

1 A bill to be entitled
2 An act relating to sexual exploitation and human
3 trafficking; amending s. 394.875, F.S.; requiring
4 residential treatment centers for children and
5 adolescents to place specified signage; requiring the
6 Department of Children and Families, in consultation
7 with the Agency for Health Care Administration, to
8 adopt rules; creating s. 402.88, F.S.; defining terms;
9 requiring the department to establish a process to
10 certify adult safe houses that provide housing and
11 care to adult survivors of human trafficking;
12 providing certification requirements; authorizing
13 rulemaking; requiring the department to inspect adult
14 safe houses before certification and annually
15 thereafter; requiring the department to ensure that
16 the staff of each adult safe house completes specified
17 intensive training; authorizing the department to take
18 certain actions for noncompliance; amending s.
19 409.1678, F.S.; providing requirements for safe houses
20 and safe foster homes; requiring the department to
21 develop or approve certain educational programming on
22 commercial sexual exploitation; amending s. 409.175,
23 F.S.; requiring specified signage to be placed on the
24 premises of facilities maintained by licensed child-
25 caring agencies; requiring the department to adopt

26 rules; amending s. 787.29, F.S.; making technical
 27 changes; providing an effective date.

28

29 Be It Enacted by the Legislature of the State of Florida:

30

31 Section 1. Subsection (8) of section 394.875, Florida
 32 Statutes, is amended to read:

33 394.875 Crisis stabilization units, residential treatment
 34 facilities, and residential treatment centers for children and
 35 adolescents; authorized services; license required.—

36 (8) (a) The department, in consultation with the agency,
 37 must adopt rules governing a residential treatment center for
 38 children and adolescents which specify licensure standards for:
 39 admission; length of stay; program and staffing; discharge and
 40 discharge planning; treatment planning; seclusion, restraints,
 41 and time-out; rights of patients under s. 394.459; use of
 42 psychotropic medications; and standards for the operation of
 43 such centers.

44 (b) Residential treatment centers for children and
 45 adolescents must conspicuously place signs on their premises to
 46 warn children and adolescents of the dangers of human
 47 trafficking and to encourage the reporting of individuals
 48 observed attempting to engage in human trafficking activity. The
 49 signs must contain the telephone number for the National Human
 50 Trafficking Hotline or such other number that the Department of

51 Law Enforcement uses to detect and stop human trafficking. The
52 department, in consultation with the agency, shall specify, at a
53 minimum, the content of the signs by rule.

54 Section 2. Section 402.88, Florida Statutes, is created to
55 read:

56 402.88 Adult safe houses for adults who have been sexually
57 exploited or trafficked.—

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

59 (a) "Adult safe house" means a group residential facility
60 certified by the department under this section to care for
61 adults who have been sexually exploited or trafficked.

62 (b) "Department" means the Department of Children and
63 Families.

64 (2) The department shall establish a process to certify
65 adult safe houses that provide housing and care to adult
66 survivors of human trafficking as defined in s. 787.06. The
67 adult safe houses certified under this section must:

68 (a) Provide a facility which will serve as an adult safe
69 house to receive and house persons who are victims of human
70 trafficking. For the purpose of this section, minor children and
71 other dependents of a victim, when such dependents are partly or
72 wholly dependent on the victim for support or services, may be
73 sheltered with the victim in an adult safe house.

74 (b) Receive the annual written endorsement of local law
75 enforcement agencies.

76 (c) Provide minimum services that include, but are not
77 limited to, information and referral services, licensed
78 counseling and case management services, substance abuse
79 screening and, when necessary, access or referral to treatment,
80 temporary emergency shelter for more than 24 hours, a 24-hour
81 hotline, nonresidential outreach services, training for law
82 enforcement personnel, assessment and appropriate referral of
83 resident children, and educational services for community
84 awareness relative to the incidence of human trafficking, the
85 prevention of such crimes, and the services available for
86 persons subject to human trafficking. If a 24-hour hotline,
87 professional training, or community education is already
88 provided by an adult safe house within its designated service
89 area, the department may exempt such certification requirements
90 for a new center serving the same service area to avoid
91 duplication of services.

92 (d) Participate in the provision of orientation and
93 training programs developed for law enforcement officers, social
94 workers, and other professionals and paraprofessionals who work
95 with human trafficking victims to better enable such persons to
96 deal effectively with incidents of human trafficking.

97 (e) Provide a safe, therapeutic environment tailored to
98 the needs of commercially sexually exploited or trafficked
99 adults who have endured significant trauma. Adult safe houses
100 shall use a model of treatment that includes strength-based and

101 trauma-informed approaches.

102 (f) File with the department a list of the names of the
103 human trafficking advocates who are employed or who volunteer at
104 the adult safe house who may claim a privilege under s. 90.5037
105 to refuse to disclose a confidential communication between a
106 victim of human trafficking and the advocate regarding the human
107 trafficking inflicted upon the victim. The list must include the
108 title of the position held by the advocate whose name is listed
109 and a description of the duties of that position. An adult safe
110 house shall file amendments to this list as necessary.

