

hbd-21

Bill No. CS/HB 357

Amendment No. ____ (for drafter's use only)

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Health & Human Services Appropriations
offered the following:

Amendment (with title amendment)

On page....14...., between line(s) ...16 and 17.....,
of the bill

insert:

Section 14. Subsection (3) of section 415.5018,
Florida Statutes, 1996 Supplement, is amended to read:

415.5018 District authority and responsibilities.--

(3) CHILD PROTECTIVE INVESTIGATION; COUNTY SHERIFF'S
OFFICE OR LOCAL POLICE DEPARTMENT OPTION.--Within existing
resources, a district, with the approval of the district
health and human services board, and the secretary of the
department shall enter into an agreement with a county
sheriff's office or local police department that is
jurisdictionally responsible to allow such law enforcement
entity to assume a lead in conducting any potential criminal
investigations as well as partial or full responsibility for
conducting certain components of protective investigations

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1 under ss. 415.502-415.514 that are related to cases involving
 2 a criminal investigation. The written agreement must specify
 3 how the requirements of ss. 415.502-415.514 will be met. For
 4 the purposes of such agreement, the jurisdictionally
 5 responsible law enforcement entity is authorized to share
 6 Florida criminal history information that is not otherwise
 7 exempt from s. 119.07(1) with the district personnel directly
 8 responsible for child protective investigation and emergency
 9 child placement. The agencies entering into such agreement
 10 must comply with s. 943.0525 to the extent applicable.
 11 Criminal justice information provided by such law enforcement
 12 entity shall be used only for the purposes specified in the
 13 agreement and shall be provided at no charge.

14 (a) The agreement between the district and the county
 15 sheriff's office or local police department must include the
 16 following assurances and information:

17 1. Assurance that the county sheriff's office or local
 18 police department will be in compliance with the procedural
 19 requirements of ss. 415.502-415.514.

20 2. Description of a protocol between the district and
 21 the county sheriff's office or local police department that at
 22 a minimum addresses the following:

- 23 a. Response to reports of abuse and neglect.
- 24 b. Investigations.
- 25 c. Assessment of risk.
- 26 d. Evidence gathering.
- 27 e. Classification of reports.
- 28 f. Appeals of classifications.
- 29 g. Communication and involvement with the state
- 30 attorney.
- 31 h. Confidentiality of reports and access to

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1 information.

2 i. Utilization of the child protection team.

3 j. Storage and maintenance of records and other
4 information.

5 3. Description of the transition of responsibility
6 that assures the integrity and continuity of protective
7 investigations.

8 4. Description of any necessary changes to department
9 rules.

10 (b) County sheriff's office or local police department
11 personnel assuming responsibility for conducting certain
12 components of protective investigations shall receive training
13 from the department relevant to child protective
14 investigations and services.

15 (c) The secretary of the department shall dispose of a
16 proposed agreement by approving or disapproving the agreement
17 between a district and the county sheriff's office or local
18 police department within 60 days after receipt. The secretary
19 may negotiate modifications within this 60-day period.

20 Section 15. Subsection (4) of section 415.51, Florida
21 Statutes, 1996 Supplement, is amended to read:

22 415.51 Confidentiality of reports and records in cases
23 of child abuse or neglect.--

24 (4) The name of any person reporting child abuse,
25 abandonment, or neglect may not be released to any person
26 other than employees of the department responsible for child
27 protective services or the central abuse hotline, or the
28 appropriate state attorney or law enforcement agency, without
29 the written consent of the person reporting. This does not
30 prohibit the subpoenaing of a person reporting child abuse,
31 abandonment, or neglect when deemed necessary by the court,

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1 the state attorney, or the department, provided the fact that
 2 such person made the report is not disclosed. Any person who
 3 reports a case of child abuse or neglect may, at the time he
 4 makes the report, request that the department notify him that
 5 a child protective investigation occurred as a result of the
 6 report. The department shall mail such a notice to the
 7 reporter within 10 days after completing the child protective
 8 investigation.

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10 (Renumber subsequent sections)

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12

13 ===== T I T L E A M E N D M E N T =====

14 And the title is amended as follows:

15 On page ...2....., line(s)25....., after the
 16 semicolon,

17

18 insert:

19 amending s. 415.5018, F.S.; providing for the
 20 sharing of certain criminal history
 21 information; amending s. 415.51, F.S. ;
 22 providing for the release of certain
 23 confidential reports to law enforcement;

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