



1 A bill to be entitled
2 An act relating to child welfare; amending s. 39.01,
3 F.S.; revising the definition of the term "abuse";
4 amending s. 39.0138, F.S.; requiring the Department of
5 Children and Families to establish rules for granting
6 exemptions from criminal history and certain other
7 records checks required for persons being considered
8 for placement of a child; requiring level 1 screening
9 for persons granted such exemption; prohibiting
10 placement of a child with persons convicted of a
11 certain felony; amending s. 39.6012, F.S.; requiring
12 parents to make proactive contact with case managers
13 at regular intervals; amending s. 39.6013, F.S.;
14 requiring the court to consider certain case details
15 before amending a case plan; amending s. 39.621, F.S.;
16 requiring the court, during permanency hearings, to
17 determine case plan compliance; amending s. 39.701,
18 F.S.; requiring the court, during judicial review
19 hearings, to determine case plan compliance; amending
20 s. 63.092, F.S.; requiring the department to release
21 specified records to entities conducting preliminary
22 home studies; providing that certain specified
23 training is not required for certain home studies;
24 amending s. 402.305, F.S.; revising minimum
25 requirements for child care personnel related to



26 screening and fingerprinting; requiring child care
27 facilities to provide information to parents intended
28 to prevent children from being left in vehicles;
29 specifying the minimum standards the department must
30 adopt regarding transportation of children by child
31 care facilities; amending ss. 402.313 and 402.3131,
32 F.S.; requiring family day care homes and large family
33 child care homes to provide information to parents
34 intended to prevent children from being left in
35 vehicles; amending s. 409.1678, F.S.; eliminating
36 certain requirements for residential treatment centers
37 that provide services to commercially sexually
38 exploited children; amending s. 409.175, F.S.;

39 defining the term "severe disability" and providing an
40 exemption from fingerprint requirements for adult
41 household members with severe disabilities; amending
42 s. 409.991, F.S.; revising the equity allocation
43 formula for community-based care lead agencies;
44 amending s. 435.07, F.S.; revising the offenses that
45 disqualify certain child care personnel from specified
46 employment; amending s. 322.09, F.S.; providing that a
47 caregiver who signs for a minor's learner's driver
48 license does not assume any obligation or liability
49 for damages under certain circumstances; amending s.
50 627.746, F.S.; prohibiting insurers that issue



51 insurance policies for private passenger motor
52 vehicles from charging an additional premium for a
53 minor who operates his or her caregiver's vehicle,
54 during the time that the minor has a learner's
55 driver's license; amending ss. 402.30501, 1002.55,
56 1002.57, and 1002.59, F.S.; conforming cross-
57 references; providing a directive to the Division of
58 Law Revision and Information; providing an effective
59 date.

60

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

62

63 Section 1. Subsection (2) of section 39.01, Florida
64 Statutes, is amended to read:

65 39.01 Definitions.—When used in this chapter, unless the
66 context otherwise requires:

67 (2) "Abuse" means any willful act or threatened act that
68 results in any physical, mental, or sexual abuse, injury, or
69 harm that causes or is likely to cause the child's physical,
70 mental, or emotional health to be significantly impaired. Abuse
71 of a child includes the birth of a new child into a family
72 during the course of an open dependency case when the parent or
73 caregiver has been determined to lack the protective capacity to
74 safely care for the children in the home and has not
75 substantially complied with the case plan towards successful



76 | reunification or met the conditions for return of the children
77 | into the home. Abuse of a child includes acts or omissions.
78 | Corporal discipline of a child by a parent or legal custodian
79 | for disciplinary purposes does not in itself constitute abuse
80 | when it does not result in harm to the child.

81 | Section 2. Subsections (2) through (7) of section 39.0138,
82 | Florida Statutes, are renumbered as subsections (3) through (8),
83 | respectively, present subsections (2) and (3) are amended, and a
84 | new subsection (2) is added to that section, to read:

85 | 39.0138 Criminal history and other records checks; limit
86 | on placement of a child.—

87 | (2) (a) The department shall establish rules for granting
88 | an exemption from the fingerprinting requirements under
89 | subsection (1) for a household member who has a physical,
90 | developmental, or cognitive disability that prevents that person
91 | from safely submitting fingerprints.

