

CHAPTER 2022-168

Committee Substitute for House Bill No. 615

An act relating to human trafficking; amending s. 16.617, F.S.; providing the Statewide Council on Human Trafficking with an additional duty; amending s. 16.618, F.S.; deleting an obsolete provision; requiring the direct-support organization of the Statewide Council on Human Trafficking to develop certain training for firesafety inspectors; providing that such training is eligible for continuing education credits; amending s. 409.175, F.S.; requiring foster parents and agency staff to complete preservice and inservice training related to human trafficking; reenacting s. 63.092(3)(e), F.S., relating to reports to the court of intended placement by an adoption entity, to incorporate the amendment made to s. 409.175, F.S., in a reference thereto; providing an effective date.

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

Section 1. Present paragraphs (b) through (e) of subsection (4) of section 16.617, Florida Statutes, are redesignated as paragraphs (c) through (f), respectively, and a new paragraph (b) is added to that subsection, to read:

16.617 Statewide Council on Human Trafficking; creation; membership; duties.—

(4) DUTIES.—The council shall:

(b) Assess the frequency and extent to which social media platforms are used to assist, facilitate, or support human trafficking within this state, establish a process to detect such use on a consistent basis, and make recommendations on how to stop, reduce, or prevent social media platforms from being used for such purposes.

Section 2. Paragraph (b) of subsection (4) of section 16.618, Florida Statutes, is amended, and paragraph (f) is added to that subsection, to read:

16.618 Direct-support organization.—

(4)

(b) Recognizing that this state hosts large-scale events, including sporting events, concerts, and cultural events, which generate significant tourism to this state, produce significant economic revenue, and often are conduits for human trafficking, the institute must develop training that is available ready for statewide dissemination ~~by not later than October 1, 2019.~~

1. Training must focus on detecting human trafficking, best practices for reporting human trafficking, and the interventions and treatment for survivors of human trafficking.

2. In developing the training, the institute shall consult with law enforcement agencies, survivors of human trafficking, industry representatives, tourism representatives, and other interested parties. The institute also must conduct research to determine the reduction in recidivism attributable to the education of the harms of human trafficking for first-time offenders.

(f) The direct-support organization shall develop training for firesafety inspectors in the recognition and reporting of human trafficking. Such training is eligible for continuing education credit under s. 633.216(4).

Section 3. Paragraph (e) is added to subsection (14) of section 409.175, Florida Statutes, to read:

409.175 Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption.—

(14)

(e)1. In addition to any other preservice training required by law, foster parents, as a condition of licensure, and agency staff must successfully complete preservice training related to human trafficking which must be uniform statewide and must include, but need not be limited to:

a. Basic information on human trafficking, such as an understanding of relevant terminology, and the differences between sex trafficking and labor trafficking;

b. Factors and knowledge on identifying children at risk of human trafficking; and

c. Steps that should be taken to prevent at-risk youths from becoming victims of human trafficking.

2. Foster parents, before licensure renewal, and agency staff, during each full year of employment, must complete inservice training related to human trafficking to satisfy the training requirement under subparagraph (5)(b)7.

Section 4. For the purpose of incorporating the amendment made by this act to section 409.175, Florida Statutes, in a reference thereto, paragraph (e) of subsection (3) of section 63.092, Florida Statutes, is reenacted to read:

63.092 Report to the court of intended placement by an adoption entity; at-risk placement; preliminary study.—

(3) PRELIMINARY HOME STUDY.—Before placing the minor in the intended adoptive home, a preliminary home study must be performed by a licensed child-placing agency, a child-caring agency registered under s. 409.176, a licensed professional, or an agency described in s. 61.20(2), unless the adoptee is an adult or the petitioner is a stepparent or a relative. If the

adoptee is an adult or the petitioner is a stepparent or a relative, a preliminary home study may be required by the court for good cause shown. The department is required to perform the preliminary home study only if there is no licensed child-placing agency, child-caring agency registered under s. 409.176, licensed professional, or agency described in s. 61.20(2), in the county where the prospective adoptive parents reside. The preliminary home study must be made to determine the suitability of the intended adoptive parents and may be completed before identification of a prospective adoptive minor. If the identified prospective adoptive minor is in the custody of the department, a preliminary home study must be completed within 30 days after it is initiated. A favorable preliminary home study is valid for 1 year after the date of its completion. Upon its completion, a signed copy of the home study must be provided to the intended adoptive parents who were the subject of the home study. A minor may not be placed in an intended adoptive home before a favorable preliminary home study is completed unless the adoptive home is also a licensed foster home under s. 409.175. The preliminary home study must include, at a minimum:

(e) Documentation of counseling and education of the intended adoptive parents on adoptive parenting, as determined by the entity conducting the preliminary home study. The training specified in s. 409.175(14) shall only be required for persons who adopt children from the department.

If the preliminary home study is favorable, a minor may be placed in the home pending entry of the judgment of adoption. A minor may not be placed in the home if the preliminary home study is unfavorable. If the preliminary home study is unfavorable, the adoption entity may, within 20 days after receipt of a copy of the written recommendation, petition the court to determine the suitability of the intended adoptive home. A determination as to suitability under this subsection does not act as a presumption of suitability at the final hearing. In determining the suitability of the intended adoptive home, the court must consider the totality of the circumstances in the home. A minor may not be placed in a home in which there resides any person determined by the court to be a sexual predator as defined in s. 775.21 or to have been convicted of an offense listed in s. 63.089(4)(b)2.

Section 5. This act shall take effect July 1, 2022.

Approved by the Governor June 3, 2022.

Filed in Office Secretary of State June 3, 2022.