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CS/HB 615, Engrossed 1

2022 Legislature

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 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
 22 subsection (4) of section 16.617, Florida Statutes, are
 23 redesignated as paragraphs (c) through (f), respectively, and a
 24 new paragraph (b) is added to that subsection, to read:
 25 16.617 Statewide Council on Human Trafficking; creation;

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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
 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.

34 Section 2. Paragraph (b) of subsection (4) of section
 35 16.618, Florida Statutes, is amended, and paragraph (f) is added
 36 to that subsection, to read:

37 16.618 Direct-support organization.—

38 (4)

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

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

48 2. In developing the training, the institute shall consult
 49 with law enforcement agencies, survivors of human trafficking,
 50 industry representatives, tourism representatives, and other

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51 interested parties. The institute also must conduct research to
 52 determine the reduction in recidivism attributable to the
 53 education of the harms of human trafficking for first-time
 54 offenders.

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

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

61 409.175 Licensure of family foster homes, residential
 62 child-caring agencies, and child-placing agencies; public
 63 records exemption.—

64 (14)

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

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

73 b. Factors and knowledge on identifying children at risk
 74 of human trafficking; and

75 c. Steps that should be taken to prevent at-risk youths

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76 from becoming victims of human trafficking.

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

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

85 63.092 Report to the court of intended placement by an
 86 adoption entity; at-risk placement; preliminary study.—

87 (3) PRELIMINARY HOME STUDY.—Before placing the minor in
 88 the intended adoptive home, a preliminary home study must be
 89 performed by a licensed child-placing agency, a child-caring
 90 agency registered under s. 409.176, a licensed professional, or
 91 an agency described in s. 61.20(2), unless the adoptee is an
 92 adult or the petitioner is a stepparent or a relative. If the
 93 adoptee is an adult or the petitioner is a stepparent or a
 94 relative, a preliminary home study may be required by the court
 95 for good cause shown. The department is required to perform the
 96 preliminary home study only if there is no licensed child-
 97 placing agency, child-caring agency registered under s. 409.176,
 98 licensed professional, or agency described in s. 61.20(2), in
 99 the county where the prospective adoptive parents reside. The
 100 preliminary home study must be made to determine the suitability

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101 of the intended adoptive parents and may be completed before
102 identification of a prospective adoptive minor. If the
103 identified prospective adoptive minor is in the custody of the
104 department, a preliminary home study must be completed within 30
105 days after it is initiated. A favorable preliminary home study
106 is valid for 1 year after the date of its completion. Upon its
107 completion, a signed copy of the home study must be provided to
108 the intended adoptive parents who were the subject of the home
109 study. A minor may not be placed in an intended adoptive home
110 before a favorable preliminary home study is completed unless
111 the adoptive home is also a licensed foster home under s.

112 409.175. The preliminary home study must include, at a minimum:

113 (e) Documentation of counseling and education of the
114 intended adoptive parents on adoptive parenting, as determined
115 by the entity conducting the preliminary home study. The
116 training specified in s. 409.175(14) shall only be required for
117 persons who adopt children from the department.

118

119 If the preliminary home study is favorable, a minor may be
120 placed in the home pending entry of the judgment of adoption. A
121 minor may not be placed in the home if the preliminary home
122 study is unfavorable. If the preliminary home study is
123 unfavorable, the adoption entity may, within 20 days after
124 receipt of a copy of the written recommendation, petition the
125 court to determine the suitability of the intended adoptive

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126 | home. A determination as to suitability under this subsection
127 | does not act as a presumption of suitability at the final
128 | hearing. In determining the suitability of the intended adoptive
129 | home, the court must consider the totality of the circumstances
130 | in the home. A minor may not be placed in a home in which there
131 | resides any person determined by the court to be a sexual
132 | predator as defined in s. 775.21 or to have been convicted of an
133 | offense listed in s. 63.089(4)(b)2.

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