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Section 1. This act may be cited as the "Human Trafficking Reduction Act."

Section 2. Section 509.098, Florida Statutes, is created to read:

509.098 Prohibition of hourly rates.—An operator of a public lodging establishment may not offer an hourly rate for an accommodation.

Section 3. Paragraph (a) of subsection (5) of section 796.07, Florida Statutes, is amended, and paragraphs (f) and (i) of subsection (2) of that section are republished, to read:

796.07 Prohibiting prostitution and related acts.—

(2) It is unlawful:

(f) To solicit, induce, entice, or procure another to commit prostitution, lewdness, or assignation.

(i) To purchase the services of any person engaged in prostitution.

(5)(a) A person who violates paragraph (2)(f) or paragraph (2)(i) commits:

1. A felony of the third ~~misdemeanor of the first~~ degree for a first violation, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

2. A felony of the second ~~third~~ degree for a second violation, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

51           3. A felony of the first ~~second~~ degree for a third or  
52 subsequent violation, punishable as provided in s. 775.082, s.  
53 775.083, or s. 775.084.

54           Section 4. Subsections (3) and (5) of section 943.0583,  
55 Florida Statutes, are amended to read:

56           943.0583 Human trafficking victim expunction.—

57           (3)(a) Except as provided in paragraph (b), a person who  
58 is a victim of human trafficking may petition for the expunction  
59 of a criminal history record resulting from the arrest or filing  
60 of charges for one or more offenses committed or reported to  
61 have been committed while the person was a victim of human  
62 trafficking, which offense was committed or reported to have  
63 been committed as a part of the human trafficking scheme of  
64 which the person was a victim or at the direction of an operator  
65 of the scheme, including, but not limited to, violations under  
66 chapters 796 and 847, without regard to the disposition of the  
67 arrest or of any charges.

68           (b) However, This section does not apply to any offense  
69 listed in s. 775.084(1)(b)1. if the defendant was found guilty  
70 of, or pled guilty or nolo contendere to, any such offense.

71           (c) Determination of the petition under this section  
72 should be by a preponderance of the evidence. A conviction  
73 expunged under this section is deemed to have been vacated due  
74 to a substantive defect in the underlying criminal proceedings.  
75 If a person is adjudicated not guilty by reason of insanity or

76 | is found to be incompetent to stand trial for any such charge,  
 77 | the expunction of the criminal history record may not prevent  
 78 | the entry of the judgment or finding in state and national  
 79 | databases for use in determining eligibility to purchase or  
 80 | possess a firearm or to carry a concealed firearm, as authorized  
 81 | in s. 790.065(2)(a)4.c. and 18 U.S.C. s. 922(t), nor shall it  
 82 | prevent any governmental agency that is authorized by state or  
 83 | federal law to determine eligibility to purchase or possess a  
 84 | firearm or to carry a concealed firearm from accessing or using  
 85 | the record of the judgment or finding in the course of such  
 86 | agency's official duties.

87 | (5) Official documentation of the victim's status creates  
 88 | a presumption that his or her participation in the offense was a  
 89 | result of having been a victim of human trafficking but is not  
 90 | required for granting a petition under this section. A  
 91 | ~~determination made without such official documentation must be~~  
 92 | ~~made by a showing of clear and convincing evidence.~~

93 | Section 5. Section 1004.343, Florida Statutes, is created  
 94 | to read:

95 | 1004.343 Statewide Data Repository for Anonymous Human  
 96 | Trafficking Data.-

97 | (1) There is created the Statewide Data Repository for  
 98 | Anonymous Human Trafficking Data. The repository shall be housed  
 99 | in and operated by the University of South Florida Trafficking  
 100 | in Persons - Risk to Resilience Lab.

101        (a) The Statewide Data Repository for Anonymous Human  
 102 Trafficking Data shall:

103        1. Collect and analyze anonymous human trafficking data to  
 104 identify trends in human trafficking in the state over time.

105        2. Evaluate the effectiveness of various state-funded  
 106 initiatives to combat human trafficking to enable the state to  
 107 make evidence-based decisions in funding future initiatives.