92 | (b) Before granting an exemption, the department or its
93 | designee shall assess and document the physical, developmental,
94 | or cognitive limitations that justified the exemption and the
95 | effect of such limitations on the safety and well-being of the
96 | child being placed in the home.

97 | (c) If a fingerprint exemption is granted, a level 1
98 | screening pursuant to s. 435.03 shall be completed on the person
99 | who is granted the exemption.

100 | (3)(2) The department may not place a child with a person



101 other than a parent if the criminal history records check
102 reveals that the person has been convicted of any felony that
103 falls within any of the following categories:

104 (a) Child abuse, abandonment, or neglect;

105 (b) Domestic violence;

106 (c) Child pornography or other felony in which a child was
107 a victim of the offense; or

108 (d) Homicide, sexual battery, or other felony involving
109 violence, other than felony assault or felony battery when an
110 adult was the victim of the assault or battery, or resisting
111 arrest with violence.

112 (4)~~(3)~~ The department may not place a child with a person
113 other than a parent if the criminal history records check
114 reveals that the person has, within the previous 5 years, been
115 convicted of a felony that falls within any of the following
116 categories:

117 (a) Assault;

118 (b) Battery; ~~or~~

119 (c) A drug-related offense; or

120 (d) Resisting arrest with violence.

121 Section 3. Paragraph (d) is added to subsection (1) of
122 section 39.6012, Florida Statutes, to read:

123 39.6012 Case plan tasks; services.—

124 (1) The services to be provided to the parent and the
125 tasks that must be completed are subject to the following:



126 (d) Parents must provide accurate contact information to
127 the department or the contracted case management agency, and
128 update as appropriate, and make proactive contact with the
129 department of the contracted case management agency at least
130 every 14 calendar days to provide information on the status of
131 case plan task completion, barriers to completion, and plans
132 toward reunification.

133 Section 4. Subsections (6) and (7) of section 39.6013,
134 Florida Statutes, are renumbered as subsections (7) and (8),
135 respectively, and a new subsection (6) is added to that section,
136 to read:

137 39.6013 Case plan amendments.—

138 (6) When determining whether to amend the case plan, the
139 court must consider the length of time the case has been open,
140 the level of parental engagement to date, the number of case
141 plan tasks completed, the child's type of placement and
142 attachment, and the potential for successful reunification.

143 Section 5. Subsection (5) of section 39.621, Florida
144 Statutes, is amended to read:

145 39.621 Permanency determination by the court.—

146 (5) At the permanency hearing, the court shall determine:

147 (a) Whether the current permanency goal for the child is
148 appropriate or should be changed;

149 (b) When the child will achieve one of the permanency
150 goals; ~~and~~



151 (c) Whether the department has made reasonable efforts to
152 finalize the permanency plan currently in effect; and

153 (d) Whether the frequency, duration, manner, and level of
154 engagement of the parent or legal guardian's visitation with the
155 child meets the case plan requirements.

156 Section 6. Paragraph (d) of subsection (2) of section
157 39.701, Florida Statutes, is amended to read:

158 39.701 Judicial review.—

159 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
160 AGE.—

161 (d) Orders.—

162 1. Based upon the criteria set forth in paragraph (c) and
163 the recommended order of the citizen review panel, if any, the
164 court shall determine whether or not the social service agency
165 shall initiate proceedings to have a child declared a dependent
166 child, return the child to the parent, continue the child in
167 out-of-home care for a specified period of time, or initiate
168 termination of parental rights proceedings for subsequent
169 placement in an adoptive home. Amendments to the case plan must
170 be prepared as prescribed in s. 39.6013. If the court finds that
171 the prevention or reunification efforts of the department will
172 allow the child to remain safely at home or be safely returned
173 to the home, the court shall allow the child to remain in or
174 return to the home after making a specific finding of fact that
175 the reasons for the creation of the case plan have been remedied



176 to the extent that the child's safety, well-being, and physical,
177 mental, and emotional health will not be endangered.

