

By the Committees on Rules; and Children, Families, and Elder Affairs; and Senators Book and Brodeur

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

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30 report must be provided to the secretary of the
31 department; amending s. 39.202, F.S.; expanding the
32 authorization of access to certain confidential
33 records to include members of standing or select
34 legislative committees, upon request, within a
35 specified timeframe; amending s. 39.205, F.S.;
36 providing construction; specifying that certain
37 persons are not relieved from the duty to report by
38 notifying a supervisor; creating s. 39.208, F.S.;
39 providing legislative findings and intent; providing
40 responsibilities for child protective investigators
41 relating to animal cruelty; providing criminal, civil,
42 and administrative immunity to child protective
43 investigators who report known or suspected animal
44 cruelty; providing responsibilities for animal control
45 officers relating to child abuse, abandonment, and
46 neglect; providing criminal penalties; requiring the
47 department to develop training in consultation with
48 the Florida Animal Control Association which relates
49 to child and animal cruelty; providing requirements
50 for such training; requiring the department to adopt
51 rules; amending s. 39.302, F.S.; conforming cross-
52 references; authorizing certain persons to be
53 represented by an attorney or accompanied by another
54 person under certain circumstances during
55 institutional investigations; providing requirements
56 relating to institutional investigations; amending s.
57 39.3035, F.S.; providing a description of child
58 advocacy centers; creating s. 39.4092, F.S.; providing

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

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88 F.S.; relating to duties of the department relating to
89 foster care; providing legislative intent; amending s.
90 827.071, F.S.; renaming the term "sexual bestiality"
91 as "sexual contact with an animal" and redefining the
92 term; amending s. 828.126, F.S.; revising and defining
93 terms; revising prohibitions relating to sexual
94 conduct and sexual contact with an animal; revising
95 criminal penalties; requiring a court to issue certain
96 orders; revising applicability; amending s. 828.27,
97 F.S.; requiring county and municipal animal control
98 officers to complete specified training; requiring
99 that animal control officers be provided with
100 opportunities to attend such training during normal
101 work hours; amending s. 921.0022, F.S.; assigning an
102 offense severity ranking for sexual activities
103 involving animals; amending s. 1012.795, F.S.;
104 requiring the Education Practices Commission to
105 suspend the educator certificate of instructional
106 personnel and school administrators for failing to
107 report known or suspected child abuse under certain
108 circumstances; amending ss. 39.301, 119.071, 322.09,
109 and 934.03, F.S.; conforming cross-references;
110 providing an effective date.

111
112 Be It Enacted by the Legislature of the State of Florida:

113
114 Section 1. Section 39.101, Florida Statutes, is created to
115 read:

116 39.101 Central abuse hotline.—The central abuse hotline is

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117 the first step in the safety assessment and investigation
118 process.

119 (1) ESTABLISHMENT AND OPERATION.—

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

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

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

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

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

144 4. Track critical steps in the investigative process to
145 ensure compliance with all requirements for any report of abuse,

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146 abandonment, or neglect.

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

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

153 7. Initiate and enter into agreements with other states for
154 the purposes of gathering and sharing information contained in
155 reports on child maltreatment to further enhance programs for
156 the protection of children.

157 8. Promote public awareness of the central abuse hotline
158 through community-based partner organizations and public service
159 campaigns.

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

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

166 1. The immediate safety or well-being of a child is
167 endangered;

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

170 3. The facts reported to the central abuse hotline
171 otherwise so warrant.

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

174 (3) COLLECTION OF INFORMATION AND DATA.—The department

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175 shall:

176 (a)1. Voice-record all incoming or outgoing calls that are
177 received or placed by the central abuse hotline which relate to
178 suspected or known child abuse, neglect, or abandonment and
179 maintain an electronic copy of each report made to the hotline,
180 whether through a call or the electronic system.

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

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

189

190 This paragraph does not prohibit hotline staff from using the
191 recordings or the electronic reports for quality assurance or
192 training purposes.

193 (b)1. Secure and install electronic equipment that
194 automatically provides to the hotline the number from which the
195 call or fax is placed or the Internet protocol address from
196 which the report is received.

197 2. Enter the number or Internet protocol address into the
198 report of abuse, abandonment, or neglect for it to become a part
199 of the record of the report.

200 3. Maintain the confidentiality of such information in the
201 same manner as given to the identity of the reporter pursuant to
202 s. 39.202.

203 (c)1. Update the web form used for reporting child abuse,

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204 abandonment, or neglect to include qualifying questions in order
205 to obtain necessary information required to assess need and the
206 timelines necessary for initiating an investigation under
207 subsection (2).

208 2. Make the report available in its entirety to the
209 counselors as needed to update the Florida Safe Families Network
210 or other similar systems.

211 (d) Monitor and evaluate the effectiveness of the reporting
212 and investigating of suspected child abuse, abandonment, or
213 neglect through the development and analysis of statistical and
214 other information.

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

217 (f)1. Collect and analyze child-on-child sexual abuse
218 reports and include such information in the aggregate
219 statistical reports.

220 2. Collect and analyze, in separate statistical reports,
221 those reports of child abuse and sexual abuse which are reported
222 from or which occurred:

223 a. On school premises;

224 b. On school transportation;

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

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

228 e. At a private prekindergarten provider or a public school
229 prekindergarten provider, as those terms are defined in s.
230 1002.51;

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

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

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

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

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

237 (a) Information received by the central abuse hotline may
238 not be used for employment screening, except as provided in s.
239 39.202(2) (a) or (h) or s. 402.302(15).

240 (b) Information in the central abuse hotline and the
241 department's automated abuse information system may be used by
242 the department, its authorized agents or contract providers, the
243 Department of Health, or county agencies as part of the
244 licensure or registration process pursuant to ss. 402.301-
245 402.319 and ss. 409.175-409.176.

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

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

261 Section 2. Section 39.201, Florida Statutes, is amended to

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262 read:

263 (Substantial rewording of section. See264 s. 39.201, F.S., for present text.)

265 39.201 Required reports of child abuse, abandonment,
266 neglect, and juvenile sexual abuse; required reports of death;
267 reports involving a child who has exhibited inappropriate sexual
268 behavior.-

269 (1) REQUIRED REPORTING.-

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

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

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

288 2. Any person who knows, or has reasonable cause to
289 suspect, that a child is the victim of childhood sexual abuse or
290 of juvenile sexual abuse shall report such knowledge or

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291 suspicion to the department. This includes any alleged incident
292 involving a child who is in the custody of or under the
293 protective supervision of the department.

294
295 Such reports may be made on the single statewide toll-free
296 telephone number or by fax, web-based chat, or web-based report.

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

300 2. A person making a report to the central abuse hotline
301 under this section who is part of any of the following
302 occupational categories is required to provide his or her name
303 to the central abuse hotline staff:

304 a. Physician, osteopathic physician, medical examiner,
305 chiropractic physician, nurse, or hospital personnel engaged in
306 the admission, examination, care, or treatment of persons;

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

309 c. Practitioner who relies solely on spiritual means for
310 healing;

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

312 e. Social worker, day care center worker, or other
313 professional child care worker, foster care worker, residential
314 worker, or institutional worker;

315 f. Law enforcement officer;

316 g. Judge; or

317 h. Animal control officer as defined in s. 828.27 or agent
318 appointed under s. 828.03.

319 (c) Central abuse hotline counselors shall advise persons

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320 who are making a report to the central abuse hotline that, while
321 their names must be entered into the record of the report, the
322 names of reporters are held confidential and exempt as provided
323 in s. 39.202. Counselors must receive periodic training in
324 encouraging all reporters to provide their names when making a
325 report.

326 (2) EXCEPTIONS TO REPORTING.—

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

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

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

342 3. An officer or employee of a law enforcement agency when
343 the incident under investigation by the law enforcement agency
344 was reported to law enforcement by the central abuse hotline
345 through the electronic transfer of the report or call. The
346 department's central abuse hotline is not required to
347 electronically transfer calls and reports received pursuant to
348 paragraph (1) (b) to the county sheriff's office if the matter

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349 was initially reported to the department by the county sheriff's
350 office or by another law enforcement agency. This subparagraph
351 applies only when the information related to the alleged child
352 abuse has been provided to the officer or employee of a law
353 enforcement agency or central abuse hotline employee in the
354 course of carrying out his or her official duties.

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

363 (3) ADDITIONAL CIRCUMSTANCES RELATED TO REPORTS.-

364 (a) Abuse occurring out of state.-

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

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

376 3. If the child is not currently being evaluated in a
377 medical facility in this state, the central abuse hotline must

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378 transfer the information on the report or call to the
379 appropriate state or county.

380 (b) Abuse reports received from emergency room physicians.-
381 The department must initiate an investigation when it receives a
382 report from an emergency room physician.

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

396 (d) Institutional child abuse or neglect.-Reports involving
397 known or suspected institutional child abuse or neglect, as
398 defined in s. 39.01, must be made and received in the same
399 manner as all other reports made pursuant to this section.

400 (e) Surrendered newborn infants.-

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

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

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407 b. If the report involving a surrendered newborn infant
408 does not include indications of abuse, neglect, or abandonment
409 other than that necessarily entailed in the infant having been
410 left at a hospital, emergency medical services station, or fire
411 station, the department must provide to the caller making the
412 report the name of a licensed child-placing agency on a rotating
413 basis from a list of licensed child-placing agencies eligible
414 and required to accept physical custody of and to place
415 surrendered newborn infants.

