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1  
2 An act relating to the Department of Legal Affairs;  
3 amending s. 16.56, F.S.; revising the list of offenses  
4 that may be investigated and prosecuted by the Office  
5 of Statewide Prosecution; creating s. 16.62, F.S.;  
6 authorizing the Department of Legal Affairs to expend  
7 a specified amount annually for certain recognition  
8 and awards programs; amending s. 409.9203, F.S.;  
9 specifying the distribution of certain funds recovered  
10 in Medicaid fraud actions; amending ss. 501.203 and  
11 501.204, F.S.; updating references for purposes of the  
12 Florida Deceptive and Unfair Trade Practices Act;  
13 providing a directive to the Division of Law Revision  
14 and Information; creating s. 501.991, F.S.; providing  
15 legislative intent; creating s. 501.992, F.S.;  
16 defining terms; creating s. 501.993, F.S.; prohibiting  
17 bad faith assertions of patent infringement from being  
18 made; providing factors that a court may consider when  
19 determining whether an allegation was or was not made  
20 in bad faith; creating s. 501.994, F.S.; authorizing a  
21 court to require a patent infringement plaintiff to  
22 post a bond under certain circumstances; limiting the  
23 bond amount; authorizing the court to waive the bond  
24 requirement in certain circumstances; creating s.  
25 501.995, F.S.; authorizing private rights of action  
26 for violations of this part; authorizing the court to



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27 | award certain relief to prevailing plaintiffs;  
28 | creating s. 501.996, F.S.; providing that a violation  
29 | of part VII of ch. 501, F.S., is an unfair or  
30 | deceptive trade practice; creating s. 501.997, F.S.;  
31 | providing exemptions; amending s. 960.03, F.S.;  
32 | revising the definition of the term "crime" for  
33 | purposes of obtaining crime victim compensation from  
34 | the department to include certain forcible felonies;  
35 | revising provisions concerning acts involving the  
36 | operation of a motor vehicle, boat, or aircraft;  
37 | revising the definition of the term "disabled adult";  
38 | correcting a cross-reference; amending s. 960.13,  
39 | F.S.; exempting crime victim compensation awards for  
40 | catastrophic injury from certain deductions; amending  
41 | s. 960.195, F.S.; revising the maximum victim  
42 | compensation amounts that the department may award to  
43 | elderly persons or disabled adults who suffer a  
44 | property loss that causes a substantial diminution in  
45 | their quality of life in certain circumstances;  
46 | revising the conditions under which elderly persons or  
47 | disabled adults who suffer a property loss are  
48 | eligible for an award; authorizing the department to  
49 | deny, reduce, or withdraw a specified award upon  
50 | finding that any claimant or award recipient has not  
51 | duly cooperated with certain persons and entities;  
52 | creating s. 960.196, F.S.; providing for relocation



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53 assistance for human trafficking victims; amending s.  
54 960.198, F.S.; prohibiting relocation assistance for a  
55 domestic violence claim if the victim has received  
56 previous relocation assistance for a human trafficking  
57 claim; amending s. 960.199, F.S.; deleting provisions  
58 relating to relocation assistance for human  
59 trafficking victims; providing that the provisions of  
60 this act are severable; providing an effective date.

61

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

63

64 Section 1. Paragraphs (a) and (b) of subsection (1) of  
65 section 16.56, Florida Statutes, are amended to read:

66 16.56 Office of Statewide Prosecution.—

67 (1) There is created in the Department of Legal Affairs an  
68 Office of Statewide Prosecution. The office shall be a separate  
69 "budget entity" as that term is defined in chapter 216. The  
70 office may:

71 (a) Investigate and prosecute the offenses of:

72 1. Bribery, burglary, criminal usury, extortion, gambling,  
73 kidnapping, larceny, murder, prostitution, perjury, robbery,  
74 carjacking, and home-invasion robbery;

75 2. Any crime involving narcotic or other dangerous drugs;

