

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 appropriations; providing an
 28 effective date.

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

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

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

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

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

51 Trafficking Hotline or such other number that the Department of
 52 Law Enforcement uses to detect and stop human trafficking. The
 53 department, in consultation with the agency, shall specify, at a
 54 minimum, the content of the signs by rule.

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

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

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

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

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

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

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

75 (b) Receive the annual written endorsement of local law

76 enforcement agencies.

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

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

98 (e) Provide a safe, therapeutic environment tailored to
99 the needs of commercially sexually exploited or trafficked
100 adults who have endured significant trauma. Adult safe houses

101 shall use a model of treatment that includes strength-based and
102 trauma-informed approaches.

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

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

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

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

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

126 (6) If the department finds that there is failure by an
 127 adult safe house to comply with the requirements established, or
 128 rules adopted, under this section, the department may deny,
 129 suspend, or revoke the certification of the adult safe house.

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

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

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

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

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

143 2. Serve exclusively one sex.

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

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

151 children who have experienced commercial sexual exploitation.

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

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

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

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

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

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

176 must advise children to report concerns to the local law
177 enforcement agency or the Department of Law Enforcement,
178 specifying the appropriate telephone numbers used for such
179 reports. The department shall specify, at a minimum, the content
180 of the signs by rule.

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

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

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

201 8. Substance abuse screening and, when necessary, access
 202 to treatment.

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

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

207 11. Age-appropriate programming to educate children
 208 regarding the signs and dangers of commercial sexual
 209 exploitation and how to report commercial sexual exploitation.
 210 The department shall develop or approve such programming.

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

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

225 Section 4. Paragraph (b) of subsection (5) of section

226 | 409.175, Florida Statutes, is amended to read:

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

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

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

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

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

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

250 | 4. The ratio of staff to children required to provide

251 adequate care and supervision of the children served and, in the
252 case of family foster homes, the maximum number of children in
253 the home.

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

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

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

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

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

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

270 11. The transportation safety of children served.

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

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

275 14. Requiring signs to be conspicuously placed on the

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

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

287 787.29 Human trafficking public awareness signs.—

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

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

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

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

301 in s. 775.083.

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

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

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

321 Section 6. For the 2023-2024 fiscal year, the sum of
322 \$75,000 in recurring funds from the Administrative Trust Fund
323 within the Department of Children and Families and \$388,000 in
324 nonrecurring funds from the Administrative Trust Fund are
325 appropriated to the Department of Children and Families for

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2023

326 | technology enhancements to implement this act.

327 | Section 7. This act shall take effect July 1, 2023.