



220796

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2023	.	
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The Committee on Children, Families, and Elder Affairs  
(Ingoglia) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(8) (a) The department, in consultation with the agency,



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11 must adopt rules governing a residential treatment center for  
12 children and adolescents which specify licensure standards for:  
13 admission; length of stay; program and staffing; discharge and  
14 discharge planning; treatment planning; seclusion, restraints,  
15 and time-out; rights of patients under s. 394.459; use of  
16 psychotropic medications; and standards for the operation of  
17 such centers.

18 (b) Residential treatment centers for children and  
19 adolescents must conspicuously place signs on their premises to  
20 warn children and adolescents of the dangers of human  
21 trafficking and to encourage the reporting of individuals  
22 observed attempting to engage in human trafficking activity. The  
23 signs must contain the telephone number for the National Human  
24 Trafficking Hotline or such other number that the Department of  
25 Law Enforcement uses to detect and stop human trafficking. The  
26 department, in consultation with the agency, shall specify, at a  
27 minimum, the content of the signs by rule.

28 Section 2. Subsections (3) and (5) of section 787.29,  
29 Florida Statutes, are amended, and subsection (4) of that  
30 section is republished, to read:

31 787.29 Human trafficking public awareness signs.—

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

36 1. ~~(a)~~ A strip club or other adult entertainment  
37 establishment.

38 2. ~~(b)~~ A business or establishment that offers massage or  
39 bodywork services for compensation that is not owned by a health



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40 care practitioner regulated pursuant to chapter 456 and defined  
41 in s. 456.001.

42 (b) The county commission may adopt an ordinance to enforce  
43 this subsection. A violation of this subsection is a noncriminal  
44 violation and punishable by a fine only as provided in s.  
45 775.083.

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

50  
51 "If you or someone you know is being forced to engage  
52 in an activity and cannot leave—whether it is  
53 prostitution, housework, farm work, factory work,  
54 retail work, restaurant work, or any other activity—  
55 call the National Human Trafficking Resource Center at  
56 1-888-373-7888 or text INFO or HELP to 233-733 to  
57 access help and services. Victims of slavery and human  
58 trafficking are protected under United States and  
59 Florida law."

60  
61 ~~(5) The county commission may adopt an ordinance to~~  
62 ~~enforce subsection (3). A violation of subsection (3) is a~~  
63 ~~noncriminal violation and punishable by a fine only as provided~~  
64 ~~in s. 775.083.~~

65 Section 3. Section 402.88, Florida Statutes, is created to  
66 read:

67 402.88 Adult safe houses for adults who have been sexually  
68 exploited or trafficked.—



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69           (1) As used in this section the term:  
70           (a) "Adult safe house" means a group residential facility  
71 certified by the department under this section to care for  
72 adults who have been sexually exploited or trafficked.  
73           (b) "Department" means the Department of Children and  
74 Families.  
75           (2) The department shall establish a process to certify  
76 adult safe houses that provide housing and care to adult  
77 survivors of human trafficking as defined in s. 787.06. The  
78 adult safe houses certified under this section must:  
79           (a) Provide a facility which will serve as an adult safe  
80 house to receive and house persons who are victims of human  
81 trafficking. For the purpose of this section, minor children and  
82 other dependents of a victim, when such dependents are partly or  
83 wholly dependent on the victim for support or services, may be  
84 sheltered with the victim in an adult safe house.  
85           (b) Receive the annual written endorsement of local law  
86 enforcement agencies.  
87           (c) Provide minimum services that include, but are not  
88 limited to, information and referral services, licensed  
89 counseling and case management services, substance abuse  
90 screening and, when necessary, access or referral to treatment,  
91 temporary emergency shelter for more than 24 hours, a 24-hour  
92 hotline, nonresidential outreach services, training for law  
93 enforcement personnel, assessment and appropriate referral of  
94 resident children, and educational services for community  
95 awareness relative to the incidence of human trafficking, the  
96 prevention of such crimes, and the services available for  
97 persons subject to human trafficking. If a 24-hour hotline,



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98 professional training, or community education is already  
99 provided by an adult safe house within its designated service  
100 area, the department may exempt such certification requirements  
101 for a new center serving the same service area to avoid  
102 duplication of services.

103 (d) Participate in the provision of orientation and  
104 training programs developed for law enforcement officers, social  
105 workers, and other professionals and paraprofessionals who work  
106 with human trafficking victims to better enable such persons to  
107 deal effectively with incidents of human trafficking.

108 (e) Provide a safe, therapeutic environment tailored to the  
109 needs of commercially sexually exploited or trafficked adults  
110 who have endured significant trauma. Adult safe houses shall use  
111 a model of treatment that includes strength-based and trauma-  
112 informed approaches.

113 (f) File with the department a list of the names of the  
114 human trafficking advocates who are employed or who volunteer at  
115 the adult safe house who may claim a privilege under s. 90.5037  
116 to refuse to disclose a confidential communication between a  
117 victim of human trafficking and the advocate regarding the human  
118 trafficking inflicted upon the victim. The list must include the  
119 title of the position held by the advocate whose name is listed  
120 and a description of the duties of that position. An adult safe  
121 house shall file amendments to this list as necessary.

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

123 (3) The department may adopt rules to implement this  
124 section. The rules adopted must include health and safety  
125 provisions, including but not limited to protection from  
126 recruitment, to ensure that the minor children and other



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127 dependents of a victim that shelter in the adult safe house  
128 under paragraph (2) (a) do not become at risk of becoming, or  
129 become victims of commercial sexual exploitation.