76 3. Any violation of ~~the provisions of~~ the Florida RICO  
77 (Racketeer Influenced and Corrupt Organization) Act, including  
78 any offense listed in the definition of racketeering activity in



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79 s. 895.02(1)(a), providing such listed offense is investigated  
80 in connection with a violation of s. 895.03 and is charged in a  
81 separate count of an information or indictment containing a  
82 count charging a violation of s. 895.03, the prosecution of  
83 which listed offense may continue independently if the  
84 prosecution of the violation of s. 895.03 is terminated for any  
85 reason;

86 4. Any violation of ~~the provisions of~~ the Florida Anti-  
87 Fencing Act;

88 5. Any violation of ~~the provisions of~~ the Florida  
89 Antitrust Act of 1980, as amended;

90 6. Any crime involving, or resulting in, fraud or deceit  
91 upon any person;

92 7. Any violation of s. 847.0135, relating to computer  
93 pornography and child exploitation prevention, or any offense  
94 related to a violation of s. 847.0135 or any violation of  
95 chapter 827 where the crime is facilitated by or connected to  
96 the use of the Internet or any device capable of electronic data  
97 storage or transmission;

98 8. Any violation of ~~the provisions of~~ chapter 815;

99 9. Any criminal violation of part I of chapter 499;

100 10. Any violation of ~~the provisions of~~ the Florida Motor  
101 Fuel Tax Relief Act of 2004;

102 11. Any criminal violation of s. 409.920 or s. 409.9201;

103 12. Any crime involving voter registration, voting, or  
104 candidate or issue petition activities;



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105 | 13. Any criminal violation of the Florida Money Laundering  
106 | Act;

107 | 14. Any criminal violation of the Florida Securities and  
108 | Investor Protection Act; or

109 | 15. Any violation of ~~the provisions of~~ chapter 787, as  
110 | well as any and all offenses related to a violation of ~~the~~  
111 | ~~provisions of~~ chapter 787;

112 |  
113 | or any attempt, solicitation, or conspiracy to commit any of the  
114 | crimes specifically enumerated above. The office shall have such  
115 | power only when any such offense is occurring, or has occurred,  
116 | in two or more judicial circuits as part of a related  
117 | transaction, or when any such offense is connected with an  
118 | organized criminal conspiracy affecting two or more judicial  
119 | circuits. Informations or indictments charging such offenses  
120 | shall contain general allegations stating the judicial circuits  
121 | and counties in which crimes are alleged to have occurred or the  
122 | judicial circuits and counties in which crimes affecting such  
123 | circuits or counties are alleged to have been connected with an  
124 | organized criminal conspiracy.

125 | (b) Investigate and prosecute any crime enumerated in  
126 | paragraph (a) ~~subparagraphs (a)1.-14.~~ facilitated by or  
127 | connected to the use of the Internet. Any such crime is a crime  
128 | occurring in every judicial circuit within the state.

129 | Section 2. Section 16.62, Florida Statutes, is created to  
130 | read:



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131           16.62 Recognition and awards.-In addition to expenditures  
 132 separately authorized by law, the Department of Legal Affairs  
 133 may expend no more than \$20,000 annually to support costs  
 134 associated with the Law Enforcement Officer of the Year  
 135 Recognition and Awards Program and the Victims Services  
 136 Recognition and Awards Program.

137           Section 3. Subsection (5) is added to section 409.9203,  
 138 Florida Statutes, to read:

139           409.9203 Rewards for reporting Medicaid fraud.-

140           (5) Notwithstanding s. 68.085(3), the 10 percent of any  
 141 remaining proceeds deposited into the Operating Trust Fund from  
 142 an action based on a claim of funds from the state Medicaid  
 143 program shall be allocated in the following manner:

144           (a) Fifty percent of such moneys shall be used to fund  
 145 rewards for reporting Medicaid fraud pursuant to this section.

146           (b) The remaining 50 percent of such moneys shall be used  
 147 by the Medicaid Fraud Control Unit to fund its investigations of  
 148 potential violations of s. 68.082 and any related civil actions.