178 2. The court shall return the child to the custody of the
179 parents at any time it determines that they have substantially
180 complied with the case plan, if the court is satisfied that
181 reunification will not be detrimental to the child's safety,
182 well-being, and physical, mental, and emotional health.

183 3. If, in the opinion of the court, the social service
184 agency has not complied with its obligations as specified in the
185 written case plan, the court may find the social service agency
186 in contempt, shall order the social service agency to submit its
187 plans for compliance with the agreement, and shall require the
188 social service agency to show why the child could not safely be
189 returned to the home of the parents.

190 4. If, at any judicial review, the court finds that the
191 parents have failed to substantially comply with the case plan
192 to the degree that further reunification efforts are without
193 merit and not in the best interest of the child, on its own
194 motion, the court may order the filing of a petition for
195 termination of parental rights, whether or not the time period
196 as contained in the case plan for substantial compliance has
197 expired.

198 5. Within 6 months after the date that the child was
199 placed in shelter care, the court shall conduct a judicial
200 review hearing to review the child's permanency goal as



201 identified in the case plan. At the hearing the court shall make
202 findings regarding the likelihood of the child's reunification
203 with the parent or legal custodian. In making such findings, the
204 court shall consider the level of the parent or legal
205 custodian's compliance with the case plan and demonstrated
206 change in protective capacities compared to that necessary to
207 achieve timely reunification within 12 months after the removal
208 of the child from the home. The court shall also consider the
209 frequency, duration, manner, and level of engagement of the
210 parent or legal custodian's visitation with the child in
211 compliance with the case plan. If the court makes a written
212 finding that it is not likely that the child will be reunified
213 with the parent or legal custodian within 12 months after the
214 child was removed from the home, the department must file with
215 the court, and serve on all parties, a motion to amend the case
216 plan under s. 39.6013 and declare that it will use concurrent
217 planning for the case plan. The department must file the motion
218 within 10 business days after receiving the written finding of
219 the court. The department must attach the proposed amended case
220 plan to the motion. If concurrent planning is already being
221 used, the case plan must document the efforts the department is
222 taking to complete the concurrent goal.

223 6. The court may issue a protective order in assistance,
224 or as a condition, of any other order made under this part. In
225 addition to the requirements included in the case plan, the



226 protective order may set forth requirements relating to
227 reasonable conditions of behavior to be observed for a specified
228 period of time by a person or agency who is before the court;
229 and the order may require any person or agency to make periodic
230 reports to the court containing such information as the court in
231 its discretion may prescribe.

232 Section 7. Paragraphs (b) and (e) of subsection (3) of
233 section 63.092, Florida Statutes, are amended to read:

234 63.092 Report to the court of intended placement by an
235 adoption entity; at-risk placement; preliminary study.—

236 (3) PRELIMINARY HOME STUDY.—Before placing the minor in
237 the intended adoptive home, a preliminary home study must be
238 performed by a licensed child-placing agency, a child-caring
239 agency registered under s. 409.176, a licensed professional, or
240 an agency described in s. 61.20(2), unless the adoptee is an
241 adult or the petitioner is a stepparent or a relative. If the
242 adoptee is an adult or the petitioner is a stepparent or a
243 relative, a preliminary home study may be required by the court
244 for good cause shown. The department is required to perform the
245 preliminary home study only if there is no licensed child-
246 placing agency, child-caring agency registered under s. 409.176,
247 licensed professional, or agency described in s. 61.20(2), in
248 the county where the prospective adoptive parents reside. The
249 preliminary home study must be made to determine the suitability
250 of the intended adoptive parents and may be completed prior to



251 identification of a prospective adoptive minor. A favorable
252 preliminary home study is valid for 1 year after the date of its
253 completion. Upon its completion, a signed copy of the home study
254 must be provided to the intended adoptive parents who were the
255 subject of the home study. A minor may not be placed in an
256 intended adoptive home before a favorable preliminary home study
257 is completed unless the adoptive home is also a licensed foster
258 home under s. 409.175. The preliminary home study must include,
259 at a minimum:

260 (b) Records checks of the department's central abuse
261 registry, which the department shall provide to the entity
262 conducting the preliminary home study, and criminal records
263 correspondence checks under s. 39.0138 through the Department of
264 Law Enforcement on the intended adoptive parents;

265 (e) Documentation of counseling and education of the
266 intended adoptive parents on adoptive parenting, as determined
267 by the entity conducting the preliminary home study. The
268 training specified in s. 409.175(14) shall only be required for
269 persons who adopt children from the department;

270
271 If the preliminary home study is favorable, a minor may be
272 placed in the home pending entry of the judgment of adoption. A
273 minor may not be placed in the home if the preliminary home
274 study is unfavorable. If the preliminary home study is
275 unfavorable, the adoption entity may, within 20 days after



276 receipt of a copy of the written recommendation, petition the
277 court to determine the suitability of the intended adoptive
278 home. A determination as to suitability under this subsection
279 does not act as a presumption of suitability at the final
280 hearing. In determining the suitability of the intended adoptive
281 home, the court must consider the totality of the circumstances
282 in the home. A minor may not be placed in a home in which there
283 resides any person determined by the court to be a sexual
284 predator as defined in s. 775.21 or to have been convicted of an
285 offense listed in s. 63.089(4)(b)2.

286 Section 8. Paragraphs (b) through (f) of subsection (2) of
287 section 402.305, Florida Statutes, are redesignated as
288 paragraphs (c) through (g), respectively, paragraph (a) of
289 subsection (2) and subsections (9) and (10) are amended, and a
290 new paragraph (b) is added to that subsection (2), to read:

291 402.305 Licensing standards; child care facilities.—

292 (2) PERSONNEL.—Minimum standards for child care personnel
293 shall include minimum requirements as to:

294 (a) Good moral character based upon screening as defined
295 in s. 402.302(15). This screening shall be conducted as provided
296 in chapter 435, using the level 2 standards for screening set
297 forth in that chapter, and include employment history checks, a
298 search of criminal history records, sexual predator and sexual
299 offender registries, and child abuse and neglect registry of any
300 state in which the current or prospective child care personnel



301 resided during the preceding 5 years.

302 (b) Fingerprint submission for child care personnel, which
303 shall comply with s. 435.12.

304 (9) ADMISSIONS AND RECORDKEEPING.—

305 (a) Minimum standards shall include requirements for
306 preadmission and periodic health examinations, requirements for
307 immunizations, and requirements for maintaining emergency
308 information and health records on all children.

309 (b) During the months of August and September of each
310 year, each child care facility shall provide parents of children
311 enrolled in the facility detailed information regarding the
312 causes, symptoms, and transmission of the influenza virus in an
313 effort to educate those parents regarding the importance of
314 immunizing their children against influenza as recommended by
315 the Advisory Committee on Immunization Practices of the Centers
316 for Disease Control and Prevention.

317 (c) During the months of April and September of each year,
318 at a minimum, each facility shall provide parents of children
319 enrolled in the facility information regarding the potential for
320 a distracted adult to fail to drop off a child at the facility
321 and instead leave the child in the adult's vehicle upon arrival
322 at the adult's destination. The child care facility shall also
323 give parents information about resources with suggestions to
324 avoid this occurrence. The department shall develop a flyer or
325 brochure with this information that shall be posted to the



326 department's website, which child care facilities may choose to
327 reproduce and provide to parents to satisfy the requirements of
328 this paragraph.

329 (d)~~(e)~~ Because of the nature and duration of drop-in child
330 care, requirements for preadmission and periodic health
331 examinations and requirements for medically signed records of
332 immunization required for child care facilities shall not apply.
333 A parent of a child in drop-in child care shall, however, be
334 required to attest to the child's health condition and the type
335 and current status of the child's immunizations.

