

**By** Senator Yarborough

4-00779A-26

20261600

4-00779A-26

20261600

30 abuse which are reported from or occurred at a child-  
31 serving organization; creating s. 627.0656, F.S.;  
32 requiring the Office of Insurance Regulation to  
33 approve rating plans for employer's liability  
34 insurance which provide a premium discount to certain  
35 child-serving organizations; providing requirements  
36 for such plans; providing legislative findings;  
37 requiring the Office of Program Policy Analysis and  
38 Government Accountability to conduct a study on the  
39 affordability and availability of liability coverage  
40 for child-serving organizations; requiring the office  
41 to provide a certain report to the Legislature by a  
42 certain date; amending ss. 39.302, 39.521, 39.6012,  
43 394.495, 934.255, 960.065, and 984.03, F.S.;  
44 conforming cross-references; reenacting s.  
45 39.301(2) (b), F.S., relating to initiation of  
46 protective investigations, to incorporate the  
47 amendment made to s. 39.01, F.S., in a reference  
48 thereto; providing an effective date.

49

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

51

52 Section 1. Present subsections (3) through (13) and  
53 subsections (14) through (91) of section 39.01, Florida  
54 Statutes, are redesignated as subsections (4) through (14) and  
55 subsections (16) through (93), respectively, new subsections (3)  
56 and (15) are added to that section, and present subsections (10)  
57 and (39) of that section are amended, to read:

58 39.01 Definitions.—When used in this chapter, unless the

4-00779A-26

20261600

59 context otherwise requires:

60       (3) "Accredited child safety organization" means an  
61 organization that has been certified or accredited by a  
62 qualified accrediting organization that is recognized and  
63 approved by the department. For purposes of this subsection, the  
64 term "certified or accredited" means an evidence-based and  
65 independent validation process managed through a professional  
66 association or accrediting organization.

67       (11) (10) "Caregiver" means the parent, legal custodian,  
68 permanent guardian, adult household member, or other person  
69 responsible for a child's welfare as defined in subsection (59)  
70 (57).

71       (15) "Child-serving organization" means any public or  
72 private agency, organization, facility, or institution that  
73 provides organized programming for children, including, but not  
74 limited to, public or private schools, public or private child  
75 care facilities and day care centers, residential homes, day  
76 camps, youth sports organizations, and other organizations whose  
77 employees or volunteers are adults entrusted with a child's  
78 care.

79       (41) (39) "Institutional child abuse or neglect" means  
80 situations of known or suspected child abuse or neglect in which  
81 the person allegedly perpetrating the child abuse or neglect is  
82 an employee of or volunteer at a child-serving organization a  
83 public or private school, public or private day care center,  
84 residential home, institution, facility, or agency or any other  
85 person at such institution responsible for the child's welfare  
86 as defined in subsection (59) (57).

87       Section 2. Section 39.0151, Florida Statutes, is created to

4-00779A-26

20261600

88 read:

89 39.0151 Training and certification of child-serving  
90 organizations.—91 (1) Each child-serving organization and each agency that  
92 contracts with the department or the Department of Juvenile  
93 Justice shall provide to all employees annual training relating  
94 to the protection of children from abuse and neglect. The  
95 training must be approved by the Department of Children and  
96 Families and include, at a minimum, instruction on all of the  
97 following:98 (a) Common signs and symptoms of child abuse and neglect.99 (b) Techniques for preventing child abuse and neglect,  
100 including, but not limited to, techniques for ensuring proper  
101 boundaries to prevent abuse, screening standards, and  
102 supervision techniques designed to avoid inappropriate adult-  
103 child interactions.104 (c) Procedures for responding to a suspected case of child  
105 abuse or neglect, including, but not limited to, any mandated  
106 reporting responsibilities and procedures; procedures for  
107 ensuring the child's safety and emotional well-being; and  
108 procedures necessary to achieve an appropriate investigation of  
109 any child abuse or neglect allegations.110 (d) Information regarding sex trafficking and child sexual  
111 exploitation, including steps to identify suspected victims.112 (e) Child-friendly procedures necessary to prevent a child  
113 victim of abuse or neglect from suffering further trauma or  
114 revictimization, to protect the child's privacy, and to assist  
115 the child's recovery.116 (2) (a) The Department of Children and Families shall create