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

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

425 (a)1. Upon receiving a report made to the department's
426 central abuse hotline, personnel of the department shall
427 determine if the received report meets the statutory definition
428 of child abuse, abandonment, or neglect.

429 2. Any report meeting one of these definitions must be
430 accepted for protective investigation pursuant to part III of
431 this chapter.

432 (b)1. Any call received from a parent or legal custodian
433 seeking assistance for himself or herself which does not meet
434 the criteria for being a report of child abuse, abandonment, or
435 neglect may be accepted by the hotline for response to

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436 ameliorate a potential future risk of harm to a child.

437 2. The department must refer the parent or legal custodian
438 for appropriate voluntary community services if it is determined
439 by personnel of the department that a need for community
440 services exists.

441 (5) REPORTS OF SEXUAL ABUSE OF A CHILD, JUVENILE SEXUAL
442 ABUSE, OR A CHILD WHO HAS EXHIBITED INAPPROPRIATE SEXUAL
443 BEHAVIOR.—

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

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

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

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465 initial report is made to the central abuse hotline.

466 (c) The services identified in the assessment should be
467 provided in the least restrictive environment possible and must
468 include, but need not be limited to, child advocacy center
469 services pursuant to s. 39.3035 and sexual abuse treatment
470 programs developed and coordinated by the Children's Medical
471 Services Program in the Department of Health pursuant to s.
472 39.303.

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

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

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

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494 prekindergarten provider.

495 3. The department shall make a full written report to the
496 law enforcement agency within 3 working days after making the
497 oral report. Whenever possible, any criminal investigation must
498 be coordinated with the department's child protective
499 investigation. Any interested person who has information
500 regarding such abuse may forward a statement to the department.

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

512 Section 3. Present subsections (3) through (11) of section
513 39.2015, Florida Statutes, are redesignated as subsections (4)
514 through (12), respectively, a new subsection (3) is added to
515 that section, and subsection (1) and present subsections (3) and
516 (4) of that section are amended, to read:

517 39.2015 Critical incident rapid response team.—

518 (1) As part of the department's quality assurance program,
519 the department shall provide an immediate multiagency
520 investigation of certain child deaths or other serious
521 incidents, including, but not limited to, allegations of sexual
522 abuse of a child as described in this chapter. The purpose of

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523 such investigation is to identify root causes and rapidly
524 determine the need to change policies and practices related to
525 child protection and child welfare.

526 (3) An immediate onsite investigation conducted by a
527 critical incident rapid response team is required for all
528 reports received by the department containing allegations of
529 sexual abuse of a child as described in this chapter who is
530 currently placed in out-of-home care if the child was the
531 subject of a verified report of suspected abuse or neglect
532 during the previous 6 months. Only one team shall be deployed
533 for an allegation of sexual abuse that is based on the same act,
534 criminal episode, or transaction regardless of the number of
535 reports that are received by the department.

536 (4)~~(3)~~ Each investigation shall be conducted by a
537 multiagency team of at least five professionals with expertise
538 in child protection, child welfare, and organizational
539 management. The team may consist of employees of the department,
540 community-based care lead agencies, Children's Medical Services,
541 and community-based care provider organizations; faculty from
542 the institute consisting of public and private universities
543 offering degrees in social work established pursuant to s.
544 1004.615; or any other person with the required expertise. The
545 team shall include, at a minimum, a Child Protection Team
546 medical director, a representative from a child advocacy center
547 pursuant to s. 39.3035 who has specialized training in sexual
548 abuse, or a combination of such specialists if deemed
549 appropriate. With respect to investigations conducted under this
550 section related to allegations of child sexual abuse, the Child
551 Protection Team medical director may designate a member of the

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552 Child Protection Team to participate in the investigation as his
553 or her designee. The majority of the team must reside in
554 judicial circuits outside the location of the incident. The
555 secretary shall appoint a team leader for each group assigned to
556 an investigation. Notwithstanding subsections (2) and (3), at
557 the discretion of the team leader, the team or select team
558 members may conduct all or part of the investigation remotely.

559 (5)~~(4)~~ An investigation shall be initiated as soon as
560 possible, but not later than 2 business days after the case is
561 reported to the department. A preliminary report on each case
562 shall be provided to the secretary no later than 30 days after
563 the investigation begins for the investigation of a child death,
564 and 45 days for the investigation of an allegation of child
565 sexual abuse.

566 Section 4. Paragraph (t) of subsection (2) of section
567 39.202, Florida Statutes, is amended, and paragraph (u) is added
568 to that subsection, to read:

569 39.202 Confidentiality of reports and records in cases of
570 child abuse or neglect.—

571 (2) Except as provided in subsection (4), access to such
572 records, excluding the name of, or other identifying information
573 with respect to, the reporter which shall be released only as
574 provided in subsection (5), shall be granted only to the
575 following persons, officials, and agencies:

576 (t) Persons with whom the department is seeking to place
577 the child or to whom placement has been granted, including
578 foster parents for whom an approved home study has been
579 conducted, the designee of a licensed child-caring agency as
580 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or

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581 nonrelative with whom a child is placed pursuant to s. 39.402,
582 preadoptive parents for whom a favorable preliminary adoptive
583 home study has been conducted, adoptive parents, or an adoption
584 entity acting on behalf of preadoptive or adoptive parents.

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

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

591 39.205 Penalties relating to reporting of child abuse,
592 abandonment, or neglect.—

593 (1) A person ~~who is required to report known or suspected~~
594 ~~child abuse, abandonment, or neglect and~~ who knowingly and
595 willfully fails to report known or suspected child abuse,
596 abandonment, or neglect ~~do so~~, or who knowingly and willfully
597 prevents another person from doing so, commits a felony of the
598 third degree, punishable as provided in s. 775.082, s. 775.083,
599 or s. 775.084. A judge subject to discipline pursuant to s. 12,
600 Art. V of the Florida Constitution shall not be subject to
601 criminal prosecution when the information was received in the
602 course of official duties.

603 (3) Any Florida College System institution, state
604 university, or nonpublic college, university, or school, as
605 defined in s. 1000.21 or s. 1005.02, whose administrators
606 ~~knowingly and willfully~~, upon receiving information from
607 faculty, staff, or other institution employees, knowingly and
608 willfully fail to report to the central abuse hotline pursuant
609 to this chapter known or suspected child abuse, abandonment, or

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610 neglect committed on the property of the university, college, or
611 school, or during an event or function sponsored by the
612 university, college, or school, or who knowingly and willfully
613 prevent another person from doing so, shall be subject to fines
614 of \$1 million for each such failure.

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

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

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

622 (4) Any Florida College System institution, state
623 university, or nonpublic college, university, or school, as
624 defined in s. 1000.21 or s. 1005.02, whose law enforcement
625 agency fails to report to the central abuse hotline pursuant to
626 this chapter known or suspected child abuse, abandonment, or
627 neglect committed on the property of the university, college, or
628 school, or during an event or function sponsored by the
629 university, college, or school, shall be subject to fines of \$1
630 million for each such failure, assessed in the same manner as
631 specified in subsection (3).

632 (11) This section may not be construed to remove or reduce
633 the requirement of any person, including any employee of a
634 school readiness program provider determined to be eligible
635 under s. 1002.88; a private prekindergarten provider or a public
636 school prekindergarten provider, as those terms are defined in
637 s. 1002.51; a public K-12 school as described in s. 1000.04; a
638 home education program or a private school, as those terms are

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639 defined in s. 1002.01; a Florida College System institution or a
640 state university, as those terms are defined in s. 1000.21; a
641 college as defined in s. 1005.02; or a school as defined in s.
642 1005.02, to directly report a suspected or actual case of child
643 abuse, abandonment, or neglect or the sexual abuse of a child to
644 the department's central abuse hotline pursuant to this chapter.
645 A person required to report to the central abuse hotline is not
646 relieved of the obligation by notifying his or her supervisor.

647 Section 6. Section 39.208, Florida Statutes, is created to
648 read:

649 39.208 Cross-reporting child abuse, abandonment, or neglect
650 and animal cruelty.—

651 (1) LEGISLATIVE FINDINGS AND INTENT.—

652 (a) The Legislature recognizes that animal cruelty of any
653 kind is a type of interpersonal violence that often co-occurs
654 with child abuse and other forms of family violence, including
655 elder abuse and domestic violence. Early identification of
656 animal cruelty is an important tool in safeguarding children
657 from abuse and neglect, providing needed support to families,
658 and protecting animals.

659 (b) The Legislature finds that education and training for
660 child protective investigators and animal care and control
661 personnel should include information on the link between the
662 welfare of animals in the family and child safety and
663 protection.

664 (c) Therefore, it is the intent of the Legislature to
665 require reporting and cross-reporting protocols and
666 collaborative training between child protective services and
667 animal control services personnel to help protect the safety and

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668 well-being of children, their families, and their animals.

669 (2) RESPONSIBILITIES OF CHILD PROTECTIVE INVESTIGATORS.—

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

678 1. A description of the animal and of the known or
679 suspected animal cruelty.

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

683 3. Any other information available to the child protective
684 investigator which might assist an animal control officer or law
685 enforcement officer in establishing the cause of the animal
686 cruelty and the manner in which it occurred.

687 (b) A child protective investigator who makes a report
688 under this section is presumed to have acted in good faith. An
689 investigator acting in good faith who makes a report under this
690 section or who cooperates in an investigation of suspected
691 animal cruelty is immune from any civil or criminal liability or
692 administrative penalty or sanction that might otherwise be
693 incurred in connection with making the report or otherwise
694 cooperating.