336 (e)~~(d)~~ Any child shall be exempt from medical or physical
337 examination or medical or surgical treatment upon written
338 request of the parent or guardian of such child who objects to
339 the examination and treatment. However, the laws, rules, and
340 regulations relating to contagious or communicable diseases and
341 sanitary matters shall not be violated because of any exemption
342 from or variation of the health and immunization minimum
343 standards.

344 (10) TRANSPORTATION SAFETY.—Minimum standards shall
345 include requirements for child restraints or seat belts in
346 vehicles used by child care facilities and large family child
347 care homes to transport children, requirements for annual
348 inspections of the vehicles, limitations on the number of
349 children in the vehicles, procedures to avoid leaving children
350 in vehicles when transported by the facility, and accountability



351 for children ~~being~~ transported by the child care facility. A
352 child care facility is not responsible for children when they
353 are transported by a parent or guardian.

354 Section 9. Section 402.30501, Florida Statutes, is amended
355 to read:

356 402.30501 Modification of introductory child care course
357 for community college credit authorized.—The Department of
358 Children and Families may modify the 40-clock-hour introductory
359 course in child care under s. 402.305 or s. 402.3131 to meet the
360 requirements of articulating the course to community college
361 credit. Any modification must continue to provide that the
362 course satisfies the requirements of s. 402.305(2)(e) ~~s.~~
363 ~~402.305(2)(d)~~.

364 Section 10. Subsection (15) is added to section 402.313,
365 Florida Statutes, to read:

366 402.313 Family day care homes.—

367 (15) During the months of April and September of each
368 year, at a minimum, each family day care home shall provide
369 parents of children attending the family day care home
370 information regarding the potential for a distracted adult to
371 fail to drop off a child at the family day care home and instead
372 leave the child in the adult's vehicle upon arrival at the
373 adult's destination. The family day care home shall also give
374 parents information about resources with suggestions to avoid
375 this occurrence. The department shall develop a flyer or



376 brochure with this information that shall be posted to the
377 department's website, which family day care homes may choose to
378 reproduce and provide to parents to satisfy the requirements of
379 this subsection.

380 Section 11. Subsection (10) is added to section 402.3131,
381 Florida Statutes, to read:

382 402.3131 Large family child care homes.—

383 (10) During the months of April and September of each
384 year, at a minimum, each large family child care home shall
385 provide parents of children attending the large family child
386 care home information regarding the potential for a distracted
387 adult to fail to drop off a child at the large family child care
388 home and instead leave the child in the adult's vehicle upon
389 arrival at the adult's destination. The large family child care
390 home shall also give parents information about resources with
391 suggestions to avoid this occurrence. The department shall
392 develop a flyer or brochure with this information that shall be
393 posted to the department's website, which large family child
394 care homes may choose to reproduce and provide to parents to
395 satisfy the requirements of this subsection.

396 Section 12. Subsection (3) of section 409.1678, Florida
397 Statutes, is amended to read:

398 409.1678 Specialized residential options for children who
399 are victims of commercial sexual exploitation.—

400 (3) SERVICES WITHIN A RESIDENTIAL TREATMENT CENTER OR



401 HOSPITAL.—Residential treatment centers licensed under s.
402 394.875, and hospitals licensed under chapter 395 that provide
403 residential mental health treatment, shall provide specialized
404 treatment for commercially sexually exploited children in the
405 custody of the department who are placed in these facilities
406 pursuant to s. 39.407(6), s. 394.4625, or s. 394.467.

407 (a) The specialized treatment must meet the requirements
408 of subparagraphs (2)(c)1., 3., 6., and 7. ~~(2)(c)1. and 3.-7.,~~
409 paragraph (2)(d), and the department's treatment standards
410 adopted pursuant to this section. However, a residential
411 treatment center or hospital may prioritize the delivery of
412 certain services among those required under paragraph (2)(d) to
413 meet the specific treatment needs of the child.

414 (b) The facilities shall ensure that children are served
415 in single-sex groups and that staff working with such children
416 are adequately trained in the effects of trauma and sexual
417 exploitation, the needs of child victims of commercial sexual
418 exploitation, and how to address those needs using strength-
419 based and trauma-informed approaches.