4-00779A-26

20261600

117 a process to recognize and approve qualified accrediting  
118 organizations that are authorized to accredit or certify child-  
119 serving organizations as accredited child safety organizations.  
120 The department shall recognize and approve a qualified  
121 accrediting organization if such organization meets all of the  
122 following requirements:

123 1. The organization is a nonprofit organization authorized  
124 to operate in this state.

125 2. The organization has developed a curriculum or program  
126 that substantially meets the requirements of subsection (1) and  
127 offers such curriculum or program to child-serving  
128 organizations. The curriculum or program must be provided to the  
129 department for review, along with any other information  
130 requested by the department.

131 3. The organization can demonstrate to the satisfaction of  
132 the department a record of providing child abuse prevention and  
133 response training to child-serving organizations in this state  
134 for at least 2 years before the organization submits its  
135 application to the department for recognition and approval.

136 (b) Once approved by the department, a qualified  
137 accrediting organization must maintain a record of all training  
138 it provides to child-serving organizations and annually submit  
139 such record to the department. As part of its record, a  
140 qualified accrediting organization must maintain the following:

141 1. A list of child-serving organizations that are trained  
142 and become accredited child safety organizations.

143 2. Participant evaluations from all of the trainings the  
144 qualified accrediting organization has provided.

145 (c) The department must review the status of each qualified

4-00779A-26

20261600

146 accrediting organization on a biannual basis; however, the  
147 department may conduct a review of each qualified accrediting  
148 organization's status at any time. The department may revoke its  
149 recognition and approval of a qualified accrediting organization  
150 for good cause.

151 (d) The status of an accredited child safety organization  
152 must be reviewed by the department at least every 3 years and  
153 the accreditation or certification of such organization may be  
154 renewed or revoked by the department upon such review.

155 Section 3. Paragraph (f) of subsection (3) of section  
156 39.101, Florida Statutes, is amended to read:

157 39.101 Central abuse hotline.—The central abuse hotline is  
158 the first step in the safety assessment and investigation  
159 process.

160 (3) COLLECTION OF INFORMATION AND DATA.—The department  
161 shall:

162 (f) 1. Collect and analyze child-on-child sexual abuse  
163 reports and include such information in the aggregate  
164 statistical reports.

165 2. Collect and analyze, in separate statistical reports,  
166 those reports of child abuse, sexual abuse, and juvenile sexual  
167 abuse which are reported from or which occurred on or at:

- 168 a. School premises;
- 169 b. School transportation;
- 170 c. School-sponsored off-campus events;
- 171 d. A school readiness program provider determined to be  
172 eligible under s. 1002.88;
- 173 e. A private prekindergarten provider or a public school  
174 prekindergarten provider, as those terms are defined in s.

4-00779A-26

20261600

175 1002.51(7) and (8), respectively;

176 f. A public K-12 school as described in s. 1000.04;

177 g. A private school as defined in s. 1002.01;

178 h. A Florida College System institution or a state

179 university, as those terms are defined in s. 1000.21(5) and (9),

180 respectively; or

181 i. A school, as defined in s. 1005.02; or

182 j. A child-serving organization.

183 Section 4. Section 627.0656, Florida Statutes, is created  
184 to read:

185 627.0656 Insurance discounts for accredited child safety  
186 organizations.—The office shall approve rating plans for  
187 employer's liability insurance which provide an appropriate  
188 reduction in premium charges to child-serving organizations as  
189 defined in s. 39.01 which are certified or accredited as  
190 accredited child safety organizations by the Department of  
191 Children and Families under s. 39.0151(2). The plans must be  
192 actuarially sound and must state the savings anticipated to  
193 result from a child-serving organization becoming an accredited  
194 child safety organization.