695 (3) RESPONSIBILITIES OF ANIMAL CONTROL OFFICERS.—Any person
696 who is required to investigate animal cruelty under chapter 828

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697 and who, while acting in his or her professional capacity or
698 within the scope of employment, knows or has reasonable cause to
699 suspect that a child is abused, abandoned, or neglected by a
700 parent, legal custodian, caregiver, or other person responsible
701 for the child's welfare or that a child is in need of
702 supervision and care and does not have a parent, a legal
703 custodian, or a responsible adult relative immediately known and
704 available to provide supervision and care to that child shall
705 immediately report such knowledge or suspicion to the
706 department's central abuse hotline.

707 (4) PENALTIES.—

708 (a) A child protective investigator who is required to
709 report known or suspected animal cruelty under subsection (2)
710 and who knowingly and willfully fails to do so commits a
711 misdemeanor of the second degree, punishable as provided in s.
712 775.082 or s. 775.083.

713 (b) An animal control officer who observes, in the course
714 of his or her duties, known or suspected abuse, neglect, or
715 abandonment of a child, who is required to report known or
716 suspected abuse, neglect, or abandonment of a child under
717 subsection (3), and who knowingly and willfully fails to report
718 an incident of known or suspected abuse, abandonment, or
719 neglect, as required by s. 39.201, is subject to the penalties
720 imposed in s. 39.205.

721 (5) TRAINING.—The department, in consultation with the
722 Florida Animal Control Association, shall develop or adapt and
723 use already available training materials in a 1-hour training
724 for all child protective investigators and animal control
725 officers on the accurate and timely identification and reporting

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726 of child abuse, abandonment, or neglect or animal cruelty and
727 the interconnectedness of such abuse and neglect. The department
728 shall incorporate into the required training for child
729 protective investigators information on the identification of
730 harm to and neglect of animals and the relationship of such
731 activities to child welfare case practice. The 1-hour training
732 developed for animal control officers must include a component
733 that advises such officers of the mandatory duty to report any
734 known or suspected child abuse, abandonment, or neglect under
735 this section and s. 39.201 and the criminal penalties associated
736 with a violation of failing to report known or suspected child
737 abuse, abandonment, or neglect which is punishable in accordance
738 with s. 39.205.

739 (6) RULEMAKING.—The department shall adopt rules to
740 implement this section.

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

743 39.302 Protective investigations of institutional child
744 abuse, abandonment, or neglect.—

745 (1) The department shall conduct a child protective
746 investigation of each report of institutional child abuse,
747 abandonment, or neglect. Upon receipt of a report that alleges
748 that an employee or agent of the department, or any other entity
749 or person covered by s. 39.01(37) or (54), acting in an official
750 capacity, has committed an act of child abuse, abandonment, or
751 neglect, the department shall initiate a child protective
752 investigation within the timeframe established under s.
753 39.101(2) ~~s. 39.201(5)~~ and notify the appropriate state
754 attorney, law enforcement agency, and licensing agency, which

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755 shall immediately conduct a joint investigation, unless
756 independent investigations are more feasible. When conducting
757 investigations or having face-to-face interviews with the child,
758 investigation visits shall be unannounced unless it is
759 determined by the department or its agent that unannounced
760 visits threaten the safety of the child. If a facility is exempt
761 from licensing, the department shall inform the owner or
762 operator of the facility of the report. Each agency conducting a
763 joint investigation is entitled to full access to the
764 information gathered by the department in the course of the
765 investigation. A protective investigation must include an
766 interview with the child's parent or legal guardian. The
767 department shall make a full written report to the state
768 attorney within 3 working days after making the oral report. A
769 criminal investigation shall be coordinated, whenever possible,
770 with the child protective investigation of the department. Any
771 interested person who has information regarding the offenses
772 described in this subsection may forward a statement to the
773 state attorney as to whether prosecution is warranted and
774 appropriate. Within 15 days after the completion of the
775 investigation, the state attorney shall report the findings to
776 the department and shall include in the report a determination
777 of whether or not prosecution is justified and appropriate in
778 view of the circumstances of the specific case.

779 (2) (a) If in the course of the child protective
780 investigation, the department finds that a subject of a report,
781 by continued contact with children in care, constitutes a
782 threatened harm to the physical health, mental health, or
783 welfare of the children, the department may restrict a subject's

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784 access to the children pending the outcome of the investigation.
785 The department or its agent shall employ the least restrictive
786 means necessary to safeguard the physical health, mental health,
787 and welfare of the children in care. This authority shall apply
788 only to child protective investigations in which there is some
789 evidence that child abuse, abandonment, or neglect has occurred.
790 A subject of a report whose access to children in care has been
791 restricted is entitled to petition the circuit court for
792 judicial review. The court shall enter written findings of fact
793 based upon the preponderance of evidence that child abuse,
794 abandonment, or neglect did occur and that the department's
795 restrictive action against a subject of the report was justified
796 in order to safeguard the physical health, mental health, and
797 welfare of the children in care. The restrictive action of the
798 department shall be effective for no more than 90 days without a
799 judicial finding supporting the actions of the department.

800 (b) In an institutional investigation, the alleged
801 perpetrator may be represented by an attorney, at his or her own
802 expense, or may be accompanied by another person, if the
803 attorney or the person executes an affidavit of understanding
804 with the department and agrees to comply with the
805 confidentiality requirements under s. 39.202. The absence of an
806 attorney or an accompanying person does not prevent the
807 department from proceeding with other aspects of the
808 investigation, including interviews with other persons. In
809 institutional child abuse cases when the institution is not
810 operational and the child cannot otherwise be located, the
811 investigation must commence immediately upon the resumption of
812 operation. If requested by a state attorney or local law

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813 enforcement agency, the department shall furnish all
814 investigative reports to such state attorney or agency.

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

820 Section 8. Present subsections (1), (2), and (3) of section
821 39.3035, Florida Statutes, are redesignated as subsections (2),
822 (3), and (4), respectively, a new subsection (1) is added to
823 that section, and present subsection (3) is amended, to read:

824 39.3035 Child advocacy centers; standards; state funding.—

825 (1) Child advocacy centers are facilities that offer
826 multidisciplinary services in a community-based, child-focused
827 environment to children who are alleged to be victims of abuse
828 or neglect. The children served by such centers may have
829 experienced a variety of types of abuse or neglect, including,
830 but not limited to, sexual abuse or severe physical abuse. The
831 centers bring together, often in one location, child protective
832 investigators, law enforcement, prosecutors, and medical and
833 mental health professionals to provide a coordinated,
834 comprehensive response to victims and their caregivers.

835 (4)~~(3)~~ A child advocacy center within this state may not
836 receive the funds generated pursuant to s. 938.10, state or
837 federal funds administered by a state agency, or any other funds
838 appropriated by the Legislature unless all of the standards of
839 subsection (2) ~~(1)~~ are met and the screening requirement of
840 subsection (3) ~~(2)~~ is met. The Florida Network of Children's
841 Advocacy Centers, Inc., shall be responsible for tracking and

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842 documenting compliance with subsections (2) and (3) ~~(1) and (2)~~
843 for any of the funds it administers to member child advocacy
844 centers.

845 (a) Funds for the specific purpose of funding children's
846 advocacy centers shall be appropriated to the Department of
847 Children and Families from funds collected from the additional
848 court cost imposed in cases of certain crimes against minors
849 under s. 938.10. Funds shall be disbursed to the Florida Network
850 of Children's Advocacy Centers, Inc., as established under this
851 section, for the purpose of providing community-based services
852 that augment, but do not duplicate, services provided by state
853 agencies.

854 (b) The board of directors of the Florida Network of
855 Children's Advocacy Centers, Inc., shall retain 10 percent of
856 all revenues collected to be used to match local contributions,
857 at a rate not to exceed an equal match, in communities
858 establishing children's advocacy centers. The board of directors
859 may use up to 5 percent of the remaining funds to support the
860 activities of the network office and must develop funding
861 criteria and an allocation methodology that ensures an equitable
862 distribution of remaining funds among network participants. The
863 criteria and methodologies must take into account factors that
864 include, but need not be limited to, the center's accreditation
865 status with respect to the National Children's Alliance, the
866 number of clients served, and the population of the area being
867 served by the children's advocacy center.

868 (c) At the end of each fiscal year, each children's
869 advocacy center receiving revenue as provided in this section
870 must provide a report to the board of directors of the Florida

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871 Network of Children's Advocacy Centers, Inc., which reflects
872 center expenditures, all sources of revenue received, and
873 outputs that have been standardized and agreed upon by network
874 members and the board of directors, such as the number of
875 clients served, client demographic information, and number and
876 types of services provided. The Florida Network of Children's
877 Advocacy Centers, Inc., must compile reports from the centers
878 and provide a report to the President of the Senate and the
879 Speaker of the House of Representatives in August of each year.

880 Section 9. Section 39.4092, Florida Statutes, is created to
881 read:

882 39.4092 Multidisciplinary legal representation model
883 program for parents of children in the dependency system.-

884 (1) LEGISLATIVE FINDINGS.-

885 (a) The Legislature finds that the use of a specialized
886 team that includes a lawyer, a social worker, and a parent-peer
887 specialist, also known as a multidisciplinary legal
888 representation model, in dependency judicial matters is
889 effective in reducing safety risks to children and providing
890 families with better outcomes, such as significantly reducing
891 the time such children spend in out-of-home care and achieving
892 permanency more quickly.