420 Section 13. Paragraphs (l) and (m) of subsection (2) of
421 section 409.175, Florida Statutes, are redesignated as
422 paragraphs (m) and (n), respectively, a new paragraph (l) is
423 added to that subsection, and paragraph (a) of subsection (6) of
424 that section is amended, to read:

425 409.175 Licensure of family foster homes, residential



426 child-caring agencies, and child-placing agencies; public
427 records exemption.—

428 (2) As used in this section, the term:

429 (1) "Severe disability" means a physical, developmental,
430 or cognitive limitation affecting an individual's ability to
431 safely submit fingerprints.

432 (6) (a) An application for a license shall be made on forms
433 provided, and in the manner prescribed, by the department. The
434 department shall make a determination as to the good moral
435 character of the applicant based upon screening. The department
436 may grant an exemption from fingerprinting requirements,
437 pursuant to s. 39.0138, for an adult household member who has a
438 severe disability.

439 Section 14. Paragraph (e) of subsection (1) and
440 subsections (2) and (4) of section 409.991, Florida Statutes,
441 are amended to read:

442 409.991 Allocation of funds for community-based care lead
443 agencies.—

444 (1) As used in this section, the term:

445 (e) "Proportion of children in care" means the proportion
446 of the number of children in care receiving in-home services
447 over the most recent 12-month period, the number of children
448 whose families are receiving family support services over the
449 most recent 12-month period, and the number of children who have
450 entered into ~~in~~ out-of-home care with a case management overlay



451 during the most recent 24-month ~~12-month~~ period. This
452 subcomponent shall be weighted as follows:

453 1. Fifteen percent shall be based on children whose
454 families are receiving family support services.

455 ~~2.1. Fifty-five~~ Sixty percent shall be based on children
456 in out-of-home care.

457 ~~3.2. Thirty~~ Forty percent shall be based on children in
458 in-home care.

459 (2) The equity allocation of core services funds shall be
460 calculated based on the following weights:

461 (a) Proportion of the child population shall be weighted
462 as 5 percent of the total. ~~7~~

463 (b) Proportion of child abuse hotline workload shall be
464 weighted as 35 ~~15~~ percent of the total. ~~7~~ ~~and~~

465 (c) Proportion of children in care shall be weighted as 60
466 ~~80~~ percent of the total.

467 (4) Unless otherwise specified in the General
468 Appropriations Act, any new core services funds shall be
469 allocated based on the equity allocation model as follows:

470 (a) Seventy ~~Twenty~~ percent of new funding shall be
471 allocated among all community-based care lead agencies.

472 (b) Thirty ~~Eighty~~ percent of new funding shall be
473 allocated among community-based care lead agencies that are
474 funded below their equitable share. Funds allocated pursuant to
475 this paragraph shall be weighted based on each community-based



476 care lead agency's relative proportion of the total amount of
477 funding below the equitable share.

478 Section 15. Subsection (4) of section 435.07, Florida
479 Statutes, is amended to read:

480 435.07 Exemptions from disqualification.—Unless otherwise
481 provided by law, the provisions of this section apply to
482 exemptions from disqualification for disqualifying offenses
483 revealed pursuant to background screenings required under this
484 chapter, regardless of whether those disqualifying offenses are
485 listed in this chapter or other laws.

486 (4) (a) Disqualification from employment under this chapter
487 may not be removed from, nor may an exemption be granted to, any
488 personnel who is found guilty of, regardless of adjudication, or
489 who has entered a plea of nolo contendere or guilty to, any
490 felony covered by s. 435.03 or s. 435.04 solely by reason of any
491 pardon, executive clemency, or restoration of civil rights.

492 (b) Disqualification from employment under this chapter
493 may not be removed from, nor may an exemption be granted to, any
494 person who is a:

- 495 1. Sexual predator as designated pursuant to s. 775.21;
496 2. Career offender pursuant to s. 775.261; or
497 3. Sexual offender pursuant to s. 943.0435, unless the
498 requirement to register as a sexual offender has been removed
499 pursuant to s. 943.04354.

