

By the Committee on Governmental Oversight and Accountability;
and Senator Avila

585-02361-24

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1 A bill to be entitled
2 An act relating to combatting human trafficking;
3 amending s. 16.618, F.S.; revising the membership of
4 the board of directors of the direct-support
5 organization for the Statewide Council on Human
6 Trafficking; extending the future repeal date of the
7 direct-support organization; amending ss. 394.875,
8 456.0341, and 480.043, F.S.; revising the hotline
9 telephone number to be included in human trafficking
10 awareness signs to the Florida Human Trafficking
11 Hotline, rather than the National Human Trafficking
12 Hotline; amending s. 509.096, F.S.; revising and
13 providing human trafficking awareness training and
14 policies for public lodging establishments; removing
15 obsolete provisions; requiring public lodging
16 establishments to retain and provide certain proof of
17 compliance; revising the hotline telephone number to
18 be included in human trafficking awareness signs to
19 the Florida Human Trafficking Hotline, rather than the
20 National Human Trafficking Hotline; amending s.
21 787.06, F.S.; requiring that contractors with
22 governmental entities attest that they do not use
23 coercion for labor or services; providing a
24 definition; amending s. 787.29, F.S.; revising the
25 hotline telephone number to be included in human
26 trafficking awareness signs to the Florida Human
27 Trafficking Hotline, rather than the National Human
28 Trafficking Hotline; providing an effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

31
32 Section 1. Subsections (3) and (12) of section 16.618,
33 Florida Statutes, are amended to read:

34 16.618 Direct-support organization.—

35 (3) The board of directors of the direct-support
36 organization shall consist of 17 ~~13~~ members. Each member of the
37 board of directors shall be appointed to a 4-year term; ~~however,~~
38 ~~for the purpose of providing staggered terms, the appointees of~~
39 ~~the President of the Senate and the appointees of the Speaker of~~
40 ~~the House of Representatives shall each initially be appointed~~
41 ~~to 2-year terms, and the Attorney General shall initially~~
42 ~~appoint 2 members to serve 2-year terms. All subsequent~~
43 ~~appointments shall be for 4-year terms.~~ Any vacancy that occurs
44 must be filled in the same manner as the original appointment
45 and is for the unexpired term of that seat. The board of
46 directors shall be appointed as follows:

47 (a) Two members appointed by the executive director of the
48 Department of Law Enforcement, both of whom must have law
49 enforcement backgrounds with experience and knowledge in the
50 area of human trafficking.

51 (b) Three members appointed by the Attorney General, one of
52 whom must be a survivor of human trafficking and one of whom
53 must be a mental health expert.

54 (c) Four members appointed by the President of the Senate.

55 (d) Four members appointed by the Speaker of the House of
56 Representatives.

57 (e) Four members appointed by the board of directors.

58 (12) This section is repealed October 1, 2029 ~~2024~~, unless

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59 reviewed and saved from repeal by the Legislature.

60 Section 2. Paragraph (b) of subsection (8) of section
61 394.875, Florida Statutes, is amended to read:

62 394.875 Crisis stabilization units, residential treatment
63 facilities, and residential treatment centers for children and
64 adolescents; authorized services; license required.—

65 (8)

66 (b) Residential treatment centers for children and
67 adolescents must conspicuously place signs on their premises to
68 warn children and adolescents of the dangers of human
69 trafficking and to encourage the reporting of individuals
70 observed attempting to engage in human trafficking activity. The
71 signs must contain the telephone number for the Florida Human
72 Trafficking Hotline, 1-855-FLA-SAFE, ~~the National Human~~
73 ~~Trafficking Hotline~~ or such other number that the Department of
74 Law Enforcement uses to detect and stop human trafficking. The
75 department, in consultation with the agency, shall specify, at a
76 minimum, the content of the signs by rule.

77 Section 3. Subsection (3) of section 456.0341, Florida
78 Statutes, is amended to read:

79 456.0341 Requirements for instruction on human
80 trafficking.—The requirements of this section apply to each
81 person licensed or certified under chapter 457; chapter 458;
82 chapter 459; chapter 460; chapter 461; chapter 463; chapter 465;
83 chapter 466; part II, part III, part V, or part X of chapter
84 468; chapter 480; or chapter 486.

85 (3) By January 1, 2025 ~~2021~~, the licensees or
86 certificateholders shall post in their place of work in a
87 conspicuous place accessible to employees a sign at least 11

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88 inches by 15 inches in size, printed in a clearly legible font
89 and in at least a 32-point type, which substantially states in
90 English and Spanish:

91
92 "If you or someone you know is being forced to engage in an
93 activity and cannot leave, whether it is prostitution,
94 housework, farm work, factory work, retail work, restaurant
95 work, or any other activity, call the Florida Human Trafficking
96 Hotline, 1-855-FLA-SAFE, ~~the National Human Trafficking Resource~~
97 ~~Center at 888-373-7888 or text INFO or HELP to 233-733~~ to access
98 help and services. Victims of slavery and human trafficking are
99 protected under United States and Florida law."