195 Section 5. Child safety and liability insurance study.—

196 (1) The Legislature finds that:

197 (a) Recent studies demonstrate that across the nation,  
198 including in this state, organizations that provide services to  
199 children face an existential threat to their ability to operate  
200 due to the unaffordability, and on occasion unavailability, of  
201 liability insurance.

202 (b) Private organizations that provide services to children  
203 are essential to the well-being of families and communities.

4-00779A-26

20261600

204 Churches, synagogues, and other faith-based organizations  
205 provide child care, organized activities, and educational  
206 opportunities for children. Camps, scouting organizations, and  
207 youth sports organizations provide children with the opportunity  
208 to develop physically and mentally. Other organizations provide  
209 residential care, foster care, and respite care for children in  
210 difficult circumstances.

211 (c) The cost of liability insurance threatens the ability  
212 of organizations to provide these services. Recently, the  
213 shutdown of private foster agencies in California due to the  
214 unavailability of insurance was averted only by legislative  
215 intervention.

216 (d) The liability coverage affordability and availability  
217 crisis for such organizations is driven by factors that include  
218 social inflation; nationwide changes affecting the liability of  
219 organizations for past incidents resulting in harm to children;  
220 and the ongoing challenges of serving children while maintaining  
221 proper procedures to screen and supervise employees and  
222 volunteers, raise situational awareness of the risks of child  
223 abuse within organizations, and take steps to prevent the  
224 exploitation or abuse of children in their programs.

225 (e) Potential methods to ensure that private organizations  
226 are able to continue carrying out their valuable work include  
227 developing methods to reduce insurance rates, providing state  
228 financial support to providers, and developing programs to  
229 bolster child abuse and neglect prevention policies and  
230 protocols within organizations.

231 (2) The Office of Program Policy Analysis and Government  
232 Accountability shall conduct a study on the affordability and

4-00779A-26

20261600

233 availability of liability coverage for child-serving  
234 organizations as defined in s. 39.01, Florida Statutes. The  
235 office shall identify potential legislative actions that may be  
236 taken to ensure the continued viability of such organizations  
237 and provide a report of its findings to the President of the  
238 Senate and the Speaker of the House of Representatives by July  
239 1, 2027.

240 Section 6. Subsection (1) of section 39.302, Florida  
241 Statutes, is amended to read:

242 39.302 Protective investigations of institutional child  
243 abuse, abandonment, or neglect.—

244 (1) The department shall conduct a child protective  
245 investigation of each report of institutional child abuse,  
246 abandonment, or neglect. Upon receipt of a report that alleges  
247 that an employee or agent of the department, or any other entity  
248 or person covered by s. 39.01(41) or (59) ~~s. 39.01(39) or (57)~~,  
249 acting in an official capacity, has committed an act of child  
250 abuse, abandonment, or neglect, the department shall initiate a  
251 child protective investigation within the timeframe established  
252 under s. 39.101(2) and notify the appropriate state attorney,  
253 law enforcement agency, and licensing agency, which shall  
254 immediately conduct a joint investigation, unless independent  
255 investigations are more feasible. When conducting investigations  
256 or having face-to-face interviews with the child, investigation  
257 visits shall be unannounced unless it is determined by the  
258 department or its agent that unannounced visits threaten the  
259 safety of the child. If a facility is exempt from licensing, the  
260 department shall inform the owner or operator of the facility of  
261 the report. Each agency conducting a joint investigation is

4-00779A-26

20261600

262 entitled to full access to the information gathered by the  
263 department in the course of the investigation. A protective  
264 investigation must include an interview with the child's parent  
265 or legal guardian. The department shall make a full written  
266 report to the state attorney within 3 business days after making  
267 the oral report. A criminal investigation shall be coordinated,  
268 whenever possible, with the child protective investigation of  
269 the department. Any interested person who has information  
270 regarding the offenses described in this subsection may forward  
271 a statement to the state attorney as to whether prosecution is  
272 warranted and appropriate. Within 15 days after the completion  
273 of the investigation, the state attorney shall report the  
274 findings to the department and shall include in the report a  
275 determination of whether or not prosecution is justified and  
276 appropriate in view of the circumstances of the specific case.

