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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/RM

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03/11/2022 01:01 PM

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Senator Brandes moved the following:

1           **Senate Amendment to House Amendment (365861) to Senate**  
2 **Amendment**

3  
4           Delete lines 4 - 5

5 and insert:

6           Remove lines 17-129 of the amendment and insert:  
7 used for such purposes.

8           Section 2. Section 1004.343, Florida Statutes, is created  
9 to read:

10           1004.343 Statewide Data Repository for Anonymous Human  
11 Trafficking Data.-



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

16           (a) The Statewide Data Repository for Anonymous Human  
17 Trafficking Data shall:

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

20           2. Evaluate the effectiveness of various state-funded  
21 initiatives to combat human trafficking to enable the state to  
22 make evidence-based decisions in funding future initiatives.

23           3. Disseminate relevant data to law enforcement agencies,  
24 state agencies, and other entities to assist in combatting human  
25 trafficking and apprehending and prosecuting persons responsible  
26 for conducting human trafficking.

27           4. Evaluate the effectiveness of interventions and services  
28 provided to assist human trafficking victims.

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

31           1. Design, operate, maintain, and protect the integrity of  
32 the Statewide Data Repository for Anonymous Human Trafficking  
33 Data.

34           2. Design, in consultation with the Department of Law  
35 Enforcement and other law enforcement partners, and launch a  
36 user-friendly system for efficiently reporting anonymous human  
37 trafficking data to the Statewide Data Repository for Anonymous  
38 Human Trafficking Data at no additional cost to reporting  
39 entities.

40           3. Analyze anonymous human trafficking data to identify



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41 initiatives and interventions that are effective in combatting  
42 human trafficking, apprehending and prosecuting persons  
43 responsible for conducting human trafficking, and assisting  
44 human trafficking victims.

45 4. Work with law enforcement agencies and state agencies to  
46 report data on human trafficking investigations and prosecutions  
47 which can aid such agencies in combatting human trafficking and  
48 apprehending and prosecuting persons responsible for conducting  
49 human trafficking.

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

53 1. Law enforcement agencies operating with state or local  
54 government tax proceeds, including, but not limited to,  
55 municipal police departments, county sheriffs, and state  
56 attorneys.

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

59 3. Service providers and other nongovernmental  
60 organizations that serve human trafficking victims and receive  
61 state or federal funding for such purpose.

62 (b) A required reporting entity that submits the data  
63 required under subsection (3) to the Department of Law  
64 Enforcement's Uniform Crime Report system or Florida Incident-  
65 Based Reporting System may, but is not required to, submit any  
66 additional data to the Statewide Data Repository for Anonymous  
67 Human Trafficking Data. The Department of Law Enforcement shall  
68 report to the Statewide Data Repository for Anonymous Human  
69 Trafficking Data, at least quarterly, the data required under



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70 subsection (3) that has been reported by a required reporting  
71 entity to the department.

72 (3) A required reporting entity shall submit the following  
73 data to the Statewide Data Repository for Anonymous Human  
74 Trafficking Data unless such entity is exempt from the reporting  
75 requirement under paragraph (2) (b) :

76 (a) The alleged human trafficking offense that was  
77 investigated or prosecuted and a description of the alleged  
78 prohibited conduct.

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

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

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

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

86 (f) Information regarding any victim services organization  
87 or related program to which the victim was referred, if  
88 available.

89 (g) The disposition of the investigation or prosecution,  
90 regardless of the manner of disposition.

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

97 (b) A required reporting entity located in a county with a  
98 population of 500,000 or fewer must begin reporting data



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99 required by this section to the Statewide Data Repository for  
100 Anonymous Human Trafficking Data, or to the Department of Law  
101 Enforcement as authorized under paragraph (2) (b), on or before  
102 July 1, 2024, and at least biannually each year thereafter.

103 Section 3. Paragraph (b) of subsection (4) of section  
104 16.618, Florida Statutes, is amended, and paragraph (f) is added  
105 to that subsection, to read:

106 16.618 Direct-support organization.—

107 (4)

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

114 1. Training must focus on detecting human trafficking, best  
115 practices for reporting human trafficking, and the interventions  
116 and treatment for survivors of human trafficking.

117 2. In developing the training, the institute shall consult  
118 with law enforcement agencies, survivors of human trafficking,  
119 industry representatives, tourism representatives, and other  
120 interested parties. The institute also must conduct research to  
121 determine the reduction in recidivism attributable to the  
122 education of the harms of human trafficking for first-time  
123 offenders.

