

By the Committee on Regulated Industries; and Senator Bradley

580-02821A-22

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1                   A bill to be entitled  
2           An act relating to the reduction of human trafficking;  
3           providing a short title; creating s. 509.098, F.S.;  
4           prohibiting an operator of a public lodging  
5           establishment from offering an hourly rate for an  
6           accommodation; amending s. 796.07, F.S.; increasing  
7           criminal penalties for soliciting or procuring another  
8           person to commit prostitution or other specified  
9           offenses or purchasing the services of a person  
10          engaged in prostitution; creating s. 1004.343, F.S.;  
11          creating the Statewide Data Repository for Anonymous  
12          Human Trafficking Data at the University of South  
13          Florida; providing purposes of the data repository;  
14          specifying duties of the university; designating  
15          required reporting entities; requiring specified  
16          information to be reported; providing timeframes for  
17          reporting; providing an effective date.

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

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21           Section 1. This act may be cited as the "Human Trafficking  
22 Reduction Act."

23           Section 2. Section 509.098, Florida Statutes, is created to  
24 read:

25           509.098 Prohibition of hourly rates.—An operator of a  
26 public lodging establishment may not offer an hourly rate for an  
27 accommodation.

28           Section 3. Subsection (4) and paragraph (a) of subsection  
29 (5) of section 796.07, Florida Statutes, are amended, and

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30 paragraphs (f) and (i) of subsection (2) of that section are  
31 republished, to read:

32 796.07 Prohibiting prostitution and related acts.—

33 (2) It is unlawful:

34 (f) To solicit, induce, entice, or procure another to  
35 commit prostitution, lewdness, or assignation.

36 (i) To purchase the services of any person engaged in  
37 prostitution.

38 (4) (a) A person who violates any provision of this section,  
39 other than paragraph (2) (f) or paragraph (2) (i), commits:

40 1. A misdemeanor of the second degree for a first  
41 violation, punishable as provided in s. 775.082 or s. 775.083.

42 2. A misdemeanor of the first degree for a second  
43 violation, punishable as provided in s. 775.082 or s. 775.083.

44 3. A felony of the third degree for a third or subsequent  
45 violation, punishable as provided in s. 775.082, s. 775.083, or  
46 s. 775.084.

47 (b) A person who is charged with a third or subsequent  
48 violation of this section, other than paragraph (2) (f) or  
49 paragraph (2) (i), shall be offered admission to a pretrial  
50 intervention program or a substance abuse treatment program as  
51 provided in s. 948.08.

52 (5) (a) A person who violates paragraph (2) (f) or paragraph  
53 (2) (i) commits:

54 1. A felony of the third ~~misdemeanor of the first~~ degree  
55 for a first violation, punishable as provided in s. 775.082, ~~or~~  
56 s. 775.083, or s. 775.084.

57 2. A felony of the second ~~third~~ degree for a second  
58 violation, punishable as provided in s. 775.082, s. 775.083, or

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59 s. 775.084.

60 3. A felony of the first ~~second~~ degree for a third or  
61 subsequent violation, punishable as provided in s. 775.082, s.  
62 775.083, or s. 775.084.

63 Section 4. Section 1004.343, Florida Statutes, is created  
64 to read:

65 1004.343 Statewide Data Repository for Anonymous Human  
66 Trafficking Data.-

67 (1) There is created the Statewide Data Repository for  
68 Anonymous Human Trafficking Data. The repository shall be housed  
69 in and operated by the University of South Florida Trafficking  
70 in Persons - Risk to Resilience Lab.

71 (a) The Statewide Data Repository for Anonymous Human  
72 Trafficking Data shall:

73 1. Collect and analyze anonymous human trafficking data to  
74 identify trends in human trafficking in the state over time.

75 2. Evaluate the effectiveness of various state-funded  
76 initiatives to combat human trafficking to enable the state to  
77 make evidence-based decisions in funding future initiatives.

