

By Senator Garcia

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1 A bill to be entitled
2 An act relating to the Domestic Violence Task Force;
3 creating s. 39.909, F.S.; creating the Domestic
4 Violence Task Force adjunct to the Department of
5 Children and Families; requiring the department to
6 provide certain services to the task force; specifying
7 the task force's purpose; specifying the composition
8 of the task force; specifying a timeframe for the
9 appointment of task force members; specifying
10 requirements for meetings; specifying duties of the
11 task force; authorizing the department to request
12 assistance from state departments and agencies and
13 requiring state departments and agencies to provide
14 requested assistance to the task force; requiring the
15 task force to submit reports to the Governor and the
16 Legislature by certain dates; providing for
17 dissolution of the task force; providing for future
18 repeal; providing an effective date.

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

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22 Section 1. Section 39.909, Florida Statutes, is created to
23 read:

24 39.909 Domestic Violence Task Force.—

25 (1) CREATION.—The Domestic Violence Task Force, a task
26 force as defined in s. 20.03(8), is created adjunct to the
27 department. The department shall provide administrative and
28 support staff services relating to the functions of the task
29 force.

36-00762-23

2023390

30 (2) PURPOSE.—The purpose of the task force is to evaluate
31 the child welfare system in relation to domestic violence
32 investigations, consider proposed legislation, and recommend
33 changes to existing law, rules, and policies.

34 (3) MEMBERSHIP; APPOINTMENT; MEETINGS.—

35 (a) The task force is composed of the following members:

36 1. The Secretary of Children and Families or the
37 secretary's designee, who shall serve as co-chair;

38 2. The president of the Florida Partnership to End Domestic
39 Violence or the president's designee, who shall serve as co-
40 chair;

41 3. A representative of domestic violence courts, appointed
42 by the Governor;

43 4. A domestic violence victim, appointed by the President
44 of the Senate;

45 5. A representative of a certified domestic violence
46 center, appointed by the Speaker of the House of
47 Representatives;

48 6. A representative of a certified batterers' intervention
49 program, appointed by the Governor;

50 7. A child protective investigator from the department,
51 appointed by the President of the Senate;

52 8. A representative from a county sheriff's office
53 protective investigation team, appointed by the Speaker of the
54 House of Representatives;

55 9. A representative from the field of law enforcement,
56 appointed by the Governor;

57 10. A chief executive officer of a community-based care
58 lead agency, appointed by the President of the Senate; and

36-00762-23

2023390__

59 11. A licensed therapist who specializes in treating
60 victims of domestic violence, appointed by the Speaker of the
61 House of Representatives.

62 (b) Appointments to the task force must be made by October
63 1, 2023. Members are appointed to serve at the pleasure of the
64 appointing authority. A vacancy on the task force must be filled
65 in the same manner as the original appointment.

66 (c) The task force shall convene its first meeting by
67 November 1, 2023. The task force shall meet quarterly or upon
68 the call of the chair and hold its meetings by teleconference or
69 other electronic means.

70 (4) DUTIES.—

71 (a) The duties of the Domestic Violence Task Force include
72 all of the following:

73 1. Examining the effectiveness of current operations and
74 treatment in batterers' intervention programs, the consistency
75 in enforcement of domestic violence laws, and the level of
76 accountability of agencies and providers that conduct protective
77 investigations and that are responsible for handling dependency
78 cases for domestic violence incidents.

79 2. Eliciting feedback and seeking input from stakeholders
80 who are responsible for domestic violence investigations and
81 cases in the child welfare system regarding necessary policy or
82 rule changes.

83 3. Developing best practices, policies, and procedures
84 relating to domestic violence abuse reports and delivery of
85 services to the victims and perpetrators of domestic violence
86 incidents, and addressing the specific challenges when such
87 incidents involve children.

36-00762-23

2023390__

88 4. Developing updated protocols, as necessary, to ensure
89 that policies and procedures relating to domestic violence abuse
90 reports, dependency cases, and termination of parental rights
91 cases are consistently enforced.

92 5. Developing policies relating to the roles of the
93 department and the Florida Partnership to End Domestic Violence
94 with respect to domestic violence incidents, including, but not
95 limited to, such incidents that involve children. Such policies
96 must evaluate the oversight of domestic violence services with a
97 goal of optimizing accountability.

98 6. Evaluating the appropriateness of establishing a model
99 diversion program for victims of domestic violence who are
100 subject to dependency proceedings related to a child in their
101 custody as a result of such domestic violence, which allows for
102 judicial oversight if certain criteria are met but which permits
103 the dependency petition to be dismissed without prejudice if the
104 victim completes narrowly tailored services related to domestic
105 violence which are deemed necessary to keep the child safe.

106 7. Determining the need for updated definitions and
107 corresponding provisions applicable to domestic violence abuse
108 reports and dependency cases, such as "failure to protect" and
109 "intimate partner violence."

110 8. Determining when a domestic violence victim's failure to
111 protect his or her child may be used as a basis to file a
112 shelter petition.

113 9. Evaluating steps needed, as appropriate, to ensure
114 proper implementation of and adherence to, as appropriate, the
115 Safe and Together model that has been used in this state.

116 10. Determining what steps should be taken during a

36-00762-23

2023390__

117 domestic violence investigation to ensure a non-offending parent
118 who is a victim of domestic violence is aware of the option to
119 seek an injunction and remain in the home with the child, if
120 appropriate.

121 (b) The task force may request assistance in the
122 performance of its duties from appropriate departments and
123 agencies of the state, and such departments and agencies shall
124 provide such assistance in a timely manner.

125 (5) REPORTS.—By May 1, 2024, the task force shall submit an
126 interim report to the Governor, the President of the Senate, and
127 the Speaker of the House of Representatives which contains its
128 findings and recommendations on best practices, policies, and
129 procedures relating to domestic violence abuse reports and cases
130 involving children, as well as proposed changes to current
131 legislation to implement the task force's recommendations. The
132 task force shall submit its final report to the Governor, the
133 President of the Senate, and the Speaker of the House of
134 Representatives by November 1, 2024. The task force is dissolved
135 upon submission of the final report.

136 (6) REPEAL.—This section is repealed September 1, 2025,
137 unless reviewed and saved from repeal through reenactment by the
138 Legislature.

139 Section 2. This act shall take effect July 1, 2023.