149           Section 4. Subsection (3) of section 501.203, Florida  
 150 Statutes, is amended to read:

151           501.203 Definitions.-As used in this chapter, unless the  
 152 context otherwise requires, the term:

153           (3) "Violation of this part" means any violation of this  
 154 act or the rules adopted under this act and may be based upon  
 155 any of the following as of July 1, 2015 ~~2013~~:

156           (a) Any rules promulgated pursuant to the Federal Trade



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157 Commission Act, 15 U.S.C. ss. 41 et seq.;

158 (b) The standards of unfairness and deception set forth  
 159 and interpreted by the Federal Trade Commission or the federal  
 160 courts; or

161 (c) Any law, statute, rule, regulation, or ordinance which  
 162 proscribes unfair methods of competition, or unfair, deceptive,  
 163 or unconscionable acts or practices.

164 Section 5. Section 501.204, Florida Statutes, is amended  
 165 to read:

166 501.204 Unlawful acts and practices.—

167 (1) Unfair methods of competition, unconscionable acts or  
 168 practices, and unfair or deceptive acts or practices in the  
 169 conduct of any trade or commerce are hereby declared unlawful.

170 (2) It is the intent of the Legislature that, in  
 171 construing subsection (1), due consideration and great weight  
 172 shall be given to the interpretations of the Federal Trade  
 173 Commission and the federal courts relating to s. 5(a)(1) of the  
 174 Federal Trade Commission Act, 15 U.S.C. s. 45(a)(1) as of July  
 175 1, 2015 ~~2013~~.

176 Section 6. The Division of Law Revision and Information is  
 177 directed to create part VII of chapter 501, Florida Statutes,  
 178 consisting of ss. 501.991-501.997, Florida Statutes, to be  
 179 entitled the "Patent Troll Prevention Act."

180 Section 7. Section 501.991, Florida Statutes, is created  
 181 to read:

182 501.991 Legislative intent.—



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183       (1) The Legislature recognizes that it is preempted from  
184 passing any law that conflicts with federal patent law. However,  
185 the Legislature recognizes that the state is dedicated to  
186 building an entrepreneurial and business-friendly economy where  
187 businesses and consumers alike are protected from abuse and  
188 fraud. This includes protection from abusive and bad faith  
189 demands and litigation.

190       (2) Patents encourage research, development, and  
191 innovation. Patent holders have a legitimate right to enforce  
192 their patents. The Legislature does not wish to interfere with  
193 good faith patent litigation or the good faith enforcement of  
194 patents. However, the Legislature recognizes a growing issue:  
195 the frivolous filing of bad faith patent claims that have led to  
196 technical, complex, and especially expensive litigation.

197       (3) The expense of patent litigation, which may cost  
198 millions of dollars, can be a significant burden on companies  
199 and small businesses. Not only do bad faith patent infringement  
200 claims impose undue burdens on individual businesses, they  
201 undermine the state's effort to attract and nurture  
202 technological innovations. Funds spent to help avoid the threat  
203 of bad faith litigation are no longer available for serving  
204 communities through investing in producing new products, helping  
205 businesses expand, or hiring new workers. The Legislature wishes  
206 to help businesses avoid these costs by encouraging good faith  
207 assertions of patent infringement and the expeditious and  
208 efficient resolution of patent claims.





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209 Section 8. Section 501.992, Florida Statutes, is created  
210 to read:

211 501.992 Definitions.—As used in this part, the term:

212 (1) "Demand letter" means a letter, e-mail, or other  
213 written communication asserting or claiming that a person has  
214 engaged in patent infringement.

215 (2) "Institution of higher education" means an educational  
216 institution as defined in 20 U.S.C. s. 1001(a).

217 (3) "Target" means a person residing in, incorporated in,  
218 or organized under the laws of this state who purchases, rents,  
219 leases, or otherwise obtains a product or service in the  
220 commercial market which is not for resale in the commercial  
221 market and who:

222 (a) Has received a demand letter or against whom a written  
223 assertion or allegation of patent infringement has been made; or

224 (b) Has been threatened in writing with litigation or  
225 against whom a lawsuit has been filed alleging patent  
226 infringement.