78 3. Disseminate relevant data to law enforcement agencies,  
79 state agencies, and other entities to assist in combating human  
80 trafficking and apprehending and prosecuting persons responsible  
81 for conducting human trafficking.

82 4. Evaluate the effectiveness of interventions and services  
83 provided to assist human trafficking victims.

84 (b) The University of South Florida Trafficking in Persons  
85 - Risk to Resilience Lab shall:

86 1. Design, operate, maintain, and protect the integrity of  
87 the Statewide Data Repository for Anonymous Human Trafficking

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88 Data.

89 2. Design, in consultation with the Department of Law  
90 Enforcement and other law enforcement partners, and launch a  
91 user-friendly system for efficiently reporting anonymous human  
92 trafficking data to the Statewide Data Repository for Anonymous  
93 Human Trafficking Data at no additional cost to reporting  
94 entities.

95 3. Analyze anonymous human trafficking data to identify  
96 initiatives and interventions that are effective in combating  
97 human trafficking, apprehending and prosecuting persons  
98 responsible for conducting human trafficking, and assisting  
99 human trafficking victims.

100 4. Work with law enforcement agencies and state agencies to  
101 report data on human trafficking investigations and prosecutions  
102 which can aid such agencies in combating human trafficking and  
103 apprehending and prosecuting persons responsible for conducting  
104 human trafficking.

105 (2) (a) Except as provided in paragraph (b), the following  
106 agencies and entities shall report anonymous human trafficking  
107 data required under this section:

108 1. Law enforcement agencies operating with state or local  
109 government tax proceeds, including, but not limited to,  
110 municipal police departments, county sheriffs, and state  
111 attorneys.

112 2. The Department of Law Enforcement and any other state  
113 agency that holds data related to human trafficking.

114 3. Service providers and other nongovernmental  
115 organizations that serve human trafficking victims and receive  
116 state or federal funding for such purpose.

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117       (b) A required reporting entity that submits the data  
118 required under subsection (3) to the Department of Law  
119 Enforcement's Uniform Crime Report system or Florida Incident-  
120 Based Reporting System may, but is not required to, submit any  
121 additional data to the Statewide Data Repository for Anonymous  
122 Human Trafficking Data. The Department of Law Enforcement shall  
123 report to the Statewide Data Repository for Anonymous Human  
124 Trafficking Data, at least quarterly, the data required under  
125 subsection (3) that has been reported by a required reporting  
126 entity to the department.

127       (3) A required reporting entity shall submit the following  
128 data to the Statewide Data Repository for Anonymous Human  
129 Trafficking Data unless such entity is exempt from the reporting  
130 requirement under paragraph (2) (b):

131       (a) The alleged human trafficking offense that was  
132 investigated or prosecuted and a description of the alleged  
133 prohibited conduct.

134       (b) The age, gender, and race or ethnicity of each suspect  
135 or defendant and victim.

136       (c) The date, time, and location of the alleged offense.

137       (d) The type of human trafficking involved, whether for  
138 labor or services or commercial sexual activity.

139       (e) Any other alleged offense related to the human  
140 trafficking offense that was investigated or prosecuted.

141       (f) Information regarding any victim services organization  
142 or related program to which the victim was referred, if  
143 available.

144       (g) The disposition of the investigation or prosecution,  
145 regardless of the manner of disposition.

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146       (4) (a) A required reporting entity located in a county with  
147 a population of more than 500,000 must begin reporting data  
148 required by this section to the Statewide Data Repository for  
149 Anonymous Human Trafficking Data, or to the Department of Law  
150 Enforcement as authorized under paragraph (2) (b), on or before  
151 July 1, 2023, and at least quarterly each year thereafter.

152       (b) A required reporting entity located in a county with a  
153 population of 500,000 or fewer must begin reporting data  
154 required by this section to the Statewide Data Repository for  
155 Anonymous Human Trafficking Data, or to the Department of Law  
156 Enforcement as authorized under paragraph (2) (b), on or before  
157 July 1, 2024, and at least biannually each year thereafter.

158       Section 5. This act shall take effect upon becoming a law.