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

133 (5) The department shall ensure the staff of each adult  
134 safe house completes intensive training that, at a minimum,  
135 includes the needs of victims of commercial sexual exploitation,  
136 the effects of trauma and sexual exploitation, and how to  
137 address victims' needs using strength-based and trauma-informed  
138 approaches. The department shall specify by rule the contents of  
139 this training and may develop or contract for a standard  
140 curriculum.

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

145 Section 4. Paragraphs (c) and (d) of subsection (2) of  
146 section 409.1678, Florida Statutes, is amended to read:

147 409.1678 Specialized residential options for children who  
148 are victims of commercial sexual exploitation.—

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

150 (c) To be certified, a safe house must hold a license as a  
151 residential child-caring agency, as defined in s. 409.175, and a  
152 safe foster home must hold a license as a family foster home, as  
153 defined in s. 409.175. A safe house or safe foster home must  
154 also:

155 1. Use strength-based and trauma-informed approaches to



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156 care, to the extent possible and appropriate.

157 2. Serve exclusively one sex.

158 3. Group child victims of commercial sexual exploitation by  
159 age or maturity level.

160 4. Care for child victims of commercial sexual exploitation  
161 in a manner that separates those children from children with  
162 other needs. Safe houses and safe foster homes may care for  
163 other populations if the children who have not experienced  
164 commercial sexual exploitation do not interact with children who  
165 have experienced commercial sexual exploitation.

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

168 6.a. Provide appropriate security through facility design,  
169 hardware, technology, staffing, and siting, including, but not  
170 limited to, external video monitoring or door exit alarms, a  
171 high staff-to-client ratio, or being situated in a remote  
172 location that is isolated from major transportation centers and  
173 common trafficking areas.

174 b. If a safe house, appropriate security must provide for,  
175 at a minimum, the detection of possible trafficking activity  
176 around a facility, coordination with law enforcement, and be  
177 part of the emergency response to search for absent or missing  
178 children. For a safe house to be in compliance with providing  
179 appropriate security under this subparagraph, the safe house  
180 must either:

181 i. Employ or contract with at least one individual that has  
182 law enforcement, investigative, or other similar training, as  
183 established by rule by the department; or

184 ii. Execute a contract or memorandum of understanding with



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185 a law enforcement agency to perform these functions.

186 7. If a safe house, conspicuously place signs on the  
187 premises to warn children of the dangers of human trafficking  
188 and to encourage the reporting of individuals observed  
189 attempting to engage in human trafficking activity. The signs  
190 must advise children to report concerns to the local law  
191 enforcement agency or the Department of Law Enforcement,  
192 specifying the appropriate telephone numbers used for such  
193 reports. The department shall specify, at a minimum, the content  
194 of the signs by rule.

195 8. Meet other criteria established by department rule,  
196 which may include, but are not limited to, personnel  
197 qualifications, staffing ratios, and types of services offered.

198 (d) Safe houses and safe foster homes shall provide  
199 services tailored to the needs of child victims of commercial  
200 sexual exploitation and shall conduct a comprehensive assessment  
201 of the service needs of each resident. In addition to the  
202 services required to be provided by residential child caring  
203 agencies and family foster homes, safe houses and safe foster  
204 homes must provide, arrange for, or coordinate, at a minimum,  
205 the following services:

- 206 1. Victim-witness counseling.
- 207 2. Family counseling.
- 208 3. Behavioral health care.
- 209 4. Treatment and intervention for sexual assault.
- 210 5. Education tailored to the child's individual needs,  
211 including remedial education if necessary.
- 212 6. Life skills and workforce training.
- 213 7. Mentoring by a survivor of commercial sexual





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214 exploitation, if available and appropriate for the child.

215 8. Substance abuse screening and, when necessary, access to  
216 treatment.

217 9. Planning services for the successful transition of each  
218 child back to the community.

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

221 11. Deliver age-appropriate programming to educate children  
222 regarding the signs and dangers of commercial sexual  
223 exploitation and how to report commercial sexual exploitation.

224 The department shall develop or approve such programming.

225 Section 5. 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



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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,



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

285 ===== T I T L E A M E N D M E N T =====

286 And the title is amended as follows:

287 Delete everything before the enacting clause  
288 and insert:

289 A bill to be entitled

290 An act relating to sexual exploitation and human  
291 trafficking; amending s. 394.875, F.S.; requiring  
292 residential treatment centers for children and  
293 adolescents to place specified signage; requiring the  
294 Department of Children and Families, in consultation  
295 with the Agency for Health Care Administration, to  
296 adopt rules; amending s. 787.29, F.S.; making  
297 technical changes; creating s. 402.88, F.S.; defining  
298 terms; requiring the Department of Children and  
299 Families to develop a process to certify adult safe  
300 houses that provide housing and care to adult



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301 survivors of human trafficking; providing  
302 certification requirements; authorizing rulemaking;  
303 requiring the department to inspect adult safe houses  
304 before certification and annually thereafter;  
305 requiring the department to ensure the staff of each  
306 adult safe house completes specified intensive  
307 training; providing for department actions for  
308 noncompliance; amending s. 409.1678, F.S.; providing  
309 requirements for safe houses and safe foster homes;  
310 requiring the Department of Children and Families to  
311 develop or approve educational programming on  
312 commercial sexual exploitation; amending s. 409.175,  
313 F.S.; requiring specified signage to be placed on the  
314 premises of facilities maintained by licensed child-  
315 caring agencies; requiring the Department of Children  
316 and Families to adopt rules; providing an effective  
317 date.