893 (b) The Legislature finds that parents in dependency court
894 often suffer from multiple challenges, such as mental illness,
895 substance use disorder, domestic violence and other trauma,
896 unstable housing, and unemployment. Such issues are often a
897 contributing factor to children experiencing instability or
898 safety risks. While these issues may result in legal involvement
899 or require legal representation, addressing such underlying

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900 challenges in a manner that achieves stability often falls
901 within the core functions of the practice of social work.

902 (c) The Legislature also finds that social work
903 professionals have a unique skill set, including client
904 assessment and clinical knowledge of family dynamics. This
905 unique skill set allows these professionals to interact and
906 engage with clients in meaningful and unique ways that are
907 distinct from the ways in which the clients interact with
908 attorneys or other professional staff involved with dependency
909 matters. Additionally, social work professionals are skilled at
910 quickly connecting families facing such crises to resources that
911 can address the specific underlying challenges.

912 (d) The Legislature finds that there is a great benefit to
913 using parent-peer specialists in the dependency system, which
914 allows parents who have successfully navigated the dependency
915 system and have been successfully reunified with their children
916 to be paired with parents whose children are currently involved
917 in the dependency system. By working with someone who has
918 personally lived the experience of overcoming great personal
919 crisis, parents currently involved in the dependency system have
920 a greater ability to address the underlying challenges that
921 resulted in the instability and safety risk to the children,
922 provide a safe and stable home environment, and be successfully
923 reunified.

924 (e) The Legislature further finds that current federal
925 provisions authorize the reimbursement of half the cost of
926 attorneys for parents and children in eligible cases, whereas
927 such funds were formerly restricted to foster care
928 administrative costs.

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929 (f) The Legislature finds it is necessary to encourage and
930 facilitate the use of a multidisciplinary legal representation
931 model for parents and their children in order to improve
932 outcomes for those families involved in the dependency system
933 and provide the families who find themselves in a crisis the
934 best opportunity to be successful in creating safe and stable
935 homes for their children.

936 (2) ESTABLISHMENT.—Each office of criminal conflict and
937 civil regional counsel established under s. 27.511 may establish
938 a multidisciplinary legal representation model program to serve
939 families who are in the dependency system. The department shall
940 collaborate with the office of criminal conflict and civil
941 regional counsel to implement a program and provide funding with
942 available federal matching resources for such multidisciplinary
943 legal representation model programs for eligible families
944 involved in the dependency system.

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

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

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

953 2. Been successfully reunified with the child for more than
954 2 years; and

955 3. Received specialized training to become a parent-peer
956 specialist.

957 (b) Provide any necessary cost-sharing agreements to

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958 maximize financial resources and enable access to available
959 federal Title IV-E matching funding.

960 (c) Provide specialized training and support for attorneys,
961 social workers, and parent-peer specialists involved in the
962 model program.

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

967 (e) Develop consistent operational program policies and
968 procedures throughout each region that establishes the model
969 program.

970 (f) Obtain agreements with universities relating to
971 approved placements for social work students to ensure the
972 placement of social workers in the program.

973 (g) Execute conflict of interest agreements with each team
974 member.

975 (4) REPORTING.—

976 (a) Each regional office of the office of criminal conflict
977 and civil regional counsel which establishes a multidisciplinary
978 legal representation model program that meets the requirements
979 of this section must provide an annual report to the Office of
980 Program Policy Analysis and Government Accountability. The
981 annual report must use the uniform data collected on each unique
982 child whose parents are served by the program and must detail,
983 at a minimum, all of the following:

984 1. Reasons for the original involvement of the family in
985 the dependency system.

986 2. Length of time it takes to achieve a permanency goal for

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987 the children whose parents are served by the program.

988 3. Frequency of each type of permanency goal achieved by
989 parents that are served by the program.

990 4. Rate of re-abuse or re-removal of children whose parents
991 are served by the program.

992 5. Any other relevant factors that tend to show the impact
993 of the use of such multidisciplinary legal representation model
994 programs on the outcomes for children in the dependency system,
995 provided each region that has established such a program agrees
996 to uniform additional factors and how to collect data on such
997 additional factors in the annual report.

998 (b) By October 1, 2022, and annually thereafter, the annual
999 report from each regional counsel office must be submitted to
1000 the Office of Program Policy Analysis and Government
1001 Accountability, which shall compile the results of such reports
1002 and compare the reported outcomes from the multidisciplinary
1003 legal representation model program to known outcomes of children
1004 in the dependency system whose parents are not served by a
1005 multidisciplinary legal representation model program. By
1006 December 1, 2022, and annually thereafter, the Office of Program
1007 Policy Analysis and Government Accountability must submit a
1008 report to the Governor, the President of the Senate, and the
1009 Speaker of the House of Representatives.

1010 (5) RULEMAKING.—The office of criminal conflict and civil
1011 regional counsel may adopt rules to administer this section.

1012 Section 10. Section 409.1415, Florida Statutes, is amended
1013 to read:

1014 409.1415 Parenting partnerships for children in out-of-home
1015 care; resources.—

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1016 (1) LEGISLATIVE FINDINGS AND INTENT.—

1017 (a) The Legislature finds that reunification is the most
1018 common outcome for children in out-of-home care and that
1019 caregivers are one of the most important resources to help
1020 children reunify with their families.

1021 (b) The Legislature further finds that the most successful
1022 caregivers understand that their role goes beyond supporting the
1023 children in their care to supporting the children's families, as
1024 a whole, and that children and their families benefit when
1025 caregivers and birth or legal parents are supported by an agency
1026 culture that encourages a meaningful partnership between them
1027 and provides quality support.

1028 (c) Therefore, in keeping with national trends, it is the
1029 intent of the Legislature to bring caregivers and birth or legal
1030 parents together in order to build strong relationships that
1031 lead to more successful reunifications and more stability for
1032 children being fostered in out-of-home care.

1033 (2) PARENTING PARTNERSHIPS.—

1034 (a) In order to ensure that children in out-of-home care
1035 achieve legal permanency as soon as possible, to reduce the
1036 likelihood that they will reenter care or that other children in
1037 the family are abused or neglected or enter out-of-home care,
1038 and to ensure that families are fully prepared to resume custody
1039 of their children, the department and community-based care lead
1040 agencies shall develop and support relationships between
1041 caregivers and birth or legal parents of children in out-of-home
1042 care, to the extent that it is safe and in the child's best
1043 interest, by:

1044 1. Facilitating telephone communication between the

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1045 caregiver and the birth or legal parent as soon as possible
1046 after the child is placed in the home of the caregiver.

1047 2. Facilitating and attending an in-person meeting between
1048 the caregiver and the birth or legal parent as soon as possible
1049 after the child is placed in the home of the caregiver.

1050 3. Developing and supporting a plan for the birth or legal
1051 parent to participate in medical appointments, educational and
1052 extracurricular activities, and other events involving the
1053 child.

1054 4. Facilitating participation by the caregiver in
1055 visitation between the birth or legal parent and the child.

1056 5. Involving the caregiver in planning meetings with the
1057 birth or legal parent.

1058 6. Developing and implementing effective transition plans
1059 for the child's return home or placement in any other living
1060 environment.

1061 7. Supporting continued contact between the caregiver and
1062 the child after the child returns home or moves to another
1063 permanent living arrangement.

1064 (b) To ensure that a child in out-of-home care receives
1065 support for healthy development which gives the child the best
1066 possible opportunity for success, caregivers, birth or legal
1067 parents, the department, and the community-based care lead
1068 agency shall work cooperatively in a respectful partnership by
1069 adhering to the following requirements:

1070 1. All members of the partnership must interact and
1071 communicate professionally with one another, must share all
1072 relevant information promptly, and must respect the
1073 confidentiality of all information related to the child and his

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1074 or her family.

1075 2. The caregiver; the birth or legal parent; the child, if
1076 appropriate; the department; and the community-based care lead
1077 agency must participate in developing a case plan for the child
1078 and the birth or legal parent. All members of the team must work
1079 together to implement the case plan. The caregiver must have the
1080 opportunity to participate in all team meetings or court
1081 hearings related to the child's care and future plans. The
1082 department and community-based care lead agency must support and
1083 facilitate caregiver participation through timely notification
1084 of such meetings and hearings and provide alternative methods
1085 for participation for a caregiver who cannot be physically
1086 present at a meeting or hearing.

1087 3. A caregiver must strive to provide, and the department
1088 and community-based care lead agency must support, excellent
1089 parenting, which includes:

1090 a. A loving commitment to the child and the child's safety
1091 and well-being.

1092 b. Appropriate supervision and positive methods of
1093 discipline.

1094 c. Encouragement of the child's strengths.

1095 d. Respect for the child's individuality and likes and
1096 dislikes.

1097 e. Providing opportunities to develop the child's interests
1098 and skills.

1099 f. Being aware of the impact of trauma on behavior.

1100 g. Facilitating equal participation of the child in family
1101 life.

1102 h. Involving the child within his or her community.

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1103 i. A commitment to enable the child to lead a normal life.

1104 4. A child in out-of-home care must be placed with a
1105 caregiver who has the ability to care for the child, is willing
1106 to accept responsibility for providing care, and is willing and
1107 able to learn about and be respectful of the child's culture,
1108 religion, and ethnicity; special physical or psychological
1109 needs; circumstances unique to the child; and family
1110 relationships. The department, the community-based care lead
1111 agency, and other agencies must provide a caregiver with all
1112 available information necessary to assist the caregiver in
1113 determining whether he or she is able to appropriately care for
1114 a particular child.

