

By Senator Harrell

31-00366-24

2024214\_\_

1                                   A bill to be entitled  
2       An act relating to Child Protection Teams; amending s.  
3       39.303, F.S.; expanding the types of reports that the  
4       Department of Children and Families must refer to  
5       Child Protection Teams; reenacting s. 39.301(14) (c),  
6       F.S., relating to the initiation of protective  
7       investigations, to incorporate the amendment made to  
8       s. 39.303, F.S., in a reference thereto; providing an  
9       effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13       Section 1. Paragraphs (j), (k), and (l) are added to  
14       subsection (4) of section 39.303, Florida Statutes, to read:

15       39.303 Child Protection Teams and sexual abuse treatment  
16       programs; services; eligible cases.—

17       (4) The child abuse, abandonment, and neglect reports that  
18       must be referred by the department to Child Protection Teams of  
19       the Department of Health for an assessment and other appropriate  
20       available support services as set forth in subsection (3) must  
21       include cases involving:

22       (j) A child who was not properly restrained in a motor  
23       vehicle pursuant to s. 316.613 or s. 316.614 when, in the  
24       opinion of a physician, the improper restraint exacerbated the  
25       child's injuries in a motor vehicle accident or resulted in the  
26       child's death.

27       (k) A child who was left unattended or unsupervised in a  
28       motor vehicle pursuant to s. 316.6135 and such action resulted  
29       in an injury to the child or in the child's death.

31-00366-24

2024214\_\_

30       (1) Any report from an emergency room physician.

31       Section 2. For the purpose of incorporating the amendment  
32 made by this act to section 39.303, Florida Statutes, in a  
33 reference thereto, paragraph (c) of subsection (14) of section  
34 39.301, Florida Statutes, is reenacted to read:

35       39.301 Initiation of protective investigations.—

36       (14)

37       (c) The department, in consultation with the judiciary,  
38 shall adopt by rule:

39       1. Criteria that are factors requiring that the department  
40 take the child into custody, petition the court as provided in  
41 this chapter, or, if the child is not taken into custody or a  
42 petition is not filed with the court, conduct an administrative  
43 review. Such factors must include, but are not limited to,  
44 noncompliance with a safety plan or the case plan developed by  
45 the department, and the family under this chapter, and prior  
46 abuse reports with findings that involve the child, the child's  
47 sibling, or the child's caregiver.

48       2. Requirements that if after an administrative review the  
49 department determines not to take the child into custody or  
50 petition the court, the department shall document the reason for  
51 its decision in writing and include it in the investigative  
52 file. For all cases that were accepted by the local law  
53 enforcement agency for criminal investigation pursuant to  
54 subsection (2), the department must include in the file written  
55 documentation that the administrative review included input from  
56 law enforcement. In addition, for all cases that must be  
57 referred to Child Protection Teams pursuant to s. 39.303(4) and  
58 (5), the file must include written documentation that the

31-00366-24

2024214\_\_

59 administrative review included the results of the team's  
60 evaluation.

61 Section 3. This act shall take effect July 1, 2024.