

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 96

INTRODUCER: Senator Steube

SUBJECT: Human Trafficking Education in Schools

DATE: October 6, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hendon	Hendon	CF	Favorable
2.			ED	
3.			AP	
4.			RC	

I. Summary:

SB 96 adds information on the dangers and signs human trafficking to the instructional requirements for middle and high school students in the state's public school system.

The bill has an effective date of July 1, 2018 and would have a minimal fiscal impact.

II. Present Situation:

Human Trafficking

Children can be victims of human trafficking in two forms; commercial sexual exploitation and labor exploitation. In Florida, human trafficking is reported to the Child Abuse Hotline. Toll free national numbers to report human trafficking of children in Florida are relayed to the abuse hotline. Sex trafficking is defined as a commercial sex act induced by force, fraud or coercion or in which the person induced to perform such act is under 18.¹ Commercial sex acts include, but are not limited to prostitution and/or pornography as a means for the perpetrator to make money. The mere fact the victim is a child and the act meets the definition of a commercial sex act, makes the child a victim. Calls to the abuse hotline are investigated by the Department of Children and Families (department) or in certain counties, by the sheriff office.

In 2012 and 2014, the Legislature passed major legislation regarding the treatment of children who are victims of sex trafficking.² The new policy treated these children as victims rather than prosecuting them for prostitution.

¹ Department of Children and Families webpage. <http://www.myflfamilies.com/service-programs/human-trafficking/what-is-human-trafficking>. Last visited Feb. 27, 2017.

² Chapters 2012-105 and 2014-161, Laws of Florida

Once a call is made to the hotline, the department or certain sheriff office in counties where the sheriff conducts child abuse investigations, an investigation is made. If commercial sexual trafficking is suspected or verified, the department or sheriff office, conducts a multidisciplinary staffing on each case.³ The staffing includes local experts in child protection, child welfare, medical professionals and law enforcement to assess the needs of the child and determine if the victim needs placement in a residential home, or “safe house” pursuant to s. 39.524, F.S. Multidisciplinary staffing teams are also charged with assessing the local services available to victims of commercial sexual exploitation.⁴

Chapter 2014-161, Laws of Florida requires the Legislature’s Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an annual study on commercial sexual exploitation of children. The most recent report found that in calendar year 2015, there were 1,279 reports of human trafficking to the Child Abuse Hotline in Florida.⁵ Of those, 264 were verified. Of the verified cases, 123 were dependent children in state’s foster care while 141 were not dependent. OPPAGA reported that there is no data on the status or outcomes for the 141 victims not in foster care.

In 2017, the Legislature passed, and the Governor signed, SB 852 (Chapter 2017-23) to clarify the definition of commercial sexual exploitation and to expand the duties of the Department of Children and Families for child victims of human trafficking that are not in the state’s dependency system. The department, or in certain counties, the Sheriff’s Office, must conduct a multi-disciplinary meeting on each case and provide the family of the victims with a service plan to assist the victim recover from the trauma of human trafficking. For those victims that are dependent children, the dependency case plan must be updated to require services to meet the needs of the dependent child. In addition, the bill requires that persons accused of human trafficking be detained before trial.

Educational Requirements

Florida law outlines specific content area instructional requirements, in addition to required core curricular content areas,⁶ for middle grades promotion and high school graduation.⁷

In addition to the required core curriculum, Florida law requires public school instruction in certain specified content areas, including, but not limited to:⁸

- The history and content of the Declaration of Independence.
- The history, meaning, significance, and effect of the provisions of the Constitution of the United States.
- The arguments in support of adopting our republican form of government.

³ s. 409.1754(2), F.S.

⁴ *Id.*

⁵ Office of Program Policy Analysis and Government Accountability report number 16-04. See <http://www.oppaga.state.fl.us/Summary.aspx?reportNum=16-04>. Last visited Feb. 27, 2017.

⁶ Section 1003.41, F.S.

⁷ Each district school board is required to provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet the State Board of Education adopted standards in reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts. Section 1003.42(1), F.S.

⁸ Section 1003.42(2), F.S.

- The elements of civil government.
- The history of the Holocaust.
- The history of African Americans.
- The elementary principles of agriculture.
- Kindness to animals.
- The history of the state.
- Comprehensive health education.
- A character-development program in kindergarten through grade 12.

The law encourages the State Board of Education (State Board) to adopt standards and pursue assessment relating to the required instructional content.⁹

III. Effect of Proposed Changes:

Section 1 amends s. 1003.42, F.S., regarding required instruction in the public school system. The revisions add information on the dangers and signs of human trafficking to the requirements of comprehensive health education. This new requirement can include information on the warning signs of human trafficking, terms used in trafficking, websites used by traffickers, and information on how a student can get help. A student may opt out of this instruction with a note from his or her parent.

Section 2 provides an effective date of July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

⁹ *Id.*

C. Government Sector Impact:

The fiscal impact of the bill on the state's public schools would be minimal.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.42 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.