1115 5. A caregiver must have access to and take advantage of
1116 all training that he or she needs to improve his or her skills
1117 in parenting a child who has experienced trauma due to neglect,
1118 abuse, or separation from home; to meet the child's special
1119 needs; and to work effectively with child welfare agencies, the
1120 courts, the schools, and other community and governmental
1121 agencies.

1122 6. The department and community-based care lead agency must
1123 provide a caregiver with the services and support they need to
1124 enable them to provide quality care for the child pursuant to
1125 subsection (3).

1126 7. Once a caregiver accepts the responsibility of caring
1127 for a child, the child may be removed from the home of the
1128 caregiver only if:

1129 a. The caregiver is clearly unable to safely or legally
1130 care for the child;

1131 b. The child and the birth or legal parent are reunified;

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1132 c. The child is being placed in a legally permanent home in
1133 accordance with a case plan or court order; or

1134 d. The removal is demonstrably in the best interests of the
1135 child.

1136 8. If a child must leave the caregiver's home for one of
1137 the reasons stated in subparagraph 7., and in the absence of an
1138 unforeseeable emergency, the transition must be accomplished
1139 according to a plan that involves cooperation and sharing of
1140 information among all persons involved, respects the child's
1141 developmental stage and psychological needs, ensures the child
1142 has all of his or her belongings, allows for a gradual
1143 transition from the caregiver's home, and, if possible, allows
1144 for continued contact with the caregiver after the child leaves.

1145 9. When the case plan for a child includes reunification,
1146 the caregiver, the department, and the community-based care lead
1147 agency must work together to assist the birth or legal parent in
1148 improving his or her ability to care for and protect the child
1149 and to provide continuity for the child.

1150 10. A caregiver must respect and support the child's ties
1151 to his or her birth or legal family, including parents,
1152 siblings, and extended family members, and must assist the child
1153 in maintaining allowable visitation and other forms of
1154 communication. The department and community-based care lead
1155 agency must provide a caregiver with the information, guidance,
1156 training, and support necessary for fulfilling this
1157 responsibility.

1158 11. A caregiver must work in partnership with the
1159 department and community-based care lead agency to obtain and
1160 maintain records that are important to the child's well-being,

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1161 including, but not limited to, child resource records, medical
1162 records, school records, photographs, and records of special
1163 events and achievements.

1164 12. A caregiver must advocate for a child in his or her
1165 care with the child welfare system, the court, and community
1166 agencies, including schools, child care providers, health and
1167 mental health providers, and employers. The department and
1168 community-based care lead agency must support a caregiver in
1169 advocating for a child and may not retaliate against the
1170 caregiver as a result of this advocacy.

1171 13. A caregiver must be as fully involved in the child's
1172 medical, psychological, and dental care as he or she would be
1173 for his or her biological child. The department and community-
1174 based care lead agency must support and facilitate such
1175 participation. The caregiver, the department, and the community-
1176 based care lead agency must share information with each other
1177 about the child's health and well-being.

1178 14. A caregiver must support a child's school success,
1179 including, when possible, maintaining school stability by
1180 participating in school activities and meetings. The department
1181 and community-based care lead agency must facilitate this
1182 participation and be informed of the child's progress and needs.

1183 15. A caregiver must ensure that a child in his or her care
1184 who is between 13 and 17 years of age learns and masters
1185 independent living skills. The department shall make available
1186 the training for caregivers developed in collaboration with the
1187 Florida Foster and Adoptive Parent Association and the Quality
1188 Parenting Initiative on the life skills necessary for children
1189 in out-of-home care.

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1190 16. The case manager and case manager supervisor must
1191 mediate disagreements that occur between a caregiver and the
1192 birth or legal parent.

1193 (c) An employee of a residential group home must meet the
1194 background screening requirements under s. 39.0138 and the level
1195 2 screening standards for screening under chapter 435. An
1196 employee of a residential group home who works directly with a
1197 child as a caregiver must meet, at a minimum, the same
1198 education, training, background, and other screening
1199 requirements as caregivers in family foster homes licensed as
1200 level II under s. 409.175(5).

1201 (3) RESOURCES AND SUPPORT FOR CAREGIVERS.—

1202 (a) Foster parents.—The department shall establish the
1203 Foster Information Center to connect current and former foster
1204 parents, known as foster parent advocates, to prospective and
1205 current foster parents in order to provide information and
1206 services, including, but not limited to:

1207 1. Navigating the application and approval process,
1208 including timelines for each, preparing for transitioning from
1209 approval for placement to accepting a child into the home, and
1210 learning about and connecting with any available resources in
1211 the prospective foster parent's community.

1212 2. Accessing available resources and services, including
1213 those from the Florida Foster and Adoptive Parent Association,
1214 for any current foster parents who need additional assistance.

1215 3. Providing information specific to a foster parent's
1216 individual needs.

1217 4. Providing immediate assistance when needed.

1218 (b) Kinship caregivers.—

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1219 1. A community-based care lead agency shall provide a
1220 caregiver with resources and supports that are available and
1221 discuss whether the caregiver meets any eligibility criteria. If
1222 the caregiver is unable to access resources and supports
1223 beneficial to the well-being of the child, the community-based
1224 care lead agency or case management agency must assist the
1225 caregiver in initiating access to resources by:

1226 a. Providing referrals to kinship navigation services.

1227 b. Assisting with linkages to community resources and
1228 completion of program applications.

1229 c. Scheduling appointments.

1230 d. Initiating contact with community service providers.

1231 2. The community-based care lead agency shall provide each
1232 caregiver with a telephone number to call during normal working
1233 hours whenever immediate assistance is needed and the child's
1234 caseworker is unavailable. The telephone number must be staffed
1235 and answered by individuals possessing the knowledge and
1236 authority necessary to assist caregivers.

1237 (4) ~~(3)~~ RULEMAKING.—The department shall adopt rules
1238 necessary to administer this section.

1239 Section 11. Section 409.1453, Florida Statutes, is
1240 repealed.

1241 Section 12. Section 409.1753, Florida Statutes, is
1242 repealed.

1243 Section 13. The Legislature recognizes that animal cruelty
1244 of any kind is a type of interpersonal violence and often co-
1245 occurs with child abuse and other forms of family violence,
1246 including elder abuse and domestic violence, and that early
1247 identification of animal cruelty, including animal sexual abuse,

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1248 serves the purpose of providing an important tool to safeguard
1249 children from abuse and neglect, to provide needed support to
1250 families, and to protect animals.

1251 Section 14. Section 827.071, Florida Statutes, is amended
1252 to read:

1253 827.071 Sexual performance by a child; penalties.—

1254 (1) As used in this section, the following definitions
1255 shall apply:

1256 (a) "Deviate sexual intercourse" means sexual conduct
1257 between persons not married to each other consisting of contact
1258 between the penis and the anus, the mouth and the penis, or the
1259 mouth and the vulva.

1260 (b) "Intentionally view" means to deliberately,
1261 purposefully, and voluntarily view. Proof of intentional viewing
1262 requires establishing more than a single image, motion picture,
1263 exhibition, show, image, data, computer depiction,
1264 representation, or other presentation over any period of time.

1265 (c) "Performance" means any play, motion picture,
1266 photograph, or dance or any other visual representation
1267 exhibited before an audience.

1268 (d) "Promote" means to procure, manufacture, issue, sell,
1269 give, provide, lend, mail, deliver, transfer, transmute,
1270 publish, distribute, circulate, disseminate, present, exhibit,
1271 or advertise or to offer or agree to do the same.

1272 (e) "Sadomasochistic abuse" means flagellation or torture
1273 by or upon a person, or the condition of being fettered, bound,
1274 or otherwise physically restrained, for the purpose of deriving
1275 sexual satisfaction from inflicting harm on another or receiving
1276 such harm oneself.

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1277 (f) "Sexual battery" means oral, anal, or vaginal
1278 penetration by, or union with, the sexual organ of another or
1279 the anal or vaginal penetration of another by any other object;
1280 however, "sexual battery" does not include an act done for a
1281 bona fide medical purpose.

1282 (g) "Sexual contact with an animal" has the same meaning as
1283 in s. 828.126 when an adult encourages or forces such act to be
1284 committed between a child and an animal ~~bestiality" means any~~
1285 ~~sexual act between a person and an animal involving the sex~~
1286 ~~organ of the one and the mouth, anus, or vagina of the other.~~

1287 (h) "Sexual conduct" means actual or simulated sexual
1288 intercourse, deviate sexual intercourse, sexual contact with an
1289 animal ~~bestiality~~, masturbation, or sadomasochistic abuse;
1290 actual lewd exhibition of the genitals; actual physical contact
1291 with a person's clothed or unclothed genitals, pubic area,
1292 buttocks, or, if such person is a female, breast, with the
1293 intent to arouse or gratify the sexual desire of either party;
1294 or any act or conduct which constitutes sexual battery or
1295 simulates that sexual battery is being or will be committed. A
1296 mother's breastfeeding of her baby does not under any
1297 circumstance constitute "sexual conduct."

1298 (i) "Sexual performance" means any performance or part
1299 thereof which includes sexual conduct by a child of less than 18
1300 years of age.

1301 (j) "Simulated" means the explicit depiction of conduct set
1302 forth in paragraph (h) which creates the appearance of such
1303 conduct and which exhibits any uncovered portion of the breasts,
1304 genitals, or buttocks.

