

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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;

586-02354-21

202196c1

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

586-02354-21

202196c1

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 an effective date.

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

586-02354-21

202196c1

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.

586-02354-21

202196c1

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

586-02354-21

202196c1

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).

586-02354-21

202196c1

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.—



586-02354-21

202196c1

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,

586-02354-21

202196c1

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.

290

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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



586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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,

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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



586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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:



586-02354-21

202196c1

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.—

586-02354-21

202196c1

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

586-02354-21

202196c1

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.—

586-02354-21

202196c1

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

586-02354-21

202196c1

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.

586-02354-21

202196c1

- 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

586-02354-21

202196c1

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.

586-02354-21

202196c1

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,



586-02354-21

202196c1

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,

586-02354-21

202196c1

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.

586-02354-21

202196c1

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,

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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~~

586-02354-21

202196c1

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



586-02354-21

202196c1

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.

586-02354-21

202196c1

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

	586-02354-21		202196c1
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

586-02354-21

202196c1

			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.

	586-02354-21		202196c1
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

586-02354-21

202196c1

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.

586-02354-21

202196c1

1468  
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1470  
1471  
1472  
1473  
1474

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).

	586-02354-21		202196c1
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.



586-02354-21

202196c1

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

	586-02354-21		202196c1
1489			minors.
	847.0135 (2)	3rd	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

586-02354-21

202196c1

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.~~

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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,



586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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

586-02354-21

202196c1

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;

586-02354-21

202196c1

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. This act shall take effect October 1, 2021.