before
 1423 January 1, 1990, by a county or municipality to issue citations
 1424 is not required to complete the minimum standards training
 1425 course.

1426 ~~4.3.~~ In order to maintain valid certification, every 2
 1427 years each certified animal control officer must complete 4
 1428 hours of postcertification continuing education training. Such
 1429 training may include, but is not limited to, training for:
 1430 animal cruelty investigations, search and seizure, animal
 1431 handling, courtroom demeanor, and civil citations.

1432 Section 17. Paragraph (f) of subsection (3) of section
 1433 921.0022, Florida Statutes, is amended to read:

1434 921.0022 Criminal Punishment Code; offense severity ranking
 1435 chart.—

1436 (3) OFFENSE SEVERITY RANKING CHART

1437 (f) LEVEL 6

1438

Florida	Felony	
Statute	Degree	Description
316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
400.9935 (4) (c)	2nd	Operating a clinic, or offering services

1439

1440

1441

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1442			requiring licensure, without a license.
	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
1443			
	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
1444			
	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
1445			
	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
1446			
	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
1447			
	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
1448			
	784.041	3rd	Felony battery; domestic

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			battery by strangulation.
1449	784.048 (3)	3rd	Aggravated stalking; credible threat.
1450	784.048 (5)	3rd	Aggravated stalking of person under 16.
1451	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
1452	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
1453	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
1454	784.081 (2)	2nd	Aggravated assault on specified official or employee.
1455	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.

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1456

784.083 (2)

2nd

Aggravated assault on code inspector.

1457

787.02 (2)

3rd

False imprisonment; restraining with purpose other than those in s. 787.01.

1458

790.115 (2) (d)

2nd

Discharging firearm or weapon on school property.

1459

790.161 (2)

2nd

Make, possess, or throw destructive device with intent to do bodily harm or damage property.

1460

790.164 (1)

2nd

False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.

1461

790.19

2nd

Shooting or throwing deadly missiles into dwellings, vessels, or

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1462

vehicles.

794.011 (8) (a)

3rd

Solicitation of minor to participate in sexual activity by custodial adult.

1463

794.05 (1)

2nd

Unlawful sexual activity with specified minor.

1464

800.04 (5) (d)

3rd

Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.

1465

800.04 (6) (b)

2nd

Lewd or lascivious conduct; offender 18 years of age or older.

1466

806.031 (2)

2nd

Arson resulting in great bodily harm to firefighter or any other person.

1467

810.02 (3) (c)

2nd

Burglary of occupied structure; unarmed; no assault or battery.

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1471
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810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.
812.015 (9) (b)	2nd	Retail theft; aggregated property stolen within 30 days is \$3,000 or more; coordination of others.
812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).

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1475	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
1476	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
1477	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
1478	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
1479	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
1480	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
1481	827.03 (2) (c)	3rd	Abuse of a child.
	827.03 (2) (d)	3rd	Neglect of a child.

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1482

827.071(2) & (3)

2nd

Use or induce a child in a sexual performance, or promote or direct such performance.

1483

828.126

3rd

Sexual activities involving animals.

1484

836.05

2nd

Threats; extortion.

1485

836.10

2nd

Written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.

1486

843.12

3rd

Aids or assists person to escape.

1487

847.011

3rd

Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.

1488

847.012

3rd

Knowingly using a minor in the production of materials harmful to

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1489

847.0135 (2)

3rd

minors.

Facilitates sexual
conduct of or with a
minor or the visual
depiction of such
conduct.

1490

914.23

2nd

Retaliation against a
witness, victim, or
informant, with bodily
injury.

1491

944.35 (3) (a) 2.

3rd

Committing malicious
battery upon or
inflicting cruel or
inhuman treatment on an
inmate or offender on
community supervision,
resulting in great
bodily harm.

1492

944.40

2nd

Escapes.

1493

944.46

3rd

Harboring, concealing,
aiding escaped
prisoners.

1494

944.47 (1) (a) 5.

2nd

Introduction of

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contraband (firearm,
 weapon, or explosive)
 into correctional
 facility.

1495

951.22(1)(i)

3rd

Firearm or weapon
 introduced into county
 detention facility.

1496

1497 Section 18. Paragraph (c) is added to subsection (6) of
 1498 1012.795, Florida Statutes, to read:

1499 1012.795 Education Practices Commission; authority to
 1500 discipline.-

1501 (6)

1502 (c) If the Department of Education determines that any
 1503 instructional personnel or school administrator, as defined in
 1504 s. 1012.01(2) or (3), respectively, has knowingly failed to
 1505 report known or suspected child abuse as required pursuant to s.
 1506 39.201, and the Education Practices Commission has issued a
 1507 final order for a previous instance of failure to report by the
 1508 individual, the Education Practices Commission shall, at a
 1509 minimum, suspend the educator certificate of the instructional
 1510 personnel or school administrator for a period of not less than
 1511 1 year.