1305 (2) A person is guilty of the use of a child in a sexual

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1306 performance if, knowing the character and content thereof, he or
1307 she employs, authorizes, or induces a child less than 18 years
1308 of age to engage in a sexual performance or, being a parent,
1309 legal guardian, or custodian of such child, consents to the
1310 participation by such child in a sexual performance. Whoever
1311 violates this subsection is guilty of a felony of the second
1312 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1313 775.084.

1314 (3) A person is guilty of promoting a sexual performance by
1315 a child when, knowing the character and content thereof, he or
1316 she produces, directs, or promotes any performance which
1317 includes sexual conduct by a child less than 18 years of age.
1318 Whoever violates this subsection is guilty of a felony of the
1319 second degree, punishable as provided in s. 775.082, s. 775.083,
1320 or s. 775.084.

1321 (4) It is unlawful for any person to possess with the
1322 intent to promote any photograph, motion picture, exhibition,
1323 show, representation, or other presentation which, in whole or
1324 in part, includes any sexual conduct by a child. The possession
1325 of three or more copies of such photograph, motion picture,
1326 representation, or presentation is prima facie evidence of an
1327 intent to promote. Whoever violates this subsection is guilty of
1328 a felony of the second degree, punishable as provided in s.
1329 775.082, s. 775.083, or s. 775.084.

1330 (5) (a) It is unlawful for any person to knowingly possess,
1331 control, or intentionally view a photograph, motion picture,
1332 exhibition, show, representation, image, data, computer
1333 depiction, or other presentation which, in whole or in part, he
1334 or she knows to include any sexual conduct by a child. The

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1335 possession, control, or intentional viewing of each such
1336 photograph, motion picture, exhibition, show, image, data,
1337 computer depiction, representation, or presentation is a
1338 separate offense. If such photograph, motion picture,
1339 exhibition, show, representation, image, data, computer
1340 depiction, or other presentation includes sexual conduct by more
1341 than one child, then each such child in each such photograph,
1342 motion picture, exhibition, show, representation, image, data,
1343 computer depiction, or other presentation that is knowingly
1344 possessed, controlled, or intentionally viewed is a separate
1345 offense. A person who violates this subsection commits a felony
1346 of the third degree, punishable as provided in s. 775.082, s.
1347 775.083, or s. 775.084.

1348 (b) This subsection does not apply to material possessed,
1349 controlled, or intentionally viewed as part of a law enforcement
1350 investigation.

1351 (6) Prosecution of any person for an offense under this
1352 section shall not prohibit prosecution of that person in this
1353 state for a violation of any law of this state, including a law
1354 providing for greater penalties than prescribed in this section
1355 or any other crime punishing the sexual performance or the
1356 sexual exploitation of children.

1357 Section 15. Section 828.126, Florida Statutes, is amended
1358 to read:

1359 828.126 Sexual activities involving animals.—

1360 (1) As used in this section, the term:

1361 (a) "Animal husbandry" includes the day-to-day care of,
1362 selective breeding of, and the raising of livestock that is
1363 commonly defined as domesticated animals or animals raised for

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1364 agricultural purposes and that is located on land used for bona
1365 fide agricultural purposes as defined in s. 193.461(3)(b)
1366 ~~“Sexual conduct” means any touching or fondling by a person,~~
1367 ~~either directly or through clothing, of the sex organs or anus~~
1368 ~~of an animal or any transfer or transmission of semen by the~~
1369 ~~person upon any part of the animal for the purpose of sexual~~
1370 ~~gratification or arousal of the person.~~

1371 (b) “Sexual contact with an animal” means any act committed
1372 between a person and an animal for the purpose of sexual
1373 gratification, abuse, or financial gain which involves:

1374 1. Contact between the sex organ or anus of one and the
1375 mouth, sex organ, or anus of the other;

1376 2. The fondling of the sex organ or anus of an animal; or

1377 3. The insertion, however slight, of any part of the body
1378 of a person or any object into the vaginal or anal opening of an
1379 animal, or the insertion of any part of the body of an animal
1380 into the vaginal or anal opening of a person ~~contact, however~~
1381 ~~slight, between the mouth, sex organ, or anus of a person and~~
1382 ~~the sex organ or anus of an animal, or any penetration, however~~
1383 ~~slight, of any part of the body of the person into the sex organ~~
1384 ~~or anus of an animal, or any penetration of the sex organ or~~
1385 ~~anus of the person into the mouth of the animal, for the purpose~~
1386 ~~of sexual gratification or sexual arousal of the person.~~

1387 (2) A person may not:

1388 (a) Knowingly engage in any ~~sexual conduct or sexual~~
1389 ~~contact with an animal;~~

1390 (b) Knowingly cause, aid, or abet another person to engage
1391 in any ~~sexual conduct or sexual contact with an animal;~~

1392 (c) Knowingly permit any ~~sexual conduct or sexual contact~~

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1393 with an animal to be conducted on any premises under his or her
1394 charge or control; or

1395 (d) Knowingly organize, promote, conduct, ~~advertise,~~ aid,
1396 abet, participate in as an observer, or advertise, offer,
1397 solicit, or accept an offer of an animal for the purpose of
1398 sexual contact with such animal, or perform any service in the
1399 furtherance of an act involving any ~~sexual conduct or sexual~~
1400 contact with an animal ~~for a commercial or recreational purpose.~~

1401 (e) Knowingly film, distribute, or possess pornographic
1402 images of a person and an animal engaged in any of the
1403 activities prohibited by this section.

1404 (3) A person who violates this section commits a felony of
1405 the third ~~misdemeanor of the first~~ degree, punishable as
1406 provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

1407 (4) In addition to other penalties prescribed by law, the
1408 court shall issue an order prohibiting a person convicted under
1409 this section from harboring, owning, possessing, or exercising
1410 control over any animal; from residing in any household where
1411 animals are present; and from engaging in an occupation, whether
1412 paid or unpaid, or participating in a volunteer position at any
1413 establishment where animals are present. The order may be
1414 effective for up to 5 years from the date of the conviction
1415 regardless of whether adjudication is withheld.

1416 (5) ~~(4)~~ This section does not apply to accepted animal
1417 husbandry practices, accepted conformation judging practices, ~~or~~
1418 accepted veterinary medical practices, or artificial
1419 insemination of an animal for reproductive purposes.

1420 Section 16. Paragraph (a) of subsection (4) of section
1421 828.27, Florida Statutes, is amended to read:

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1422 828.27 Local animal control or cruelty ordinances;
1423 penalty.-

1424 (4) (a) 1. County-employed animal control officers must, and
1425 municipally employed animal control officers may, successfully
1426 complete a 40-hour minimum standards training course. Such
1427 course must include, but is not limited to, training for: animal
1428 cruelty investigations, search and seizure, animal handling,
1429 courtroom demeanor, and civil citations. The course curriculum
1430 must be approved by the Florida Animal Control Association. An
1431 animal control officer who successfully completes such course
1432 shall be issued a certificate indicating that he or she has
1433 received a passing grade.

1434 2. County-employed and municipally employed animal control
1435 officers must successfully complete the 1-hour training course
1436 developed by the Department of Children and Families and the
1437 Florida Animal Control Association pursuant to s. 39.208(5).
1438 Animal control officers must be provided with opportunities to
1439 attend the training during their normal work hours.

1440 ~~3.2.~~ Any animal control officer who is authorized before
1441 January 1, 1990, by a county or municipality to issue citations
1442 is not required to complete the minimum standards training
1443 course.

1444 ~~4.3.~~ In order to maintain valid certification, every 2
1445 years each certified animal control officer must complete 4
1446 hours of postcertification continuing education training. Such
1447 training may include, but is not limited to, training for:
1448 animal cruelty investigations, search and seizure, animal
1449 handling, courtroom demeanor, and civil citations.

1450 Section 17. Paragraph (f) of subsection (3) of section

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1451 921.0022, Florida Statutes, is amended to read:

1452 921.0022 Criminal Punishment Code; offense severity ranking
1453 chart.—

1454 (3) OFFENSE SEVERITY RANKING CHART

1455 (f) LEVEL 6

1456

Florida Statute	Felony 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 requiring licensure, without a license.
499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
499.0051 (3)	2nd	Knowing purchase or receipt of prescription

1457

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			drug from unauthorized person.
1462	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
1463	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
1464	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
1465	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
1466	784.041	3rd	Felony battery; domestic battery by strangulation.
1467	784.048 (3)	3rd	Aggravated stalking; credible threat.
1468	784.048 (5)	3rd	Aggravated stalking of person under 16.
1469	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.

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1470	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
1471	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
1472	784.081 (2)	2nd	Aggravated assault on specified official or employee.
1473	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
1474	784.083 (2)	2nd	Aggravated assault on code inspector.
1475	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
1476	790.115 (2) (d)	2nd	Discharging firearm or weapon on school

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1477			property.
	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
1478			
	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.
1479			
	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
1480			
	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
1481			
	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
1482			
	800.04 (5) (d)	3rd	Lewd or lascivious

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1483	800.04 (6) (b)	2nd	molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
1484	806.031 (2)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
1485	810.02 (3) (c)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
1486	810.145 (8) (b)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
1487	812.014 (2) (b) 1.	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
1488	812.014 (6)	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
			Theft; property stolen

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			\$3,000 or more; coordination of others.
1489	812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.
1490	812.015 (9) (b)	2nd	Retail theft; aggregated property stolen within 30 days is \$3,000 or more; coordination of others.
1491	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
1492	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
1493	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
1494	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.