111 (g) Comply with rules adopted under this section.

112 (3) The department may adopt rules to implement this
113 section.

114 (4) The department shall inspect adult safe houses before
115 certification and annually thereafter to ensure compliance with
116 the requirements of this section.

117 (5) The department shall ensure that the staff of each
118 adult safe house completes intensive training that, at a
119 minimum, includes the needs of victims of commercial sexual
120 exploitation, the effects of trauma and sexual exploitation, and
121 how to address victims' needs using strength-based and trauma-
122 informed approaches. The department shall specify by rule the
123 contents of this training and may develop or contract for a
124 standard curriculum.

125 (6) If the department finds that there is failure by an

126 adult safe house to comply with the requirements established, or
 127 rules adopted, under this section, the department may deny,
 128 suspend, or revoke the certification of the adult safe house.

129 Section 3. Paragraphs (c) and (d) of subsection (2) and
 130 paragraph (a) of subsection (3) of section 409.1678, Florida
 131 Statutes, are amended to read:

132 409.1678 Specialized residential options for children who
 133 are victims of commercial sexual exploitation.—

134 (2) CERTIFICATION OF SAFE HOUSES AND SAFE FOSTER HOMES.—

135 (c) To be certified, a safe house must hold a license as a
 136 residential child-caring agency, as defined in s. 409.175, and a
 137 safe foster home must hold a license as a family foster home, as
 138 defined in s. 409.175. A safe house or safe foster home must
 139 also:

140 1. Use strength-based and trauma-informed approaches to
 141 care, to the extent possible and appropriate.

142 2. Serve exclusively one sex.

143 3. Group child victims of commercial sexual exploitation
 144 by age or maturity level.

145 4. Care for child victims of commercial sexual
 146 exploitation in a manner that separates those children from
 147 children with other needs. Safe houses and safe foster homes may
 148 care for other populations if the children who have not
 149 experienced commercial sexual exploitation do not interact with
 150 children who have experienced commercial sexual exploitation.

151 5. Have awake staff members on duty 24 hours a day, if a
152 safe house.

153 6.a. If a safe house or safe foster home, provide
154 appropriate security through facility design, hardware,
155 technology, staffing, and siting, including, but not limited to,
156 external video monitoring or door exit alarms, a high staff-to-
157 client ratio, or being situated in a remote location that is
158 isolated from major transportation centers and common
159 trafficking areas.

160 b. If a safe house, provide appropriate security that
161 includes, at a minimum, the detection of possible trafficking
162 activity around the facility, an emergency response to search
163 for absent or missing children, and coordination with law
164 enforcement through either:

165 (I) At least one individual who is an employee or
166 contractor of the safe house who has law enforcement,
167 investigative, or other similar training, as established by rule
168 by the department; or

169 (II) A memorandum of understanding or a contract with a
170 law enforcement agency for these functions.

171 7. If a safe house, conspicuously place signs on the
172 premises to warn children of the dangers of human trafficking
173 and to encourage the reporting of individuals observed
174 attempting to engage in human trafficking activity. The signs
175 must advise children to report concerns to the local law

176 enforcement agency or the Department of Law Enforcement,
 177 specifying the appropriate telephone numbers used for such
 178 reports. The department shall specify, at a minimum, the content
 179 of the signs by rule.

180 ~~8.7.~~ Meet other criteria established by department rule,
 181 which may include, but are not limited to, personnel
 182 qualifications, staffing ratios, and types of services offered.

183 (d) Safe houses and safe foster homes shall provide
 184 services tailored to the needs of child victims of commercial
 185 sexual exploitation and shall conduct a comprehensive assessment
 186 of the service needs of each resident. In addition to the
 187 services required to be provided by residential child caring
 188 agencies and family foster homes, safe houses and safe foster
 189 homes must provide, arrange for, or coordinate, at a minimum,
 190 the following services:

- 191 1. Victim-witness counseling.
- 192 2. Family counseling.
- 193 3. Behavioral health care.
- 194 4. Treatment and intervention for sexual assault.
- 195 5. Education tailored to the child's individual needs,
 196 including remedial education if necessary.
- 197 6. Life skills and workforce training.
- 198 7. Mentoring by a survivor of commercial sexual
 199 exploitation, if available and appropriate for the child.
- 200 8. Substance abuse screening and, when necessary, access

201 to treatment.

202 9. Planning services for the successful transition of each
203 child back to the community.

204 10. Activities structured in a manner that provides child
205 victims of commercial sexual exploitation with a full schedule.

206 11. Age-appropriate programming to educate children
207 regarding the signs and dangers of commercial sexual
208 exploitation and how to report commercial sexual exploitation.

209 The department shall develop or approve such programming.

210 (3) SERVICES WITHIN A RESIDENTIAL TREATMENT CENTER OR
211 HOSPITAL.—Residential treatment centers licensed under s.
212 394.875, and hospitals licensed under chapter 395 that provide
213 residential mental health treatment, shall provide specialized
214 treatment for commercially sexually exploited children in the
215 custody of the department who are placed in these facilities
216 pursuant to s. 39.407(6), s. 394.4625, or s. 394.467.