1512 Section 19. Subsection (6) of section 39.301, Florida
 1513 Statutes, is amended to read:

1514 39.301 Initiation of protective investigations.-

1515 (6) Upon commencing an investigation under this part, if a
 1516 report was received from a reporter under s. 39.201(1)(a)2. ~~s.~~

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1517 ~~39.201(1)(b)~~, the protective investigator must provide his or
1518 her contact information to the reporter within 24 hours after
1519 being assigned to the investigation. The investigator must also
1520 advise the reporter that he or she may provide a written summary
1521 of the report made to the central abuse hotline to the
1522 investigator which shall become a part of the electronic child
1523 welfare case file.

1524 Section 20. Paragraph (d) of subsection (4) of section
1525 119.071, Florida Statutes, is amended to read:

1526 119.071 General exemptions from inspection or copying of
1527 public records.—

1528 (4) AGENCY PERSONNEL INFORMATION.—

1529 (d)1. For purposes of this paragraph, the term:

1530 a. "Home addresses" means the dwelling location at which an
1531 individual resides and includes the physical address, mailing
1532 address, street address, parcel identification number, plot
1533 identification number, legal property description, neighborhood
1534 name and lot number, GPS coordinates, and any other descriptive
1535 property information that may reveal the home address.

1536 b. "Telephone numbers" includes home telephone numbers,
1537 personal cellular telephone numbers, personal pager telephone
1538 numbers, and telephone numbers associated with personal
1539 communications devices.

1540 2.a. The home addresses, telephone numbers, dates of birth,
1541 and photographs of active or former sworn law enforcement
1542 personnel or of active or former civilian personnel employed by
1543 a law enforcement agency, including correctional and
1544 correctional probation officers, personnel of the Department of
1545 Children and Families whose duties include the investigation of

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1546 abuse, neglect, exploitation, fraud, theft, or other criminal
1547 activities, personnel of the Department of Health whose duties
1548 are to support the investigation of child abuse or neglect, and
1549 personnel of the Department of Revenue or local governments
1550 whose responsibilities include revenue collection and
1551 enforcement or child support enforcement; the names, home
1552 addresses, telephone numbers, photographs, dates of birth, and
1553 places of employment of the spouses and children of such
1554 personnel; and the names and locations of schools and day care
1555 facilities attended by the children of such personnel are exempt
1556 from s. 119.07(1) and s. 24(a), Art. I of the State
1557 Constitution.

1558 b. The home addresses, telephone numbers, dates of birth,
1559 and photographs of current or former nonsworn investigative
1560 personnel of the Department of Financial Services whose duties
1561 include the investigation of fraud, theft, workers' compensation
1562 coverage requirements and compliance, other related criminal
1563 activities, or state regulatory requirement violations; the
1564 names, home addresses, telephone numbers, dates of birth, and
1565 places of employment of the spouses and children of such
1566 personnel; and the names and locations of schools and day care
1567 facilities attended by the children of such personnel are exempt
1568 from s. 119.07(1) and s. 24(a), Art. I of the State
1569 Constitution.

1570 c. The home addresses, telephone numbers, dates of birth,
1571 and photographs of current or former nonsworn investigative
1572 personnel of the Office of Financial Regulation's Bureau of
1573 Financial Investigations whose duties include the investigation
1574 of fraud, theft, other related criminal activities, or state

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1575 regulatory requirement violations; the names, home addresses,
1576 telephone numbers, dates of birth, and places of employment of
1577 the spouses and children of such personnel; and the names and
1578 locations of schools and day care facilities attended by the
1579 children of such personnel are exempt from s. 119.07(1) and s.
1580 24(a), Art. I of the State Constitution.

1581 d. The home addresses, telephone numbers, dates of birth,
1582 and photographs of current or former firefighters certified in
1583 compliance with s. 633.408; the names, home addresses, telephone
1584 numbers, photographs, dates of birth, and places of employment
1585 of the spouses and children of such firefighters; and the names
1586 and locations of schools and day care facilities attended by the
1587 children of such firefighters are exempt from s. 119.07(1) and
1588 s. 24(a), Art. I of the State Constitution.

