

By Senator Wright

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A bill to be entitled
An act relating to reports of child abuse,
abandonment, or neglect; amending s. 39.201, F.S.;
requiring the central abuse hotline to electronically
transfer certain reports to the appropriate county
sheriff's office or local law enforcement agency;
requiring certain persons to report certain knowledge
or suspicion to the central abuse hotline; requiring
the central abuse hotline to accept certain reports
and immediately notify the Department of Children and
Families to ensure that an onsite protective
investigation is promptly initiated; creating a
rebuttable presumption; providing methods to rebut
such presumption; requiring the department to maintain
a specified record under certain circumstances;
prohibiting the department from returning a child to
the custody of the child's parent unless certain
actions are taken and determinations are made by the
court; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section
39.201, Florida Statutes, is amended, and paragraph (f) is added
to subsection (3) of that section, to read:

39.201 Required reports of child abuse, abandonment, or
neglect, sexual abuse of a child, and juvenile sexual abuse;
required reports of death; reports involving a child who has
exhibited inappropriate sexual behavior.—

8-00654-26

2026362__

(1) MANDATORY REPORTING.—

(a)1. A person is required to report immediately to the central abuse hotline established in s. 39.101, in writing, through a call to the toll-free telephone number, or through electronic reporting, if he or she knows, or has reasonable cause to suspect, that any of the following has occurred:

a. Child abuse, abandonment, or neglect by a parent or caregiver, which includes, but is not limited to, when a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare or when a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide such supervision and care.

b. Child abuse by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare. The central abuse hotline must immediately electronically transfer such reports to the appropriate county sheriff's office or local law enforcement agency.

2. Any person who knows, or has reasonable cause to suspect, that a child is the victim of sexual abuse or juvenile sexual abuse shall report such knowledge or suspicion to the central abuse hotline, including if the alleged incident involves a child who is in the custody of or under the protective supervision of the department.

3. Any person who knows, or has reasonable cause to suspect, that a child has been born to a parent who has another child who is in the custody of or under the protective supervision of the department shall report such knowledge or

8-00654-26

2026362__

59 suspicion to the central abuse hotline.

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61 Such reports may be made in writing, through the statewide toll-
62 free telephone number, or through electronic reporting.

63 (3) ADDITIONAL CIRCUMSTANCES RELATED TO REPORTS.-

64 (f) Children born to certain parents.-

65 1. The central abuse hotline must accept reports alleging
66 that a child has been born to a parent who has another child who
67 is in the custody of or under the protective supervision of the
68 department. Such reports require an immediate onsite protective
69 investigation and the central abuse hotline shall immediately
70 notify the department's designated district staff responsible
71 for protective investigations to ensure that an onsite
72 protective investigation is promptly initiated.

73 2. There is a rebuttable presumption that a child born to a
74 parent who has another child in the custody of or under the
75 protective supervision of the department is in immediate danger
76 of abuse, abandonment, or neglect. A parent may rebut such
77 presumption by providing to the department evidence that the
78 parent is successfully participating in department or court-
79 ordered services or other evidence as required by the
80 department.

81 3. If the department determines that the rebuttable
82 presumption has been rebutted and there is not an immediate
83 threat to the child's well-being or safety, the department must
84 maintain a record that includes any previous allegations,
85 complaints, or petitions against the parent and the evidence
86 that the department relied upon in determining that the parent
87 rebutted the presumption.

8-00654-26

2026362__

88 4. If the presumption is not rebutted and a child is taken
89 into the custody of the department after a protective
90 investigation is conducted under s. 39.301, the department may
91 not return the child to the parent's custody until all of the
92 following have occurred:

93 a. A guardian ad litem is appointed for the child.

94 b. The department has conducted a full protective
95 investigation pursuant to this chapter and the results of the
96 protective investigation, including any previous allegations,
97 complaints, or petitions of abuse, abandonment, or neglect
98 against the parent, have been presented to the court at the
99 shelter hearing.

100 c. The court determines by a preponderance of the evidence
101 that the child will be provided a safe home and there is not an
102 immediate threat to the child's well-being or safety.

103 Section 2. This act shall take effect July 1, 2026.