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1495	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
1496	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
1497	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
1498	827.03 (2) (c)	3rd	Abuse of a child.
1499	827.03 (2) (d)	3rd	Neglect of a child.
1500	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1501	<u>828.126</u>	<u>3rd</u>	<u>Sexual activities involving animals.</u>
1502	836.05	2nd	Threats; extortion.
1503			

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1504	836.10	2nd	Written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
1505	843.12	3rd	Aids or assists person to escape.
1506	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
1507	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
1508	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily

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1509

injury.

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.

1510

944.40

2nd

Escapes.

1511

944.46

3rd

Harboring, concealing, aiding escaped prisoners.

1512

944.47 (1) (a) 5.

2nd

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

1513

951.22 (1) (i)

3rd

Firearm or weapon introduced into county detention facility.

1514

1515

Section 18. Paragraph (c) is added to subsection (6) of

1516

1012.795, Florida Statutes, to read:

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1517 1012.795 Education Practices Commission; authority to
1518 discipline.—

1519 (6)

1520 (c) If the Department of Education determines that any
1521 instructional personnel or school administrator, as defined in
1522 s. 1012.01(2) or (3), respectively, has knowingly failed to
1523 report known or suspected child abuse as required pursuant to s.
1524 39.201, and the Education Practices Commission has issued a
1525 final order for a previous instance of failure to report by the
1526 individual, the Education Practices Commission shall, at a
1527 minimum, suspend the educator certificate of the instructional
1528 personnel or school administrator for a period of not less than
1529 1 year.

1530 Section 19. Subsection (6) of section 39.301, Florida
1531 Statutes, is amended to read:

1532 39.301 Initiation of protective investigations.—

1533 (6) Upon commencing an investigation under this part, if a
1534 report was received from a reporter under s. 39.201(1)(a)2. ~~s.~~
1535 ~~39.201(1)(b)~~, the protective investigator must provide his or
1536 her contact information to the reporter within 24 hours after
1537 being assigned to the investigation. The investigator must also
1538 advise the reporter that he or she may provide a written summary
1539 of the report made to the central abuse hotline to the
1540 investigator which shall become a part of the electronic child
1541 welfare case file.

1542 Section 20. Paragraph (d) of subsection (4) of section
1543 119.071, Florida Statutes, is amended to read:

1544 119.071 General exemptions from inspection or copying of
1545 public records.—

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1546 (4) AGENCY PERSONNEL INFORMATION.—

1547 (d)1. For purposes of this paragraph, the term:

1548 a. "Home addresses" means the dwelling location at which an

1549 individual resides and includes the physical address, mailing

1550 address, street address, parcel identification number, plot

1551 identification number, legal property description, neighborhood

1552 name and lot number, GPS coordinates, and any other descriptive

1553 property information that may reveal the home address.

1554 b. "Telephone numbers" includes home telephone numbers,

1555 personal cellular telephone numbers, personal pager telephone

1556 numbers, and telephone numbers associated with personal

1557 communications devices.

1558 2.a. The home addresses, telephone numbers, dates of birth,

1559 and photographs of active or former sworn law enforcement

1560 personnel or of active or former civilian personnel employed by

1561 a law enforcement agency, including correctional and

1562 correctional probation officers, personnel of the Department of

1563 Children and Families whose duties include the investigation of

1564 abuse, neglect, exploitation, fraud, theft, or other criminal

1565 activities, personnel of the Department of Health whose duties

1566 are to support the investigation of child abuse or neglect, and

1567 personnel of the Department of Revenue or local governments

1568 whose responsibilities include revenue collection and

1569 enforcement or child support enforcement; the names, home

1570 addresses, telephone numbers, photographs, dates of birth, and

1571 places of employment of the spouses and children of such

1572 personnel; and the names and locations of schools and day care

1573 facilities attended by the children of such personnel are exempt

1574 from s. 119.07(1) and s. 24(a), Art. I of the State

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1575 Constitution.

1576 b. The home addresses, telephone numbers, dates of birth,
1577 and photographs of current or former nonsworn investigative
1578 personnel of the Department of Financial Services whose duties
1579 include the investigation of fraud, theft, workers' compensation
1580 coverage requirements and compliance, other related criminal
1581 activities, or state regulatory requirement violations; the
1582 names, home addresses, telephone numbers, dates of birth, and
1583 places of employment of the spouses and children of such
1584 personnel; and the names and locations of schools and day care
1585 facilities attended by the children of such personnel are exempt
1586 from s. 119.07(1) and s. 24(a), Art. I of the State
1587 Constitution.

1588 c. The home addresses, telephone numbers, dates of birth,
1589 and photographs of current or former nonsworn investigative
1590 personnel of the Office of Financial Regulation's Bureau of
1591 Financial Investigations whose duties include the investigation
1592 of fraud, theft, other related criminal activities, or state
1593 regulatory requirement violations; the names, home addresses,
1594 telephone numbers, dates of birth, and places of employment of
1595 the spouses and children of such personnel; and the names and
1596 locations of schools and day care facilities attended by the
1597 children of such personnel are exempt from s. 119.07(1) and s.
1598 24(a), Art. I of the State Constitution.

1599 d. The home addresses, telephone numbers, dates of birth,
1600 and photographs of current or former firefighters certified in
1601 compliance with s. 633.408; the names, home addresses, telephone
1602 numbers, photographs, dates of birth, and places of employment
1603 of the spouses and children of such firefighters; and the names

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1604 and locations of schools and day care facilities attended by the
1605 children of such firefighters are exempt from s. 119.07(1) and
1606 s. 24(a), Art. I of the State Constitution.

1607 e. The home addresses, dates of birth, and telephone
1608 numbers of current or former justices of the Supreme Court,
1609 district court of appeal judges, circuit court judges, and
1610 county court judges; the names, home addresses, telephone
1611 numbers, dates of birth, and places of employment of the spouses
1612 and children of current or former justices and judges; and the
1613 names and locations of schools and day care facilities attended
1614 by the children of current or former justices and judges are
1615 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1616 Constitution.

1617 f. The home addresses, telephone numbers, dates of birth,
1618 and photographs of current or former state attorneys, assistant
1619 state attorneys, statewide prosecutors, or assistant statewide
1620 prosecutors; the names, home addresses, telephone numbers,
1621 photographs, dates of birth, and places of employment of the
1622 spouses and children of current or former state attorneys,
1623 assistant state attorneys, statewide prosecutors, or assistant
1624 statewide prosecutors; and the names and locations of schools
1625 and day care facilities attended by the children of current or
1626 former state attorneys, assistant state attorneys, statewide
1627 prosecutors, or assistant statewide prosecutors are exempt from
1628 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

1629 g. The home addresses, dates of birth, and telephone
1630 numbers of general magistrates, special magistrates, judges of
1631 compensation claims, administrative law judges of the Division
1632 of Administrative Hearings, and child support enforcement

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1633 hearing officers; the names, home addresses, telephone numbers,
1634 dates of birth, and places of employment of the spouses and
1635 children of general magistrates, special magistrates, judges of
1636 compensation claims, administrative law judges of the Division
1637 of Administrative Hearings, and child support enforcement
1638 hearing officers; and the names and locations of schools and day
1639 care facilities attended by the children of general magistrates,
1640 special magistrates, judges of compensation claims,
1641 administrative law judges of the Division of Administrative
1642 Hearings, and child support enforcement hearing officers are
1643 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1644 Constitution.

1645 h. The home addresses, telephone numbers, dates of birth,
1646 and photographs of current or former human resource, labor
1647 relations, or employee relations directors, assistant directors,
1648 managers, or assistant managers of any local government agency
1649 or water management district whose duties include hiring and
1650 firing employees, labor contract negotiation, administration, or
1651 other personnel-related duties; the names, home addresses,
1652 telephone numbers, dates of birth, and places of employment of
1653 the spouses and children of such personnel; and the names and
1654 locations of schools and day care facilities attended by the
1655 children of such personnel are exempt from s. 119.07(1) and s.
1656 24(a), Art. I of the State Constitution.

1657 i. The home addresses, telephone numbers, dates of birth,
1658 and photographs of current or former code enforcement officers;
1659 the names, home addresses, telephone numbers, dates of birth,
1660 and places of employment of the spouses and children of such
1661 personnel; and the names and locations of schools and day care

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1662 facilities attended by the children of such personnel are exempt
1663 from s. 119.07(1) and s. 24(a), Art. I of the State
1664 Constitution.

1665 j. The home addresses, telephone numbers, places of
1666 employment, dates of birth, and photographs of current or former
1667 guardians ad litem, as defined in s. 39.820; the names, home
1668 addresses, telephone numbers, dates of birth, and places of
1669 employment of the spouses and children of such persons; and the
1670 names and locations of schools and day care facilities attended
1671 by the children of such persons are exempt from s. 119.07(1) and
1672 s. 24(a), Art. I of the State Constitution.

1673 k. The home addresses, telephone numbers, dates of birth,
1674 and photographs of current or former juvenile probation
1675 officers, juvenile probation supervisors, detention
1676 superintendents, assistant detention superintendents, juvenile
1677 justice detention officers I and II, juvenile justice detention
1678 officer supervisors, juvenile justice residential officers,
1679 juvenile justice residential officer supervisors I and II,
1680 juvenile justice counselors, juvenile justice counselor
1681 supervisors, human services counselor administrators, senior
1682 human services counselor administrators, rehabilitation
1683 therapists, and social services counselors of the Department of
1684 Juvenile Justice; the names, home addresses, telephone numbers,
1685 dates of birth, and places of employment of spouses and children
1686 of such personnel; and the names and locations of schools and
1687 day care facilities attended by the children of such personnel
1688 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1689 Constitution.

