

1 A bill to be entitled
 2 An act relating to human trafficking; amending s.
 3 787.06, F.S.; revising disposition of assets seized
 4 under specified provisions; requiring defendants
 5 convicted of certain offenses to pay minor victim
 6 restitution; specifying factors to be used in the
 7 calculation of restitution; providing procedures for
 8 issuance and amendment of such orders; providing an
 9 effective date.

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

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 13 Section 1. Subsection (7) of section 787.06, Florida
 14 Statutes, is amended, and subsection (12) is added to that
 15 section, to read:

16 787.06 Human trafficking.—

17 (7) Any real property or personal property that was used,
 18 attempted to be used, or intended to be used in violation of any
 19 provision of this section or s. 796.07(5)(d) may be seized and
 20 forfeited as provided in s. 932.704 and the proceeds shall first
 21 be used to pay restitution to the victims of the violator. Any
 22 remaining assets shall be remitted to the Crimes Compensation
 23 Trust Fund for the purposes described in s. 960.21 ~~forfeited~~
 24 ~~subject to the provisions of the Florida Contraband Forfeiture~~
 25 Act.

26 (12) (a) The court shall order a defendant convicted of an
27 offense under this section, chapter 794, chapter 796, chapter
28 800, s. 810.145, chapter 827, or chapter 847 involving a minor
29 victim to pay mandatory restitution to the minor victim in an
30 amount equal to the cost of rehabilitation, including:

31 1. Costs of psychological and medical treatment, including
32 physical and occupational therapy and associated prescription
33 drugs.

34 2. Costs of necessary transportation, temporary housing,
35 and child care.

36 3. Court-related costs such as attorney fees and victim
37 advocate fees.

38 4. The value of the minor victim's labor as guaranteed
39 under the minimum wage and overtime provisions of the Fair Labor
40 Standards Act while the minor victim is involved in the human
41 trafficking situation.

42 (b) If the minor victim returns to his or her home country
43 or is absent from the jurisdiction, the minor victim is not
44 prevented from receiving restitution.

45 (c) The court shall, after considering the financial
46 circumstances of the defendant, specify in a restitution order
47 issued under paragraph (a) the manner in which the defendant
48 must pay the restitution.

49 (d) The court may hold a hearing and amend a restitution
50 order issued under paragraph (a) if the defendant fails to pay

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51 | the minor victim named in the order in the manner specified by
52 | the court.

53 | Section 2. This act shall take effect July 1, 2020.