

26 | harm has occurred, the following factors must be considered in
27 | evaluating any physical, mental, or emotional injury to a child:
28 | the age of the child; any prior history of injuries to the
29 | child; the location of the injury on the body of the child; the
30 | multiplicity of the injury; and the type of trauma inflicted.

31 | Such injury includes, but is not limited to:

- 32 | 1. Willful acts that produce the following specific
33 | injuries:
- 34 | a. Sprains, dislocations, or cartilage damage.
 - 35 | b. Bone or skull fractures.
 - 36 | c. Brain or spinal cord damage.
 - 37 | d. Intracranial hemorrhage or injury to other internal
38 | organs.
 - 39 | e. Asphyxiation, suffocation, or drowning.
 - 40 | f. Injury resulting from the use of a deadly weapon.
 - 41 | g. Burns or scalding.
 - 42 | h. Cuts, lacerations, punctures, or bites.
 - 43 | i. Permanent or temporary disfigurement.
 - 44 | j. Permanent or temporary loss or impairment of a body
45 | part or function.

46 |
47 | As used in this subparagraph, the term "willful" refers to the
48 | intent to perform an action, not to the intent to achieve a
49 | result or to cause an injury.

- 50 | 2. Purposely giving a child poison, alcohol, drugs, or

51 other substances that substantially affect the child's behavior,
52 motor coordination, or judgment or that result in sickness or
53 internal injury. For the purposes of this subparagraph, the term
54 "drugs" means prescription drugs not prescribed for the child or
55 not administered as prescribed, and controlled substances as
56 outlined in Schedule I or Schedule II of s. 893.03.

57 3. Leaving a child without adult supervision or
58 arrangement appropriate for the child's age or mental or
59 physical condition, so that the child is unable to care for the
60 child's own needs, is subjected to obvious danger of which the
61 child's caregiver knew or should have known, ~~or another's basic~~
62 needs or is unable to exercise reasonable ~~good~~ judgment to avoid
63 serious harm to himself or herself or others in responding to
64 any kind of physical or emotional crisis. This subparagraph may
65 not be construed to restrict a caregiver from allowing a child
66 of sufficient maturity and physical condition from engaging in
67 independent unsupervised activities, including, but not limited
68 to, traveling to or from school or nearby locations by bicycle
69 or on foot, playing outdoors, or remaining at home or any other
70 location for a reasonable period of time, unless allowing such
71 activities constitutes conduct that is so reckless as to
72 endanger the health or safety of the child.

73 4. Inappropriate or excessively harsh disciplinary action
74 that is likely to result in physical injury, mental injury as
75 defined in this section, or emotional injury. The significance

76 | of any injury must be evaluated in light of the following
77 | factors: the age of the child; any prior history of injuries to
78 | the child; the location of the injury on the body of the child;
79 | the multiplicity of the injury; and the type of trauma
80 | inflicted. Corporal discipline may be considered excessive or
81 | abusive when it results in any of the following or other similar
82 | injuries:

- 83 | a. Sprains, dislocations, or cartilage damage.
- 84 | b. Bone or skull fractures.
- 85 | c. Brain or spinal cord damage.
- 86 | d. Intracranial hemorrhage or injury to other internal
87 | organs.
- 88 | e. Asphyxiation, suffocation, or drowning.
- 89 | f. Injury resulting from the use of a deadly weapon.
- 90 | g. Burns or scalding.
- 91 | h. Cuts, lacerations, punctures, or bites.
- 92 | i. Permanent or temporary disfigurement.
- 93 | j. Permanent or temporary loss or impairment of a body
94 | part or function.
- 95 | k. Significant bruises or welts.

96 | (f) Neglects the child. Within the context of the
97 | definition of "harm," the term "neglects the child" means that
98 | the parent or other person responsible for the child's welfare
99 | fails to supply the child with adequate food, clothing, shelter,
100 | or health care, although financially able to do so or although

101 offered financial or other means to do so; however, the term
102 does not include a caregiver allowing a child to engage in
103 independent and unsupervised activities unless allowing such
104 activities constitutes reckless conduct that endangers the
105 health or safety of the child. Such independent and unsupervised
106 activities include, but are not limited to, traveling to or from
107 school or nearby locations by bicycle or on foot, playing
108 outdoors, or remaining at home or any other location for a
109 reasonable period of time. ~~However,~~ A parent or legal custodian
110 who, by reason of the legitimate practice of religious beliefs,
111 does not provide specified medical treatment for a child may not
112 be considered abusive or neglectful for that reason alone, but
113 such an exception does not:

114 1. Eliminate the requirement that such a case be reported
115 to the department;

116 2. Prevent the department from investigating such a case;
117 or

118 3. Preclude a court from ordering, when the health of the
119 child requires it, the provision of medical services by a
120 physician, as defined in this section, or treatment by a duly
121 accredited practitioner who relies solely on spiritual means for
122 healing in accordance with the tenets and practices of a well-
123 recognized church or religious organization.