1589 e. The home addresses, dates of birth, and telephone
1590 numbers of current or former justices of the Supreme Court,
1591 district court of appeal judges, circuit court judges, and
1592 county court judges; the names, home addresses, telephone
1593 numbers, dates of birth, and places of employment of the spouses
1594 and children of current or former justices and judges; and the
1595 names and locations of schools and day care facilities attended
1596 by the children of current or former justices and judges are
1597 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1598 Constitution.

1599 f. The home addresses, telephone numbers, dates of birth,
1600 and photographs of current or former state attorneys, assistant
1601 state attorneys, statewide prosecutors, or assistant statewide
1602 prosecutors; the names, home addresses, telephone numbers,
1603 photographs, dates of birth, and places of employment of the

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1604 spouses and children of current or former state attorneys,
1605 assistant state attorneys, statewide prosecutors, or assistant
1606 statewide prosecutors; and the names and locations of schools
1607 and day care facilities attended by the children of current or
1608 former state attorneys, assistant state attorneys, statewide
1609 prosecutors, or assistant statewide prosecutors are exempt from
1610 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

1611 g. The home addresses, dates of birth, and telephone
1612 numbers of general magistrates, special magistrates, judges of
1613 compensation claims, administrative law judges of the Division
1614 of Administrative Hearings, and child support enforcement
1615 hearing officers; the names, home addresses, telephone numbers,
1616 dates of birth, and places of employment of the spouses and
1617 children of general magistrates, special magistrates, judges of
1618 compensation claims, administrative law judges of the Division
1619 of Administrative Hearings, and child support enforcement
1620 hearing officers; and the names and locations of schools and day
1621 care facilities attended by the children of general magistrates,
1622 special magistrates, judges of compensation claims,
1623 administrative law judges of the Division of Administrative
1624 Hearings, and child support enforcement hearing officers are
1625 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1626 Constitution.

1627 h. The home addresses, telephone numbers, dates of birth,
1628 and photographs of current or former human resource, labor
1629 relations, or employee relations directors, assistant directors,
1630 managers, or assistant managers of any local government agency
1631 or water management district whose duties include hiring and
1632 firing employees, labor contract negotiation, administration, or

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1633 other personnel-related duties; the names, home addresses,
1634 telephone numbers, dates of birth, and places of employment of
1635 the spouses and children of such personnel; and the names and
1636 locations of schools and day care facilities attended by the
1637 children of such personnel are exempt from s. 119.07(1) and s.
1638 24(a), Art. I of the State Constitution.

1639 i. The home addresses, telephone numbers, dates of birth,
1640 and photographs of current or former code enforcement officers;
1641 the names, home addresses, telephone numbers, dates of birth,
1642 and places of employment of the spouses and children of such
1643 personnel; and the names and locations of schools and day care
1644 facilities attended by the children of such personnel are exempt
1645 from s. 119.07(1) and s. 24(a), Art. I of the State
1646 Constitution.

1647 j. The home addresses, telephone numbers, places of
1648 employment, dates of birth, and photographs of current or former
1649 guardians ad litem, as defined in s. 39.820; the names, home
1650 addresses, telephone numbers, dates of birth, and places of
1651 employment of the spouses and children of such persons; and the
1652 names and locations of schools and day care facilities attended
1653 by the children of such persons are exempt from s. 119.07(1) and
1654 s. 24(a), Art. I of the State Constitution.

1655 k. The home addresses, telephone numbers, dates of birth,
1656 and photographs of current or former juvenile probation
1657 officers, juvenile probation supervisors, detention
1658 superintendents, assistant detention superintendents, juvenile
1659 justice detention officers I and II, juvenile justice detention
1660 officer supervisors, juvenile justice residential officers,
1661 juvenile justice residential officer supervisors I and II,

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1662 juvenile justice counselors, juvenile justice counselor
1663 supervisors, human services counselor administrators, senior
1664 human services counselor administrators, rehabilitation
1665 therapists, and social services counselors of the Department of
1666 Juvenile Justice; the names, home addresses, telephone numbers,
1667 dates of birth, and places of employment of spouses and children
1668 of such personnel; and the names and locations of schools and
1669 day care facilities attended by the children of such personnel
1670 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1671 Constitution.

1672 1. The home addresses, telephone numbers, dates of birth,
1673 and photographs of current or former public defenders, assistant
1674 public defenders, criminal conflict and civil regional counsel,
1675 and assistant criminal conflict and civil regional counsel; the
1676 names, home addresses, telephone numbers, dates of birth, and
1677 places of employment of the spouses and children of current or
1678 former public defenders, assistant public defenders, criminal
1679 conflict and civil regional counsel, and assistant criminal
1680 conflict and civil regional counsel; and the names and locations
1681 of schools and day care facilities attended by the children of
1682 current or former public defenders, assistant public defenders,
1683 criminal conflict and civil regional counsel, and assistant
1684 criminal conflict and civil regional counsel are exempt from s.
1685 119.07(1) and s. 24(a), Art. I of the State Constitution.