217 (a) The specialized treatment must meet the requirements
218 of subparagraphs (2)(c)1., 3., 6., and 8. ~~7.~~, paragraph (2)(d),
219 and the department's treatment standards adopted pursuant to
220 this section. However, a residential treatment center or
221 hospital may prioritize the delivery of certain services among
222 those required under paragraph (2)(d) to meet the specific
223 treatment needs of the child.

224 Section 4. Paragraph (b) of subsection (5) of section
225 409.175, Florida Statutes, is amended to read:

226 409.175 Licensure of family foster homes, residential
 227 child-caring agencies, and child-placing agencies; public
 228 records exemption.—

229 (5) The department shall adopt and amend rules for the
 230 levels of licensed care associated with the licensure of family
 231 foster homes, residential child-caring agencies, and child-
 232 placing agencies. The rules may include criteria to approve
 233 waivers to licensing requirements when applying for a child-
 234 specific license.

235 (b) The requirements for licensure and operation of family
 236 foster homes, residential child-caring agencies, and child-
 237 placing agencies shall include:

238 1. The operation, conduct, and maintenance of these homes
 239 and agencies and the responsibility which they assume for
 240 children served and the evidence of need for that service.

241 2. The provision of food, clothing, educational
 242 opportunities, services, equipment, and individual supplies to
 243 assure the healthy physical, emotional, and mental development
 244 of the children served.

245 3. The appropriateness, safety, cleanliness, and general
 246 adequacy of the premises, including fire prevention and health
 247 standards, to provide for the physical comfort, care, and well-
 248 being of the children served.

249 4. The ratio of staff to children required to provide
 250 adequate care and supervision of the children served and, in the

251 case of family foster homes, the maximum number of children in
 252 the home.

253 5. The good moral character based upon screening,
 254 education, training, and experience requirements for personnel
 255 and family foster homes.

256 6. The department may grant exemptions from
 257 disqualification from working with children or the
 258 developmentally disabled as provided in s. 435.07.

259 7. The provision of preservice and inservice training for
 260 all foster parents and agency staff.

261 8. Satisfactory evidence of financial ability to provide
 262 care for the children in compliance with licensing requirements.

263 9. The maintenance by the agency of records pertaining to
 264 admission, progress, health, and discharge of children served,
 265 including written case plans and reports to the department.

266 10. The provision for parental involvement to encourage
 267 preservation and strengthening of a child's relationship with
 268 the family.

269 11. The transportation safety of children served.

270 12. The provisions for safeguarding the cultural,
 271 religious, and ethnic values of a child.

272 13. Provisions to safeguard the legal rights of children
 273 served.

274 14. Requiring signs to be conspicuously placed on the
 275 premises of facilities maintained by child-caring agencies to

276 warn children of the dangers of human trafficking and to
277 encourage the reporting of individuals observed attempting to
278 engage in human trafficking activity. The signs must advise
279 children to report concerns to the local law enforcement agency
280 or the Department of Law Enforcement, specifying the appropriate
281 telephone numbers used for such reports. The department shall
282 specify, at a minimum, the content of the signs by rule.

283 Section 5. Subsections (3) and (5) of section 787.29,
284 Florida Statutes, are amended, and subsection (4) of that
285 section is republished, to read:

286 787.29 Human trafficking public awareness signs.—

287 (3)(a) The employer at each of the following
288 establishments shall display a public awareness sign developed
289 under subsection (4) in a conspicuous location that is clearly
290 visible to the public and employees of the establishment:

291 1.(a) A strip club or other adult entertainment
292 establishment.

293 2.(b) A business or establishment that offers massage or
294 bodywork services for compensation that is not owned by a health
295 care practitioner regulated pursuant to chapter 456 and defined
296 in s. 456.001.

297 (b) The county commission may adopt an ordinance to
298 enforce this subsection. A violation of this subsection is a
299 noncriminal violation and punishable by a fine only as provided
300 in s. 775.083.

301 (4) The required public awareness sign must be at least
302 8.5 inches by 11 inches in size, must be printed in at least a
303 16-point type, and must state substantially the following in
304 English and Spanish:

305
306 "If you or someone you know is being forced to engage
307 in an activity and cannot leave—whether it is
308 prostitution, housework, farm work, factory work,
309 retail work, restaurant work, or any other activity—
310 call the National Human Trafficking Resource Center at
311 1-888-373-7888 or text INFO or HELP to 233-733 to
312 access help and services. Victims of slavery and human
313 trafficking are protected under United States and
314 Florida law."

315
316 ~~(5) The county commission may adopt an ordinance to~~
317 ~~enforce subsection (3). A violation of subsection (3) is a~~
318 ~~noncriminal violation and punishable by a fine only as provided~~
319 ~~in s. 775.083.~~

320 Section 6. This act shall take effect July 1, 2023.