227 Section 9. Section 501.993, Florida Statutes, is created  
228 to read:

229 501.993 Bad faith assertions of patent infringement.—A  
230 person may not make a bad faith assertion of patent  
231 infringement.

232 (1) A court may consider the following factors as evidence  
233 that a person has made a bad faith assertion of patent  
234 infringement:



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235       (a) The demand letter does not contain the following  
236 information:

237       1. The patent number;  
238       2. The name and address of the patent owner and assignee,  
239 if any; and

240       3. Factual allegations concerning the specific areas in  
241 which the target's products, services, or technology infringe or  
242 are covered by the claims in the patent.

243       (b) Before sending the demand letter, the person failed to  
244 conduct an analysis comparing the claims in the patent to the  
245 target's products, services, or technology, or the analysis did  
246 not identify specific areas in which the target's products,  
247 services, and technology were covered by the claims of the  
248 patent.

249       (c) The demand letter lacked the information listed under  
250 paragraph (a), the target requested the information, and the  
251 person failed to provide the information within a reasonable  
252 period.

253       (d) The demand letter requested payment of a license fee  
254 or response within an unreasonable period.

255       (e) The person offered to license the patent for an amount  
256 that is not based on a reasonable estimate of the value of the  
257 license.

258       (f) The claim or assertion of patent infringement is  
259 unenforceable, and the person knew, or should have known, that  
260 the claim or assertion was unenforceable.



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261       (g) The claim or assertion of patent infringement is  
262 deceptive.

263       (h) The person, including its subsidiaries or affiliates,  
264 has previously filed or threatened to file one or more lawsuits  
265 based on the same or a similar claim of patent infringement and:

266           1. The threats or lawsuits lacked the information listed  
267 under paragraph (a); or

268           2. The person sued to enforce the claim of patent  
269 infringement and a court found the claim to be meritless.

270           (i) Any other factor the court finds relevant.

271       (2) A court may consider the following factors as evidence  
272 that a person has not made a bad faith assertion of patent  
273 infringement:

274           (a) The demand letter contained the information listed  
275 under paragraph (1) (a).

276           (b) The demand letter did not contain the information  
277 listed under paragraph (1) (a), the target requested the  
278 information, and the person provided the information within a  
279 reasonable period.

280           (c) The person engaged in a good faith effort to establish  
281 that the target has infringed the patent and negotiated an  
282 appropriate remedy.

283           (d) The person made a substantial investment in the use of  
284 the patented invention or discovery or in a product or sale of a  
285 product or item covered by the patent.

286           (e) The person is the inventor or joint inventor of the



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287 patented invention or discovery, or in the case of a patent  
288 filed by and awarded to an assignee of the original inventor or  
289 joint inventors, is the original assignee.

290 (f) The person has:

291 1. Demonstrated good faith business practices in previous  
292 efforts to enforce the patent, or a substantially similar  
293 patent; or

294 2. Successfully enforced the patent, or a substantially  
295 similar patent, through litigation.

296 (g) Any other factor the court finds relevant.

297 Section 10. Section 501.994, Florida Statutes, is created  
298 to read:

299 501.994 Bond.—If a person initiates a proceeding against a  
300 target in a court of competent jurisdiction, the target may move  
301 that the proceeding involves a bad faith assertion of patent  
302 infringement in violation of this part and request that the  
303 court issue a protective order. After the motion, and if the  
304 court finds that the target has established a reasonable  
305 likelihood that the plaintiff has made a bad faith assertion of  
306 patent infringement, the court must require the plaintiff to  
307 post a bond in an amount equal to the lesser of \$250,000 or a  
308 good faith estimate of the target's expense of litigation,  
309 including an estimate of reasonable attorney fees, conditioned  
310 on payment of any amount finally determined to be due to the  
311 target. The court shall hold a hearing at either party's  
312 request. A court may waive the bond requirement for good cause



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313 shown or if it finds the plaintiff has available assets equal to  
314 the amount of the proposed bond.