1690 l. The home addresses, telephone numbers, dates of birth,

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1691 and photographs of current or former public defenders, assistant
1692 public defenders, criminal conflict and civil regional counsel,
1693 and assistant criminal conflict and civil regional counsel; the
1694 names, home addresses, telephone numbers, dates of birth, and
1695 places of employment of the spouses and children of current or
1696 former public defenders, assistant public defenders, criminal
1697 conflict and civil regional counsel, and assistant criminal
1698 conflict and civil regional counsel; and the names and locations
1699 of schools and day care facilities attended by the children of
1700 current or former public defenders, assistant public defenders,
1701 criminal conflict and civil regional counsel, and assistant
1702 criminal conflict and civil regional counsel are exempt from s.
1703 119.07(1) and s. 24(a), Art. I of the State Constitution.

1704 m. The home addresses, telephone numbers, dates of birth,
1705 and photographs of current or former investigators or inspectors
1706 of the Department of Business and Professional Regulation; the
1707 names, home addresses, telephone numbers, dates of birth, and
1708 places of employment of the spouses and children of such current
1709 or former investigators and inspectors; and the names and
1710 locations of schools and day care facilities attended by the
1711 children of such current or former investigators and inspectors
1712 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1713 Constitution.

1714 n. The home addresses, telephone numbers, and dates of
1715 birth of county tax collectors; the names, home addresses,
1716 telephone numbers, dates of birth, and places of employment of
1717 the spouses and children of such tax collectors; and the names
1718 and locations of schools and day care facilities attended by the
1719 children of such tax collectors are exempt from s. 119.07(1) and

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1720 s. 24(a), Art. I of the State Constitution.

1721 o. The home addresses, telephone numbers, dates of birth,
1722 and photographs of current or former personnel of the Department
1723 of Health whose duties include, or result in, the determination
1724 or adjudication of eligibility for social security disability
1725 benefits, the investigation or prosecution of complaints filed
1726 against health care practitioners, or the inspection of health
1727 care practitioners or health care facilities licensed by the
1728 Department of Health; the names, home addresses, telephone
1729 numbers, dates of birth, and places of employment of the spouses
1730 and children of such personnel; and the names and locations of
1731 schools and day care facilities attended by the children of such
1732 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
1733 the State Constitution.

1734 p. The home addresses, telephone numbers, dates of birth,
1735 and photographs of current or former impaired practitioner
1736 consultants who are retained by an agency or current or former
1737 employees of an impaired practitioner consultant whose duties
1738 result in a determination of a person's skill and safety to
1739 practice a licensed profession; the names, home addresses,
1740 telephone numbers, dates of birth, and places of employment of
1741 the spouses and children of such consultants or their employees;
1742 and the names and locations of schools and day care facilities
1743 attended by the children of such consultants or employees are
1744 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1745 Constitution.

1746 q. The home addresses, telephone numbers, dates of birth,
1747 and photographs of current or former emergency medical
1748 technicians or paramedics certified under chapter 401; the

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1749 names, home addresses, telephone numbers, dates of birth, and
1750 places of employment of the spouses and children of such
1751 emergency medical technicians or paramedics; and the names and
1752 locations of schools and day care facilities attended by the
1753 children of such emergency medical technicians or paramedics are
1754 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1755 Constitution.

1756 r. The home addresses, telephone numbers, dates of birth,
1757 and photographs of current or former personnel employed in an
1758 agency's office of inspector general or internal audit
1759 department whose duties include auditing or investigating waste,
1760 fraud, abuse, theft, exploitation, or other activities that
1761 could lead to criminal prosecution or administrative discipline;
1762 the names, home addresses, telephone numbers, dates of birth,
1763 and places of employment of spouses and children of such
1764 personnel; and the names and locations of schools and day care
1765 facilities attended by the children of such personnel are exempt
1766 from s. 119.07(1) and s. 24(a), Art. I of the State
1767 Constitution.

1768 s. The home addresses, telephone numbers, dates of birth,
1769 and photographs of current or former directors, managers,
1770 supervisors, nurses, and clinical employees of an addiction
1771 treatment facility; the home addresses, telephone numbers,
1772 photographs, dates of birth, and places of employment of the
1773 spouses and children of such personnel; and the names and
1774 locations of schools and day care facilities attended by the
1775 children of such personnel are exempt from s. 119.07(1) and s.
1776 24(a), Art. I of the State Constitution. For purposes of this
1777 sub-subparagraph, the term "addiction treatment facility" means

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1778 a county government, or agency thereof, that is licensed
1779 pursuant to s. 397.401 and provides substance abuse prevention,
1780 intervention, or clinical treatment, including any licensed
1781 service component described in s. 397.311(26).

1782 t. The home addresses, telephone numbers, dates of birth,
1783 and photographs of current or former directors, managers,
1784 supervisors, and clinical employees of a child advocacy center
1785 that meets the standards of s. 39.3035(2) ~~s. 39.3035(1)~~ and
1786 fulfills the screening requirement of s. 39.3035(3) ~~s.~~
1787 ~~39.3035(2)~~, and the members of a Child Protection Team as
1788 described in s. 39.303 whose duties include supporting the
1789 investigation of child abuse or sexual abuse, child abandonment,
1790 child neglect, and child exploitation or to provide services as
1791 part of a multidisciplinary case review team; the names, home
1792 addresses, telephone numbers, photographs, dates of birth, and
1793 places of employment of the spouses and children of such
1794 personnel and members; and the names and locations of schools
1795 and day care facilities attended by the children of such
1796 personnel and members are exempt from s. 119.07(1) and s. 24(a),
1797 Art. I of the State Constitution.

1798 3. An agency that is the custodian of the information
1799 specified in subparagraph 2. and that is not the employer of the
1800 officer, employee, justice, judge, or other person specified in
1801 subparagraph 2. shall maintain the exempt status of that
1802 information only if the officer, employee, justice, judge, other
1803 person, or employing agency of the designated employee submits a
1804 written request for maintenance of the exemption to the
1805 custodial agency.

1806 4. An officer, an employee, a justice, a judge, or other

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1807 person specified in subparagraph 2. may submit a written request
1808 for the release of his or her exempt information to the
1809 custodial agency. The written request must be notarized and must
1810 specify the information to be released and the party that is
1811 authorized to receive the information. Upon receipt of the
1812 written request, the custodial agency shall release the
1813 specified information to the party authorized to receive such
1814 information.

1815 5. The exemptions in this paragraph apply to information
1816 held by an agency before, on, or after the effective date of the
1817 exemption.

1818 6. This paragraph is subject to the Open Government Sunset
1819 Review Act in accordance with s. 119.15 and shall stand repealed
1820 on October 2, 2024, unless reviewed and saved from repeal
1821 through reenactment by the Legislature.

1822 Section 21. Subsection (4) of section 322.09, Florida
1823 Statutes, is amended to read:

1824 322.09 Application of minors; responsibility for negligence
1825 or misconduct of minor.—

1826 (4) Notwithstanding subsections (1) and (2), if a caregiver
1827 of a minor who is under the age of 18 years and is in out-of-
1828 home care as defined in s. 39.01 ~~s. 39.01(55)~~, an authorized
1829 representative of a residential group home at which such a minor
1830 resides, the caseworker at the agency at which the state has
1831 placed the minor, or a guardian ad litem specifically authorized
1832 by the minor's caregiver to sign for a learner's driver license
1833 signs the minor's application for a learner's driver license,
1834 that caregiver, group home representative, caseworker, or
1835 guardian ad litem does not assume any obligation or become

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1836 liable for any damages caused by the negligence or willful
1837 misconduct of the minor by reason of having signed the
1838 application. Before signing the application, the caseworker,
1839 authorized group home representative, or guardian ad litem shall
1840 notify the caregiver or other responsible party of his or her
1841 intent to sign and verify the application.

1842 Section 22. Paragraph (g) of subsection (2) of section
1843 934.03, Florida Statutes, is amended to read:

1844 934.03 Interception and disclosure of wire, oral, or
1845 electronic communications prohibited.-

1846 (2)

1847 (g) It is lawful under this section and ss. 934.04-934.09
1848 for an employee of:

1849 1. An ambulance service licensed pursuant to s. 401.25, a
1850 fire station employing firefighters as defined by s. 633.102, a
1851 public utility, a law enforcement agency as defined by s.
1852 934.02(10), or any other entity with published emergency
1853 telephone numbers;

1854 2. An agency operating an emergency telephone number "911"
1855 system established pursuant to s. 365.171; or

1856 3. The central abuse hotline operated pursuant to s. 39.101
1857 ~~s. 39.201~~

1858
1859 to intercept and record incoming wire communications; however,
1860 such employee may intercept and record incoming wire
1861 communications on designated "911" telephone numbers and
1862 published nonemergency telephone numbers staffed by trained
1863 dispatchers at public safety answering points only. It is also
1864 lawful for such employee to intercept and record outgoing wire

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1865 communications to the numbers from which such incoming wire
1866 communications were placed when necessary to obtain information
1867 required to provide the emergency services being requested. For
1868 the purpose of this paragraph, the term "public utility" has the
1869 same meaning as provided in s. 366.02 and includes a person,
1870 partnership, association, or corporation now or hereafter owning
1871 or operating equipment or facilities in the state for conveying
1872 or transmitting messages or communications by telephone or
1873 telegraph to the public for compensation.

1874 Section 23. This act shall take effect October 1, 2021.