

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Committee

3 Representative Burton offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 230 and 231, insert:

7 Section 6. Subsection (3) of section 63.092, Florida
8 Statutes, is amended to read:

9 63.092 Report to the court of intended placement by an
10 adoption entity; at-risk placement; preliminary study.—

11 (3) PRELIMINARY HOME STUDY.—Before placing the minor in the
12 intended adoptive home, a preliminary home study must be
13 performed by a licensed child-placing agency, a child-caring
14 agency registered under s. 409.176, a licensed professional, or
15 an agency described in s. 61.20(2), unless the adoptee is an
16 adult or the petitioner is a stepparent or a relative. If the

Amendment No. 3

17 adoptee is an adult or the petitioner is a stepparent or a
18 relative, a preliminary home study may be required by the court
19 for good cause shown. The department is required to perform the
20 preliminary home study only if there is no licensed child-
21 placing agency, child-caring agency registered under s. 409.176,
22 licensed professional, or agency described in s. 61.20(2), in
23 the county where the prospective adoptive parents reside. The
24 preliminary home study must be made to determine the suitability
25 of the intended adoptive parents and may be completed prior to
26 identification of a prospective adoptive minor. A favorable
27 preliminary home study is valid for 1 year after the date of its
28 completion. Upon its completion, a signed copy of the home study
29 must be provided to the intended adoptive parents who were the
30 subject of the home study. A minor may not be placed in an
31 intended adoptive home before a favorable preliminary home study
32 is completed unless the adoptive home is also a licensed foster
33 home under s. 409.175. The preliminary home study must include,
34 at a minimum:

35 (a) An interview with the intended adoptive parents;

36 (b) Records checks of the department's central abuse
37 registry, which the department shall provide to the entity
38 conducting the preliminary home study, and criminal records
39 correspondence checks under s. 39.0138 through the Department of
40 Law Enforcement on the intended adoptive parents;

41 (c) An assessment of the physical environment of the home;

Amendment No. 3

42 (d) A determination of the financial security of the
43 intended adoptive parents;

44 (e) Documentation of counseling and education of the
45 intended adoptive parents on adoptive parenting as determined by
46 the entity conducting the preliminary home study. The training
47 specified in s. 409.175(14) shall only be required for persons
48 who adopt children from the department;

49 (f) Documentation that information on adoption and the
50 adoption process has been provided to the intended adoptive
51 parents;

52 (g) Documentation that information on support services
53 available in the community has been provided to the intended
54 adoptive parents; and

55 (h) A copy of each signed acknowledgment of receipt of
56 disclosure required by s. 63.085.

57 If the preliminary home study is favorable, a minor may be
58 placed in the home pending entry of the judgment of adoption. A
59 minor may not be placed in the home if the preliminary home
60 study is unfavorable. If the preliminary home study is
61 unfavorable, the adoption entity may, within 20 days after
62 receipt of a copy of the written recommendation, petition the
63 court to determine the suitability of the intended adoptive
64 home. A determination as to suitability under this subsection
65 does not act as a presumption of suitability at the final
66 hearing. In determining the suitability of the intended adoptive

Amendment No. 3

67 | home, the court must consider the totality of the circumstances
68 | in the home. A minor may not be placed in a home in which there
69 | resides any person determined by the court to be a sexual
70 | predator as defined in s. 775.21 or to have been convicted of an
71 | offense listed in s. 63.089(4)(b)2.

72 |

73 | -----

74 |

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

75 |

Remove line 20 and insert:

76 |

from specified employment; amending s. 63.092, F.S.; requiring

77 |

the Department of Children and Families to release specified

78 |

records to entities conducting preliminary home studies;

79 |

providing the department of Children and Families shall not

80 |

require specified training for certain home studies; providing

81 |

an effective