108        3. Disseminate relevant data to law enforcement agencies,  
 109 state agencies, and other entities to assist in combatting human  
 110 trafficking and apprehending and prosecuting persons responsible  
 111 for conducting human trafficking.

112        4. Evaluate the effectiveness of interventions and  
 113 services provided to assist human trafficking victims.

114        (b) The University of South Florida Trafficking in Persons  
 115 - Risk to Resilience Lab shall:

116        1. Design, operate, maintain, and protect the integrity of  
 117 the Statewide Data Repository for Anonymous Human Trafficking  
 118 Data.

119        2. Design, in consultation with the Department of Law  
 120 Enforcement and other law enforcement partners, and launch a  
 121 user-friendly system for efficiently reporting anonymous human  
 122 trafficking data to the Statewide Data Repository for Anonymous  
 123 Human Trafficking Data at no additional cost to reporting  
 124 entities.

125        3. Analyze anonymous human trafficking data to identify

126 initiatives and interventions that are effective in combatting  
127 human trafficking, apprehending and prosecuting persons  
128 responsible for conducting human trafficking, and assisting  
129 human trafficking victims.

130 4. Work with law enforcement agencies and state agencies  
131 to report data on human trafficking investigations and  
132 prosecutions which can aid such agencies in combatting human  
133 trafficking and apprehending and prosecuting persons responsible  
134 for conducting human trafficking.

135 (2) (a) Except as provided in paragraph (b), the following  
136 agencies and entities shall report anonymous human trafficking  
137 data required under this section:

138 1. Law enforcement agencies operating with state or local  
139 government tax proceeds, including, but not limited to,  
140 municipal police departments, county sheriffs, and state  
141 attorneys.

142 2. The Department of Law Enforcement and any other state  
143 agency that holds data related to human trafficking.

144 3. Service providers and other nongovernmental  
145 organizations that serve human trafficking victims and receive  
146 state or federal funding for such purpose.

147 (b) A required reporting entity that submits the data  
148 required under subsection (3) to the Department of Law  
149 Enforcement's Uniform Crime Report system or Florida Incident-  
150 Based Reporting System may, but is not required to, submit any

151 additional data to the Statewide Data Repository for Anonymous  
152 Human Trafficking Data. The Department of Law Enforcement shall  
153 report to the Statewide Data Repository for Anonymous Human  
154 Trafficking Data, at least quarterly, the data required under  
155 subsection (3) that has been reported by a required reporting  
156 entity to the department.

157 (3) A required reporting entity shall submit the following  
158 data to the Statewide Data Repository for Anonymous Human  
159 Trafficking Data unless such entity is exempt from the reporting  
160 requirement under paragraph (2) (b):

161 (a) The alleged human trafficking offense that was  
162 investigated or prosecuted and a description of the alleged  
163 prohibited conduct.

164 (b) The age, gender, and race or ethnicity of each suspect  
165 or defendant and victim.

166 (c) The date, time, and location of the alleged offense.

167 (d) The type of human trafficking involved, whether for  
168 labor or services or commercial sexual activity.

169 (e) Any other alleged offense related to the human  
170 trafficking offense that was investigated or prosecuted.

171 (f) Information regarding any victim services organization  
172 or related program to which the victim was referred, if  
173 available.

174 (g) The disposition of the investigation or prosecution,  
175 regardless of the manner of disposition.

176       (4) (a) A required reporting entity located in a county  
177 with a population of more than 500,000 must begin reporting data  
178 required by this section to the Statewide Data Repository for  
179 Anonymous Human Trafficking Data, or to the Department of Law  
180 Enforcement as authorized under paragraph (2) (b), on or before  
181 July 1, 2023, and at least quarterly each year thereafter.

182       (b) A required reporting entity located in a county with a  
183 population of 500,000 or fewer must begin reporting data  
184 required by this section to the Statewide Data Repository for  
185 Anonymous Human Trafficking Data, or to the Department of Law  
186 Enforcement as authorized under paragraph (2) (b), on or before  
187 July 1, 2024, and at least biannually each year thereafter.

188       Section 6. This act shall take effect upon becoming a law.