

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

586-02600-22

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1 A bill to be entitled
2 An act relating to human trafficking; amending s.
3 16.617, F.S.; providing the Statewide Council on Human
4 Trafficking with an additional duty; amending s.
5 16.618, F.S.; deleting an obsolete provision;
6 requiring the direct support organization of the
7 Statewide Council on Human Trafficking to develop
8 certain training for firesafety inspectors; providing
9 that such training is eligible for continuing
10 education credits; amending s. 409.175, F.S.;
11 requiring foster parents and agency staff to complete
12 preservice and inservice training related to human
13 trafficking; reenacting s. 63.092(3)(e), F.S.,
14 relating to reports to the court of intended placement
15 by an adoption entity, to incorporate the amendment
16 made to s. 409.175, F.S., in a reference thereto;
17 providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Present paragraphs (b) through (e) of subsection
22 (4) of section 16.617, Florida Statutes, are redesignated as
23 paragraphs (c) through (f), respectively, and a new paragraph
24 (b) is added to that subsection, to read:

25 16.617 Statewide Council on Human Trafficking; creation;
26 membership; duties.—

27 (4) DUTIES.—The council shall:

28 (b) Assess the frequency and extent to which social media
29 platforms are used to assist, facilitate, or support human

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30 trafficking within this state, establish a process to detect
31 such use on a consistent basis, and make recommendations on how
32 to stop, reduce, or prevent social media platforms from being
33 used for such purposes. To the extent that these objectives can
34 be achieved under existing laws, the council must implement a
35 system to do so without undue delay.

36 Section 2. Paragraph (b) of subsection (4) of section
37 16.618, Florida Statutes, is amended, and paragraph (f) is added
38 to that subsection, to read:

39 16.618 Direct-support organization.—

40 (4)

41 (b) Recognizing that this state hosts large-scale events,
42 including sporting events, concerts, and cultural events, which
43 generate significant tourism to this state, produce significant
44 economic revenue, and often are conduits for human trafficking,
45 the institute must develop training that is available ~~ready~~ for
46 statewide dissemination ~~by not later than October 1, 2019.~~

47 1. Training must focus on detecting human trafficking, best
48 practices for reporting human trafficking, and the interventions
49 and treatment for survivors of human trafficking.

50 2. In developing the training, the institute shall consult
51 with law enforcement agencies, survivors of human trafficking,
52 industry representatives, tourism representatives, and other
53 interested parties. The institute also must conduct research to
54 determine the reduction in recidivism attributable to the
55 education of the harms of human trafficking for first-time
56 offenders.

57 (f) The direct-support organization shall develop training
58 for firesafety inspectors in the recognition and reporting of

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59 human trafficking. Such training is eligible for continuing
60 education credit under s. 633.216(4).

61 Section 3. Paragraph (e) is added to subsection (14) of
62 section 409.175, Florida Statutes, to read:

63 409.175 Licensure of family foster homes, residential
64 child-caring agencies, and child-placing agencies; public
65 records exemption.—

66 (14)

67 (e)1. In addition to any other preservice training required
68 by law, foster parents, as a condition of licensure, and agency
69 staff must successfully complete preservice training related to
70 human trafficking which must be uniform statewide and must
71 include, but need not be limited to:

72 a. Basic information on human trafficking, such as an
73 understanding of relevant terminology, and the differences
74 between sex trafficking and labor trafficking;

75 b. Factors and knowledge on identifying children at risk of
76 human trafficking; and

77 c. Steps that should be taken to prevent at-risk youths
78 from becoming victims of human trafficking.

79 2. Foster parents, before licensure renewal, and agency
80 staff, during each full year of employment, must complete
81 inservice training related to human trafficking to satisfy the
82 training requirement under subparagraph (5)(b)7.

83 Section 4. For the purpose of incorporating the amendment
84 made by this act to section 409.175, Florida Statutes, in a
85 reference thereto, paragraph (e) of subsection (3) of section
86 63.092, Florida Statutes, is reenacted to read:

87 63.092 Report to the court of intended placement by an

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88 adoption entity; at-risk placement; preliminary study.—

89 (3) PRELIMINARY HOME STUDY.—Before placing the minor in the
90 intended adoptive home, a preliminary home study must be
91 performed by a licensed child-placing agency, a child-caring
92 agency registered under s. 409.176, a licensed professional, or
93 an agency described in s. 61.20(2), unless the adoptee is an
94 adult or the petitioner is a stepparent or a relative. If the
95 adoptee is an adult or the petitioner is a stepparent or a
96 relative, a preliminary home study may be required by the court
97 for good cause shown. The department is required to perform the
98 preliminary home study only if there is no licensed child-
99 placing agency, child-caring agency registered under s. 409.176,
100 licensed professional, or agency described in s. 61.20(2), in
101 the county where the prospective adoptive parents reside. The
102 preliminary home study must be made to determine the suitability
103 of the intended adoptive parents and may be completed before
104 identification of a prospective adoptive minor. If the
105 identified prospective adoptive minor is in the custody of the
106 department, a preliminary home study must be completed within 30
107 days after it is initiated. A favorable preliminary home study
108 is valid for 1 year after the date of its completion. Upon its
109 completion, a signed copy of the home study must be provided to
110 the intended adoptive parents who were the subject of the home
111 study. A minor may not be placed in an intended adoptive home
112 before a favorable preliminary home study is completed unless
113 the adoptive home is also a licensed foster home under s.
114 409.175. The preliminary home study must include, at a minimum:

115 (e) Documentation of counseling and education of the
116 intended adoptive parents on adoptive parenting, as determined

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117 by the entity conducting the preliminary home study. The
118 training specified in s. 409.175(14) shall only be required for
119 persons who adopt children from the department.

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121 If the preliminary home study is favorable, a minor may be
122 placed in the home pending entry of the judgment of adoption. A
123 minor may not be placed in the home if the preliminary home
124 study is unfavorable. If the preliminary home study is
125 unfavorable, the adoption entity may, within 20 days after
126 receipt of a copy of the written recommendation, petition the
127 court to determine the suitability of the intended adoptive
128 home. A determination as to suitability under this subsection
129 does not act as a presumption of suitability at the final
130 hearing. In determining the suitability of the intended adoptive
131 home, the court must consider the totality of the circumstances
132 in the home. A minor may not be placed in a home in which there
133 resides any person determined by the court to be a sexual
134 predator as defined in s. 775.21 or to have been convicted of an
135 offense listed in s. 63.089(4)(b)2.

136 Section 5. This act shall take effect July 1, 2022.