315 Section 11. Section 501.995, Florida Statutes, is created  
316 to read:

317 501.995 Private right of action.—A person aggrieved by a  
318 violation of this part may bring an action in a court of  
319 competent jurisdiction. A court may award the following remedies  
320 to a prevailing plaintiff in an action brought pursuant to this  
321 section:

322 (1) Equitable relief;

323 (2) Damages;

324 (3) Costs and fees, including reasonable attorney fees;

325 and

326 (4) Punitive damages in an amount equal to \$50,000 or  
327 three times the total damages, costs, and fees, whichever is  
328 greater.

329 Section 12. Section 501.996, Florida Statutes, is created  
330 to read:

331 501.996 Enforcement.—A violation of this part is an unfair  
332 or deceptive trade practice under part II of this chapter.

333 Section 13. Section 501.997, Florida Statutes, is created  
334 to read:

335 501.997 Exemptions.—This part does not apply to an  
336 institution of higher education, to a technology transfer  
337 organization owned by or affiliated with an institution of  
338 higher education, or to a demand letter or an assertion of



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339 patent infringement that includes a claim for relief arising  
340 under 35 U.S.C. s. 271(e) (2) or 42 U.S.C. s. 262.

341 Section 14. Subsections (3) and (6) of section 960.03,  
342 Florida Statutes, are amended to read:

343 960.03 Definitions; ss. 960.01-960.28.—As used in ss.  
344 960.01-960.28, unless the context otherwise requires, the term:

345 (3) "Crime" means:

346 (a) A felony or misdemeanor offense committed by an adult  
347 or a juvenile which results in physical injury or death, a  
348 forcible felony committed by an adult or juvenile which directly  
349 results in psychiatric or psychological injury, or a felony or  
350 misdemeanor offense of child abuse committed by an adult or a  
351 juvenile which results in a mental injury, as defined in s.  
352 827.03, to a person younger than 18 years of age who was not  
353 physically injured by the criminal act. The mental injury to the  
354 minor must be verified by a psychologist licensed under chapter  
355 490, by a physician licensed in this state under chapter 458 or  
356 chapter 459 who has completed an accredited residency in  
357 psychiatry, or by a physician who has obtained certification as  
358 an expert witness pursuant to s. 458.3175. The term also  
359 includes a criminal act that is committed within this state but  
360 that falls exclusively within federal jurisdiction.

361 (b) A violation of s. 316.027(2), s. 316.193, s. 316.1935  
362 s. 316.027(1), s. 327.35(1), s. 782.071(1) (b), or s.  
363 860.13(1) (a) which results in physical injury or death.

364 (c) ~~however,~~ An act involving the operation of a motor



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365 vehicle, boat, or aircraft which results in another person's  
366 injury or death that is intentionally inflicted through the use  
367 of the vehicle, boat, or aircraft; however, no other act  
368 involving the operation of a motor vehicle, boat, or aircraft  
369 constitutes a crime for purposes of this chapter ~~does not~~  
370 ~~constitute a crime for the purpose of this chapter unless the~~  
371 ~~injury or death was intentionally inflicted through the use of~~  
372 ~~the vehicle, boat, or aircraft.~~

373 (d) ~~(e)~~ A criminal act committed outside this state against  
374 a resident of this state which would have been compensable if it  
375 had occurred in this state and which occurred in a jurisdiction  
376 that does not have an eligible crime victim compensation program  
377 as the term is defined in the federal Victims of Crime Act of  
378 1984.

379 (e) ~~(d)~~ A violation of s. 827.071, s. 847.0135, s.  
380 847.0137, or s. 847.0138, related to online sexual exploitation  
381 and child pornography.