100 Section 4. Subsection (13) of section 480.043, Florida
101 Statutes, is amended to read:

102 480.043 Massage establishments; requisites; licensure;
103 inspection; human trafficking awareness training and policies.-

104 (13) By January 1, 2025 ~~2021~~, a massage establishment shall
105 implement a procedure for reporting suspected human trafficking
106 to the Florida Human Trafficking Hotline, 1-855-FLA-SAFE, ~~the~~
107 ~~National Human Trafficking Hotline~~ or to a local law enforcement
108 agency and shall post in a conspicuous place in the
109 establishment which is accessible to employees a sign with the
110 relevant provisions of the reporting procedure.

111 Section 5. Section 509.096, Florida Statutes, is amended to
112 read:

113 509.096 Human trafficking awareness training and policies
114 for ~~employees of~~ public lodging establishments; enforcement.-

115 (1) A public lodging establishment shall:

116 (a) Provide annual training regarding human trafficking

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117 awareness to all employees of the establishment who are on the
118 premises and regularly interact with guests ~~perform housekeeping~~
119 ~~duties in the rental units or who work at the front desk or~~
120 ~~reception area where guests ordinarily check in or check out.~~
121 Such training must also be provided for new employees within 60
122 days after they begin their employment ~~in these roles, or by~~
123 ~~January 1, 2021, whichever occurs later.~~ Each employee must
124 submit to the hiring establishment a signed and dated
125 acknowledgment of having received the training, ~~which the~~
126 ~~establishment must provide to the Department of Business and~~
127 ~~Professional Regulation upon request.~~ The establishment may keep
128 such acknowledgment electronically. The establishment shall
129 retain proof of compliance with this paragraph and provide such
130 proof to the Department of Business and Professional Regulation
131 upon request.

132 (b) ~~By January 1, 2021,~~ Implement a procedure for the
133 reporting of suspected human trafficking to the National Human
134 Trafficking Hotline or to a local law enforcement agency.

135 (c) By January 1, 2025 ~~2021~~, post in a conspicuous location
136 in the establishment which is accessible to employees a human
137 trafficking public awareness sign at least 11 inches by 15
138 inches in size, printed in an easily legible font and in at
139 least 32-point type, which states in English and Spanish and any
140 other language predominantly spoken in that area which the
141 department deems appropriate substantially the following:

142
143 "If you or someone you know is being forced to engage in an
144 activity and cannot leave, whether it is prostitution,
145 housework, farm work, factory work, retail work, restaurant

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146 work, or any other activity, call the Florida Human Trafficking
147 Hotline, 1-855-FLA-SAFE, ~~the National Human Trafficking Resource~~
148 ~~Center at 888-373-7888 or text INFO or HELP to 233-733~~ to access
149 help and services. Victims of slavery and human trafficking are
150 protected under United States and Florida law.”

151 (2) The human trafficking awareness training required under
152 paragraph (1)(a) must be submitted to and approved by the
153 Department of Business and Professional Regulation and must
154 include all of the following:

155 (a) The definition of human trafficking and the difference
156 between the two forms of human trafficking: sex trafficking and
157 labor trafficking.

158 (b) Guidance specific to the public lodging sector
159 concerning how to identify individuals who may be victims of
160 human trafficking.

161 (c) Guidance concerning the role of the employees of a
162 public lodging establishment in reporting and responding to
163 suspected human trafficking.

164 (3) ~~For a violation committed on or after July 1, 2023,~~ The
165 division shall impose an administrative fine of \$2,000 per day
166 on a public lodging establishment that is not in compliance with
167 this section and remit the fines to the direct-support
168 organization established under s. 16.618, unless the division
169 receives adequate written documentation from the public lodging
170 establishment which provides assurance that each deficiency will
171 be corrected within 45 days after the division provided the
172 public lodging establishment with notice of its violation. For a
173 second or subsequent violation of this subsection ~~committed on~~
174 ~~or after July 1, 2023,~~ the division may not provide a correction

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175 period to a public lodging establishment and must impose the
176 applicable administrative fines.

177 (4) This section does not establish a private cause of
178 action. This section does not alter or limit any other existing
179 remedies available to survivors of human trafficking.

180 Section 6. Subsection (13) is added to section 787.06,
181 Florida Statutes, to read:

182 787.06 Human trafficking.—

183 (13) When a contract is executed, renewed, or extended
184 between a nongovernmental entity and a governmental entity, the
185 nongovernmental entity must provide the governmental entity with
186 an affidavit, signed by an officer or a representative of the
187 nongovernmental entity under penalty of perjury, attesting that
188 the nongovernmental entity does not use coercion for labor or
189 services as those terms are defined in this section. For
190 purposes of this subsection, the term "governmental entity" has
191 the same meaning as in s. 287.138(1).

192 Section 7. Subsection (4) of section 787.29, Florida
193 Statutes, is amended to read:

194 787.29 Human trafficking public awareness signs.—

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

199

200 "If you or someone you know is being forced to engage in an
201 activity and cannot leave—whether it is prostitution, housework,
202 farm work, factory work, retail work, restaurant work, or any
203 other activity—call the Florida Human Trafficking Hotline, 1-

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204 855-FLA-SAFE, ~~the National Human Trafficking Resource Center at~~
205 ~~1-888-373-7888 or text INFO or HELP to 233-733~~ to access help
206 and services. Victims of slavery and human trafficking are
207 protected under United States and Florida law.”

208 Section 8. This act shall take effect July 1, 2024.