1686 m. The home addresses, telephone numbers, dates of birth,
1687 and photographs of current or former investigators or inspectors
1688 of the Department of Business and Professional Regulation; the
1689 names, home addresses, telephone numbers, dates of birth, and
1690 places of employment of the spouses and children of such current

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1691 or former investigators and inspectors; and the names and
1692 locations of schools and day care facilities attended by the
1693 children of such current or former investigators and inspectors
1694 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1695 Constitution.

1696 n. The home addresses, telephone numbers, and dates of
1697 birth of county tax collectors; the names, home addresses,
1698 telephone numbers, dates of birth, and places of employment of
1699 the spouses and children of such tax collectors; and the names
1700 and locations of schools and day care facilities attended by the
1701 children of such tax collectors are exempt from s. 119.07(1) and
1702 s. 24(a), Art. I of the State Constitution.

1703 o. The home addresses, telephone numbers, dates of birth,
1704 and photographs of current or former personnel of the Department
1705 of Health whose duties include, or result in, the determination
1706 or adjudication of eligibility for social security disability
1707 benefits, the investigation or prosecution of complaints filed
1708 against health care practitioners, or the inspection of health
1709 care practitioners or health care facilities licensed by the
1710 Department of Health; the names, home addresses, telephone
1711 numbers, dates of birth, and places of employment of the spouses
1712 and children of such personnel; and the names and locations of
1713 schools and day care facilities attended by the children of such
1714 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
1715 the State Constitution.

1716 p. The home addresses, telephone numbers, dates of birth,
1717 and photographs of current or former impaired practitioner
1718 consultants who are retained by an agency or current or former
1719 employees of an impaired practitioner consultant whose duties

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1720 result in a determination of a person's skill and safety to
1721 practice a licensed profession; the names, home addresses,
1722 telephone numbers, dates of birth, and places of employment of
1723 the spouses and children of such consultants or their employees;
1724 and the names and locations of schools and day care facilities
1725 attended by the children of such consultants or employees are
1726 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1727 Constitution.

1728 q. The home addresses, telephone numbers, dates of birth,
1729 and photographs of current or former emergency medical
1730 technicians or paramedics certified under chapter 401; the
1731 names, home addresses, telephone numbers, dates of birth, and
1732 places of employment of the spouses and children of such
1733 emergency medical technicians or paramedics; and the names and
1734 locations of schools and day care facilities attended by the
1735 children of such emergency medical technicians or paramedics are
1736 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1737 Constitution.

1738 r. The home addresses, telephone numbers, dates of birth,
1739 and photographs of current or former personnel employed in an
1740 agency's office of inspector general or internal audit
1741 department whose duties include auditing or investigating waste,
1742 fraud, abuse, theft, exploitation, or other activities that
1743 could lead to criminal prosecution or administrative discipline;
1744 the names, home addresses, telephone numbers, dates of birth,
1745 and places of employment of spouses and children of such
1746 personnel; and the names and locations of schools and day care
1747 facilities attended by the children of such personnel are exempt
1748 from s. 119.07(1) and s. 24(a), Art. I of the State

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1749 Constitution.

1750 s. The home addresses, telephone numbers, dates of birth,
1751 and photographs of current or former directors, managers,
1752 supervisors, nurses, and clinical employees of an addiction
1753 treatment facility; the home addresses, telephone numbers,
1754 photographs, dates of birth, and places of employment of the
1755 spouses and children of such personnel; and the names and
1756 locations of schools and day care facilities attended by the
1757 children of such personnel are exempt from s. 119.07(1) and s.
1758 24(a), Art. I of the State Constitution. For purposes of this
1759 sub-subparagraph, the term "addiction treatment facility" means
1760 a county government, or agency thereof, that is licensed
1761 pursuant to s. 397.401 and provides substance abuse prevention,
1762 intervention, or clinical treatment, including any licensed
1763 service component described in s. 397.311(26).