382 (6) "Disabled adult" means a person 18 years of age or  
383 older who suffers from a condition of physical or mental  
384 incapacitation due to a developmental disability, or ~~or~~ organic  
385 brain damage, or mental illness or who has one or more physical  
386 or mental limitations that restrict the person's ability to  
387 perform the normal activities of daily living.

388 Section 15. Subsection (6) of section 960.13, Florida  
389 Statutes, is amended to read:

390 960.13 Awards.—



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391 (6) Any award made pursuant to this chapter, except an  
392 award for loss of support or catastrophic injury, shall be  
393 reduced by the amount of any payments or services received or to  
394 be received by the claimant as a result of the injury or death:

395 (a) From or on behalf of the person who committed the  
396 crime; provided, however, that a restitution award ordered by a  
397 court to be paid to the claimant by the person who committed the  
398 crime shall not reduce any award made pursuant to this chapter  
399 unless it appears to the department that the claimant will be  
400 unjustly enriched thereby.

401 (b) From any other public or private source or provider,  
402 including, but not limited to, an award of workers' compensation  
403 pursuant to chapter 440.

404 (c) From agencies mandated by other Florida statutes to  
405 provide or pay for services, except as provided in s. 960.28.

406 (d) From an emergency award under s. 960.12.

407 Section 16. Section 960.195, Florida Statutes, is amended  
408 to read:

409 960.195 Awards to elderly persons or disabled adults for  
410 property loss.—

411 (1) Notwithstanding the criteria in s. 960.13, for crime  
412 victim compensation awards, the department may award a maximum  
413 of \$500 on any one claim and a lifetime maximum of \$1,000 on all  
414 claims to elderly persons or disabled adults who suffer a  
415 property loss that causes a substantial diminution in their  
416 quality of life when:





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417        (a)~~(1)~~ There is proof that a criminal or delinquent act  
418 was committed;

419        (b)~~(2)~~ The criminal or delinquent act is reported to law  
420 enforcement authorities within 72 hours, unless the department,  
421 for good cause shown, finds the delay to have been justified;

422        ~~(3) The victim cooperates with law enforcement authorities~~  
423 ~~in the investigation of the criminal or delinquent act;~~

424        (c)~~(4)~~ There is proof that the tangible personal property  
425 in question belonged to the claimant;

426        (d)~~(5)~~ The claimant did not contribute to the criminal or  
427 delinquent act;

428        (e)~~(6)~~ There is no other source of reimbursement or  
429 indemnification available to the claimant; and

430        (f)~~(7)~~ The claimant would not be able to replace the  
431 tangible personal property in question without incurring a  
432 serious financial hardship.

433        (2) The department may deny, reduce, or withdraw any award  
434 under subsection (1) upon finding that any claimant or award  
435 recipient has not duly cooperated with the state attorney, all  
436 law enforcement agencies, and the department.

437        Section 17. Section 960.196, Florida Statutes, is created  
438 to read:

439        960.196 Relocation assistance for victims of human  
440 trafficking.—

441        (1) Notwithstanding the criteria specified in ss.  
442 960.07(2) and 960.13 for crime victim compensation awards, the



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443 department may award a one-time payment of up to \$1,500 for any  
444 one claim and a lifetime maximum of \$3,000 to a victim of human  
445 trafficking who needs urgent assistance to escape from an unsafe  
446 environment directly related to the human trafficking offense.

447 (2) In order for an award to be granted to a victim for  
448 relocation assistance:

449 (a) There must be proof that a human trafficking offense,  
450 as described in s. 787.06(3)(b), (d), (f), or (g), was  
451 committed.

452 (b) The crime must be reported to the proper authorities  
453 and the claim must be filed within 1 year, or 2 years with good  
454 cause, after the date of the last human trafficking offense, as  
455 described in s. 787.06(3)(b), (d), (f), or (g). In a case that  
456 exceeds the 2-year requirement due to an active and ongoing  
457 investigation, a state attorney, statewide prosecutor, or  
458 federal prosecutor may certify in writing a human trafficking  
459 victim's need to relocate from an unsafe environment due to the  
460 threat of future violence which is directly related to the human  
461 trafficking offense.