124 **Section 2. Paragraph (e) of subsection (1) of section**
125 **827.03, Florida Statutes, is amended to read:**

126 827.03 Abuse, aggravated abuse, and neglect of a child;
 127 penalties.—

128 (1) DEFINITIONS.—As used in this section, the term:

129 (e) "Neglect of a child" means:

130 1. A caregiver's willful failure or omission to provide a
 131 child with the care, supervision, and services necessary to
 132 maintain the child's physical and mental health, including, but
 133 not limited to, food, nutrition, clothing, shelter, supervision,
 134 medicine, and medical services that a prudent person would
 135 consider essential for the well-being of the child. The term
 136 does not include a caregiver allowing a child to engage in
 137 independent and unsupervised activities unless allowing such
 138 activities constitutes willful and wanton conduct that endangers
 139 the health or safety of the child. Such independent and
 140 unsupervised activities include, but are not limited to,
 141 traveling to or from school or nearby locations by bicycle or on
 142 foot, playing outdoors, or remaining at home or any other
 143 location for a reasonable period of time; or

144 2. A caregiver's failure to make a reasonable effort to
 145 protect a child from abuse, neglect, or exploitation by another
 146 person.

147
 148 Except as otherwise provided in this section, neglect of a child
 149 may be based on repeated conduct or on a single incident or
 150 omission that results in, or could reasonably be expected to

151 result in, serious physical or mental injury, or a substantial
152 risk of death, to a child.

153 **Section 3. For the purpose of incorporating the amendment**
154 **made by this act to section 827.03, Florida Statutes, in a**
155 **reference thereto, paragraph (b) of subsection (2) of section**
156 **39.301, Florida Statutes, is reenacted to read:**

157 39.301 Initiation of protective investigations.—

158 (2)

159 (b) As used in this subsection, the term "criminal
160 conduct" means:

161 1. A child is known or suspected to be the victim of child
162 abuse, as defined in s. 827.03, or of neglect of a child, as
163 defined in s. 827.03.

164 2. A child is known or suspected to have died as a result
165 of abuse or neglect.

166 3. A child is known or suspected to be the victim of
167 aggravated child abuse, as defined in s. 827.03.

168 4. A child is known or suspected to be the victim of
169 sexual battery, as defined in s. 827.071, or of sexual abuse, as
170 defined in s. 39.01.

171 5. A child is known or suspected to be the victim of
172 institutional child abuse or neglect, as defined in s. 39.01,
173 and as provided for in s. 39.302(1).

174 6. A child is known or suspected to be a victim of human
175 trafficking, as provided in s. 787.06.

176 **Section 4. For the purpose of incorporating the amendment**
 177 **made by this act to section 39.01, Florida Statutes, in a**
 178 **reference thereto, paragraph (b) of subsection (2) of section**
 179 **390.01114, Florida Statutes, is reenacted to read:**

180 390.01114 Parental Notice of and Consent for Abortion
 181 Act.—

182 (2) DEFINITIONS.—As used in this section, the term:

183 (b) "Child abuse" means abandonment, abuse, harm, mental
 184 injury, neglect, physical injury, or sexual abuse of a child as
 185 those terms are defined in ss. 39.01, 827.04, and 984.03.

186 **Section 5. For the purpose of incorporating the amendment**
 187 **made by this act to section 39.01, Florida Statutes, in a**
 188 **reference thereto, subsection (2) of section 984.03, Florida**
 189 **Statutes, is reenacted to read:**

190 984.03 Definitions.—When used in this chapter, the term:

191 (2) "Abuse" means any willful act that results in any
 192 physical, mental, or sexual injury that causes or is likely to
 193 cause the child's physical, mental, or emotional health to be
 194 significantly impaired. Corporal discipline of a child by a
 195 parent or guardian for disciplinary purposes does not in itself
 196 constitute abuse when it does not result in harm to the child as
 197 defined in s. 39.01.

198 **Section 6. This act shall take effect July 1, 2025.**