1764 t. The home addresses, telephone numbers, dates of birth,
1765 and photographs of current or former directors, managers,
1766 supervisors, and clinical employees of a child advocacy center
1767 that meets the standards of s. 39.3035(2) ~~s. 39.3035(1)~~ and
1768 fulfills the screening requirement of s. 39.3035(3) ~~s.~~
1769 ~~39.3035(2)~~, and the members of a Child Protection Team as
1770 described in s. 39.303 whose duties include supporting the
1771 investigation of child abuse or sexual abuse, child abandonment,
1772 child neglect, and child exploitation or to provide services as
1773 part of a multidisciplinary case review team; the names, home
1774 addresses, telephone numbers, photographs, dates of birth, and
1775 places of employment of the spouses and children of such
1776 personnel and members; and the names and locations of schools
1777 and day care facilities attended by the children of such

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1778 personnel and members are exempt from s. 119.07(1) and s. 24(a),
1779 Art. I of the State Constitution.

1780 3. An agency that is the custodian of the information
1781 specified in subparagraph 2. and that is not the employer of the
1782 officer, employee, justice, judge, or other person specified in
1783 subparagraph 2. shall maintain the exempt status of that
1784 information only if the officer, employee, justice, judge, other
1785 person, or employing agency of the designated employee submits a
1786 written request for maintenance of the exemption to the
1787 custodial agency.

1788 4. An officer, an employee, a justice, a judge, or other
1789 person specified in subparagraph 2. may submit a written request
1790 for the release of his or her exempt information to the
1791 custodial agency. The written request must be notarized and must
1792 specify the information to be released and the party that is
1793 authorized to receive the information. Upon receipt of the
1794 written request, the custodial agency shall release the
1795 specified information to the party authorized to receive such
1796 information.

1797 5. The exemptions in this paragraph apply to information
1798 held by an agency before, on, or after the effective date of the
1799 exemption.

1800 6. This paragraph is subject to the Open Government Sunset
1801 Review Act in accordance with s. 119.15 and shall stand repealed
1802 on October 2, 2024, unless reviewed and saved from repeal
1803 through reenactment by the Legislature.

1804 Section 21. Subsection (4) of section 322.09, Florida
1805 Statutes, is amended to read:

1806 322.09 Application of minors; responsibility for negligence

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1807 or misconduct of minor.—

1808 (4) Notwithstanding subsections (1) and (2), if a caregiver
1809 of a minor who is under the age of 18 years and is in out-of-
1810 home care as defined in s. 39.01 ~~s. 39.01(55)~~, an authorized
1811 representative of a residential group home at which such a minor
1812 resides, the caseworker at the agency at which the state has
1813 placed the minor, or a guardian ad litem specifically authorized
1814 by the minor's caregiver to sign for a learner's driver license
1815 signs the minor's application for a learner's driver license,
1816 that caregiver, group home representative, caseworker, or
1817 guardian ad litem does not assume any obligation or become
1818 liable for any damages caused by the negligence or willful
1819 misconduct of the minor by reason of having signed the
1820 application. Before signing the application, the caseworker,
1821 authorized group home representative, or guardian ad litem shall
1822 notify the caregiver or other responsible party of his or her
1823 intent to sign and verify the application.

1824 Section 22. Paragraph (g) of subsection (2) of section
1825 934.03, Florida Statutes, is amended to read:

1826 934.03 Interception and disclosure of wire, oral, or
1827 electronic communications prohibited.—

1828 (2)

1829 (g) It is lawful under this section and ss. 934.04-934.09
1830 for an employee of:

1831 1. An ambulance service licensed pursuant to s. 401.25, a
1832 fire station employing firefighters as defined by s. 633.102, a
1833 public utility, a law enforcement agency as defined by s.
1834 934.02(10), or any other entity with published emergency
1835 telephone numbers;

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1836 2. An agency operating an emergency telephone number "911"
1837 system established pursuant to s. 365.171; or

1838 3. The central abuse hotline operated pursuant to s. 39.101
1839 ~~s. 39.201~~

1840

1841 to intercept and record incoming wire communications; however,
1842 such employee may intercept and record incoming wire
1843 communications on designated "911" telephone numbers and
1844 published nonemergency telephone numbers staffed by trained
1845 dispatchers at public safety answering points only. It is also
1846 lawful for such employee to intercept and record outgoing wire
1847 communications to the numbers from which such incoming wire
1848 communications were placed when necessary to obtain information
1849 required to provide the emergency services being requested. For
1850 the purpose of this paragraph, the term "public utility" has the
1851 same meaning as provided in s. 366.02 and includes a person,
1852 partnership, association, or corporation now or hereafter owning
1853 or operating equipment or facilities in the state for conveying
1854 or transmitting messages or communications by telephone or
1855 telegraph to the public for compensation.

1856 Section 23. Except as otherwise expressly provided in this
1857 act, and except for this section, which shall take effect upon
1858 this act becoming a law, this act shall take effect October 1,
1859 2021.