277 Section 7. Paragraph (c) of subsection (1) of section  
278 39.521, Florida Statutes, is amended to read:

279 39.521 Disposition hearings; powers of disposition.—

280 (1) A disposition hearing shall be conducted by the court,  
281 if the court finds that the facts alleged in the petition for  
282 dependency were proven in the adjudicatory hearing, or if the  
283 parents or legal custodians have consented to the finding of  
284 dependency or admitted the allegations in the petition, have  
285 failed to appear for the arraignment hearing after proper  
286 notice, or have not been located despite a diligent search  
287 having been conducted.

288 (c) When any child is adjudicated by a court to be  
289 dependent, the court having jurisdiction of the child has the  
290 power by order to:

4-00779A-26

20261600

291       1. Require the parent and, when appropriate, the legal  
292 guardian or the child to participate in treatment and services  
293 identified as necessary. The court may require the person who  
294 has custody or who is requesting custody of the child to submit  
295 to a mental health or substance abuse disorder assessment or  
296 evaluation. The order may be made only upon good cause shown and  
297 pursuant to notice and procedural requirements provided under  
298 the Florida Rules of Juvenile Procedure. The mental health  
299 assessment or evaluation must be administered by a qualified  
300 professional as defined in s. 39.01, and the substance abuse  
301 assessment or evaluation must be administered by a qualified  
302 professional as defined in s. 397.311. The court may also  
303 require such person to participate in and comply with treatment  
304 and services identified as necessary, including, when  
305 appropriate and available, participation in and compliance with  
306 a mental health court program established under chapter 394 or a  
307 treatment-based drug court program established under s. 397.334.  
308 Adjudication of a child as dependent based upon evidence of harm  
309 as defined in s. 39.01(39)(g) ~~s. 39.01(37)(g)~~ demonstrates good  
310 cause, and the court shall require the parent whose actions  
311 caused the harm to submit to a substance abuse disorder  
312 assessment or evaluation and to participate and comply with  
313 treatment and services identified in the assessment or  
314 evaluation as being necessary. In addition to supervision by the  
315 department, the court, including the mental health court program  
316 or the treatment-based drug court program, may oversee the  
317 progress and compliance with treatment by a person who has  
318 custody or is requesting custody of the child. The court may  
319 impose appropriate available sanctions for noncompliance upon a

4-00779A-26

20261600

320 person who has custody or is requesting custody of the child or  
321 make a finding of noncompliance for consideration in determining  
322 whether an alternative placement of the child is in the child's  
323 best interests. Any order entered under this subparagraph may be  
324 made only upon good cause shown. This subparagraph does not  
325 authorize placement of a child with a person seeking custody of  
326 the child, other than the child's parent or legal custodian, who  
327 requires mental health or substance abuse disorder treatment.

328 2. Require, if the court deems necessary, the parties to  
329 participate in dependency mediation.

