

By Senator Bean

4-00078B-19

2019128__

1 A bill to be entitled
2 An act relating to child abuse; amending s. 39.01,
3 F.S.; expanding the list of incidents or injuries that
4 constitute harm to a child's health or welfare to
5 include incidents or injuries resulting from
6 violations of child restraint and seatbelt
7 requirements; amending s. 39.201, F.S.; requiring the
8 central abuse hotline to accept certain reports or
9 calls for investigation for children who do not live
10 in this state; amending s. 39.303, F.S.; expanding the
11 types of reports that the Department of Health must
12 refer to Child Protection Teams; providing an
13 effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Paragraph (m) is added to subsection (35) of
18 section 39.01, Florida Statutes, to read:

19 39.01 Definitions.—When used in this chapter, unless the
20 context otherwise requires:

21 (35) "Harm" to a child's health or welfare can occur when
22 any person:

23 (m) Violates s. 316.613 or s. 316.614 resulting in the
24 death or injury of a child, if substantiated by a licensed
25 physician's opinion that the violation exacerbated the child's
26 injuries or resulted in the child's death.

27 Section 2. Paragraph (d) of subsection (2) of section
28 39.201, Florida Statutes, is amended to read:

29 39.201 Mandatory reports of child abuse, abandonment, or

4-00078B-19

2019128__

30 neglect; mandatory reports of death; central abuse hotline.-

31 (2)

32 (d) If the report is of an instance of known or suspected
33 child abuse, abandonment, or neglect which ~~that~~ occurred out of
34 state and the alleged perpetrator and the child alleged to be a
35 victim live out of state, the central abuse hotline may ~~shall~~
36 not accept the report or call for investigation unless the child
37 is currently being evaluated in a medical facility in this
38 state.

39 1. If the child is currently being evaluated in a medical
40 facility in this state, the central abuse hotline shall accept
41 the report or call for investigation and transfer the
42 information on the report or call to the appropriate state or
43 country.

44 2. If the child is not currently being evaluated in a
45 medical facility in this state, the central abuse hotline, ~~but~~
46 shall transfer the information on the report or call to the
47 appropriate state or country.

48 Section 3. Paragraphs (i) and (j) are added to subsection
49 (4) of section 39.303, Florida Statutes, to read:

50 39.303 Child Protection Teams and sexual abuse treatment
51 programs; services; eligible cases.-

52 (4) The child abuse, abandonment, and neglect reports that
53 must be referred by the department to Child Protection Teams of
54 the Department of Health for an assessment and other appropriate
55 available support services as set forth in subsection (3) must
56 include cases involving:

57 (i) A child who does not live in this state who is
58 currently being evaluated in a medical facility in this state.

4-00078B-19

2019128__

59 (j) A child who was not properly restrained in a motor
60 vehicle pursuant to s. 316.613 or s. 316.614 and the improper
61 restraint exacerbated the child's injuries or resulted in the
62 child's death.

63 Section 4. This act shall take effect July 1, 2019.