124 (f) The direct-support organization shall develop training  
125 for firesafety inspectors in the recognition and reporting of  
126 human trafficking. Such training is eligible for continuing  
127 education credit under s. 633.216(4).



128 Section 4. Paragraph (e) is added to subsection (14) of  
129 section 409.175, Florida Statutes, to read:

130 409.175 Licensure of family foster homes, residential  
131 child-caring agencies, and child-placing agencies; public  
132 records exemption.—

133 (14)

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

139 a. Basic information on human trafficking, such as an  
140 understanding of relevant terminology, and the differences  
141 between sex trafficking and labor trafficking;

142 b. Factors and knowledge on identifying children at risk of  
143 human trafficking; and

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

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

150 Section 5. For the purpose of incorporating the amendment  
151 made by this act to section 409.175, Florida Statutes, in a  
152 reference thereto, paragraph (e) of subsection (3) of section  
153 63.092, Florida Statutes, is reenacted to read:

154 63.092 Report to the court of intended placement by an  
155 adoption entity; at-risk placement; preliminary study.—

156 (3) PRELIMINARY HOME STUDY.—Before placing the minor in the



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157 intended adoptive home, a preliminary home study must be  
158 performed by a licensed child-placing agency, a child-caring  
159 agency registered under s. 409.176, a licensed professional, or  
160 an agency described in s. 61.20(2), unless the adoptee is an  
161 adult or the petitioner is a stepparent or a relative. If the  
162 adoptee is an adult or the petitioner is a stepparent or a  
163 relative, a preliminary home study may be required by the court  
164 for good cause shown. The department is required to perform the  
165 preliminary home study only if there is no licensed child-  
166 placing agency, child-caring agency registered under s. 409.176,  
167 licensed professional, or agency described in s. 61.20(2), in  
168 the county where the prospective adoptive parents reside. The  
169 preliminary home study must be made to determine the suitability  
170 of the intended adoptive parents and may be completed before  
171 identification of a prospective adoptive minor. If the  
172 identified prospective adoptive minor is in the custody of the  
173 department, a preliminary home study must be completed within 30  
174 days after it is initiated. A favorable preliminary home study  
175 is valid for 1 year after the date of its completion. Upon its  
176 completion, a signed copy of the home study must be provided to  
177 the intended adoptive parents who were the subject of the home  
178 study. A minor may not be placed in an intended adoptive home  
179 before a favorable preliminary home study is completed unless  
180 the adoptive home is also a licensed foster home under s.  
181 409.175. The preliminary home study must include, at a minimum:  
182 (e) Documentation of counseling and education of the  
183 intended adoptive parents on adoptive parenting, as determined  
184 by the entity conducting the preliminary home study. The  
185 training specified in s. 409.175(14) shall only be required for



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186 persons who adopt children from the department.

187  
188 If the preliminary home study is favorable, a minor may be  
189 placed in the home pending entry of the judgment of adoption. A  
190 minor may not be placed in the home if the preliminary home  
191 study is unfavorable. If the preliminary home study is  
192 unfavorable, the adoption entity may, within 20 days after  
193 receipt of a copy of the written recommendation, petition the  
194 court to determine the suitability of the intended adoptive  
195 home. A determination as to suitability under this subsection  
196 does not act as a presumption of suitability at the final  
197 hearing. In determining the suitability of the intended adoptive  
198 home, the court must consider the totality of the circumstances  
199 in the home. A minor may not be placed in a home in which there  
200 resides any person determined by the court to be a sexual  
201 predator as defined in s. 775.21 or to have been convicted of an  
202 offense listed in s. 63.089(4)(b)2.

203 Section 6. This act shall take effect July 1, 2022.

204  
205 ===== T I T L E A M E N D M E N T =====

206 And the title is amended as follows:

207 Delete everything before the enacting clause  
208 and insert:

209 A bill to be entitled  
210 An act relating to human trafficking; amending s.  
211 16.617, F.S.; providing the Statewide Council on Human  
212 Trafficking with an additional duty; creating s.  
213 1004.343, F.S.; creating the Statewide Data Repository  
214 for Anonymous Human Trafficking Data at the University





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215 of South Florida; providing purposes of the data  
216 repository; specifying duties of the university;  
217 designating required reporting entities; requiring  
218 specified information to be reported; providing  
219 timeframes for reporting; amending s.