330 3. Require placement of the child either under the  
331 protective supervision of an authorized agent of the department  
332 in the home of one or both of the child's parents or in the home  
333 of a relative of the child or another adult approved by the  
334 court, or in the custody of the department. Protective  
335 supervision continues until the court terminates it or until the  
336 child reaches the age of 18, whichever date is first. Protective  
337 supervision shall be terminated by the court whenever the court  
338 determines that permanency has been achieved for the child,  
339 whether with a parent, another relative, or a legal custodian,  
340 and that protective supervision is no longer needed. The  
341 termination of supervision may be with or without retaining  
342 jurisdiction, at the court's discretion, and shall in either  
343 case be considered a permanency option for the child. The order  
344 terminating supervision by the department must set forth the  
345 powers of the custodian of the child and include the powers  
346 ordinarily granted to a guardian of the person of a minor unless  
347 otherwise specified. Upon the court's termination of supervision  
348 by the department, further judicial reviews are not required if

4-00779A-26

20261600

349 permanency has been established for the child.

350       4. Determine whether the child has a strong attachment to  
351 the prospective permanent guardian and whether such guardian has  
352 a strong commitment to permanently caring for the child.

353       Section 8. Paragraph (c) of subsection (1) of section  
354 39.6012, Florida Statutes, is amended to read:

355       39.6012 Case plan tasks; services.—

356       (1) The services to be provided to the parent and the tasks  
357 that must be completed are subject to the following:

358       (c) If there is evidence of harm as defined in s.  
359 39.01(39)(g) ~~s. 39.01(37)(g)~~, the case plan must include as a  
360 required task for the parent whose actions caused the harm that  
361 the parent submit to a substance abuse disorder assessment or  
362 evaluation and participate and comply with treatment and  
363 services identified in the assessment or evaluation as being  
364 necessary.

365       Section 9. Paragraph (p) of subsection (4) of section  
366 394.495, Florida Statutes, is amended to read:

367       394.495 Child and adolescent mental health system of care;  
368 programs and services.—

369       (4) The array of services may include, but is not limited  
370 to:

371       (p) Trauma-informed services for children who have suffered  
372 sexual exploitation as defined in s. 39.01(82)(g) ~~s.~~  
373 ~~39.01(80)(g)~~.

374       Section 10. Paragraph (c) of subsection (1) of section  
375 934.255, Florida Statutes, is amended to read:

376       934.255 Subpoenas in investigations of sexual offenses.—

377       (1) As used in this section, the term:

4-00779A-26

20261600

378       (c) "Sexual abuse of a child" means a criminal offense  
379 based on any conduct described in s. 39.01(82) ~~s. 39.01(80)~~.

380       Section 11. Subsection (5) of section 960.065, Florida  
381 Statutes, is amended to read:

382       960.065 Eligibility for awards.—

383       (5) A person is not ineligible for an award pursuant to  
384 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that  
385 person is a victim of sexual exploitation of a child as defined  
386 in s. 39.01(82) (g) ~~s. 39.01(80) (g)~~.

387       Section 12. Subsections (1), (2), and (24) of section  
388 984.03, Florida Statutes, are amended to read:

389       984.03 Definitions.—When used in this chapter, the term:

390       (1) "Abandoned" or "abandonment" has the same meaning as in  
391 s. 39.01 ~~s. 39.01(1)~~.

392       (2) "Abuse" has the same meaning as in s. 39.01 ~~s.~~  
393 ~~s. 39.01(2)~~.

394       (24) "Neglect" has the same meaning as in s. 39.01 ~~s.~~  
395 ~~s. 39.01(53)~~.

396       Section 13. For the purpose of incorporating the amendment  
397 made by this act to section 39.01, Florida Statutes, in a  
398 reference thereto, paragraph (b) of subsection (2) of section  
399 39.301, Florida Statutes, is reenacted to read:

400       39.301 Initiation of protective investigations.—

401       (2)

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

404       1. A child is known or suspected to be the victim of child  
405 abuse, as defined in s. 827.03, or of neglect of a child, as  
406 defined in s. 827.03.

4-00779A-26

20261600

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

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

411        4. A child is known or suspected to be the victim of sexual  
412 battery, as defined in s. 827.071, or of sexual abuse, as  
413 defined in s. 39.01.

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

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

419        Section 14. This act shall take effect July 1, 2026.