462 (c) The victim's need must be certified by a certified  
463 domestic violence or rape crisis center in this state, except as  
464 provided in paragraph (b). The center's certification must  
465 assert that the victim is cooperating with the proper  
466 authorities and must include documentation that the victim has  
467 developed a safety plan.

468 (3) Relocation payments for a human trafficking claim



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469 shall be denied if the department has previously approved or  
 470 paid out a domestic violence or sexual battery relocation claim  
 471 under s. 960.198 or s. 960.199 to the same victim regarding the  
 472 same incident.

473 Section 18. Subsection (3) of section 960.198, Florida  
 474 Statutes, is amended to read:

475 960.198 Relocation assistance for victims of domestic  
 476 violence.—

477 (3) Relocation payments for a domestic violence claim  
 478 shall be denied if the department has previously approved or  
 479 paid out a human trafficking or sexual battery relocation claim  
 480 under s. 960.196 or s. 960.199 to the same victim regarding the  
 481 same incident.

482 Section 19. Section 960.199, Florida Statutes, is amended  
 483 to read:

484 960.199 Relocation assistance for victims of sexual  
 485 battery ~~or human trafficking.~~—

486 (1) The department may award a one-time payment of up to  
 487 \$1,500 on any one claim and a lifetime maximum of \$3,000 to a  
 488 victim of sexual battery, as defined in s. 794.011, ~~or a victim~~  
 489 ~~of human trafficking, as described in s. 787.06(3)(b), (d), (f),~~  
 490 ~~or (g),~~ who needs relocation assistance.

491 (2) In order for an award to be granted to a victim for  
 492 relocation assistance:

493 (a) There must be proof that a sexual battery offense ~~or~~  
 494 ~~human trafficking offense, as described in s. 787.06(3)(b), (d),~~



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495 ~~(f), or (g),~~ was committed.

496 (b) The sexual battery offense ~~or human trafficking~~  
497 ~~offense, as defined in s. 787.06(3)(b), (d), (f), or (g),~~ must  
498 be reported to the proper authorities.

499 (c) The victim's need for assistance must be certified by  
500 a certified rape crisis center in this state ~~or by the state~~  
501 ~~attorney or statewide prosecutor having jurisdiction over the~~  
502 ~~offense. A victim of human trafficking's need for assistance may~~  
503 ~~also be certified by a certified domestic violence center in~~  
504 ~~this state.~~

505 (d) The center's certification must assert that the victim  
506 is cooperating with law enforcement officials, if applicable,  
507 and must include documentation that the victim has developed a  
508 safety plan. ~~If the victim seeking relocation assistance is a~~  
509 ~~victim of a human trafficking offense as described in s.~~  
510 ~~787.06(3)(b), (d), (f), or (g), the certified rape crisis~~  
511 ~~center's or certified domestic violence center's certification~~  
512 ~~must include, if applicable, approval of the state attorney or~~  
513 ~~statewide prosecutor attesting that the victim is cooperating~~  
514 ~~with law enforcement officials.~~

515 (e) The act of sexual battery ~~or human trafficking,~~ as  
516 ~~described in s. 787.06(3)(b), (d), (f), or (g),~~ must be  
517 committed in the victim's place of residence or in a location  
518 that would lead the victim to reasonably fear for his or her  
519 continued safety in the place of residence.

520 (3) Relocation payments for a sexual battery ~~or human~~



ENROLLED

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521 ~~trafficking~~ claim under this section shall be denied if the  
522 department has previously approved or paid out a human  
523 trafficking or domestic violence relocation claim under s.  
524 960.196 or s. 960.198 to the same victim regarding the same  
525 incident.

526 Section 20. If any provision of this act or its  
527 application to any person or circumstance is held invalid, the  
528 invalidity does not affect other provisions or applications of  
529 the act which can be given effect without the invalid provision  
530 or application, and to this end the provisions of this act are  
531 severable.

532 Section 21. This act shall take effect July 1, 2015.