500 (c) Disqualification from employment under this chapter



501 may not be removed from, and an exemption may not be granted to,
502 any current or prospective child care personnel, as defined in
503 s. 402.302(3), and such a person is disqualified from employment
504 as child care personnel, regardless of any previous exemptions
505 from disqualification, if the person has been registered as a
506 sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C) or has
507 been arrested for and is awaiting final disposition of, has been
508 convicted or found guilty of, or entered a plea of guilty or
509 nolo contendere to, regardless of adjudication, or has been
510 adjudicated delinquent and the record has not been sealed or
511 expunged for, any offense prohibited under any of the following
512 provisions of state law or a similar law of another
513 jurisdiction:

514 1. A felony offense prohibited under any of the following
515 statutes:

516 a. Chapter 741, relating to domestic violence.

517 b. Section 782.04, relating to murder.

518 c. Section 782.07, relating to manslaughter, aggravated
519 manslaughter of an elderly person or disabled adult, aggravated
520 manslaughter of a child, or aggravated manslaughter of an
521 officer, a firefighter, an emergency medical technician, or a
522 paramedic.

523 d. Section 784.021, relating to aggravated assault.

524 e. Section 784.045, relating to aggravated battery.

525 f. Section 787.01, relating to kidnapping.



526 g. Section 787.025, relating to luring or enticing a
527 child.

528 h. Section 787.04(2), relating to leading, taking,
529 enticing, or removing a minor beyond the state limits, or
530 concealing the location of a minor, with criminal intent pending
531 custody proceedings.

532 i. Section 787.04(3), relating to leading, taking,
533 enticing, or removing a minor beyond the state limits, or
534 concealing the location of a minor, with criminal intent pending
535 dependency proceedings or proceedings concerning alleged abuse
536 or neglect of a minor.

537 j. Section 794.011, relating to sexual battery.

538 k. Former s. 794.041, relating to sexual activity with or
539 solicitation of a child by a person in familial or custodial
540 authority.

541 l. Section 794.05, relating to unlawful sexual activity
542 with certain minors.

543 m. Section 794.08, relating to female genital mutilation.

544 n. Section 806.01, relating to arson.

545 o. Section 826.04, relating to incest.

546 p. Section 827.03, relating to child abuse, aggravated
547 child abuse, or neglect of a child.

548 q. Section 827.04, relating to contributing to the
549 delinquency or dependency of a child.

550 r. Section 827.071, relating to sexual performance by a



551 child.

552 s. Chapter 847, relating to child pornography.

553 t. Chapter 893, relating to a drug abuse prevention and

554 control offense, if that offense was committed in the preceding

555 5 years.

556 ~~u.~~ Section 985.701, relating to sexual misconduct in

557 juvenile justice programs.

558 2. A misdemeanor offense prohibited under any of the

559 following statutes:

560 a. Section 784.03, relating to battery, if the victim of

561 the offense was a minor.

562 b. Section 787.025, relating to luring or enticing a

563 child.

564 c. Chapter 847, relating to child pornography.

565 3. A criminal act committed in another state or under

566 federal law which, if committed in this state, constitutes an

567 offense prohibited under any statute listed in subparagraph 1.

568 or subparagraph 2.

569 Section 16. Subsection (4) of section 322.09, Florida

570 Statutes, is amended to read:

571 322.09 Application of minors; responsibility for

572 negligence or misconduct of minor.—

573 (4) Notwithstanding subsections (1) and (2), if a

574 caregiver ~~foster parent~~ of a minor who is under the age of 18

575 years and is in out-of-home ~~foster~~ care as defined in s.



576 39.01(49) ~~s. 39.01~~, an authorized representative of a
577 residential group home at which such a minor resides, the
578 caseworker at the agency at which the state has placed the
579 minor, or a guardian ad litem specifically authorized by the
580 minor's caregiver to sign for a learner's driver license signs
581 the minor's application for a learner's driver license, that
582 caregiver ~~foster parent~~, group home representative, caseworker,
583 or guardian ad litem does not assume any obligation or become
584 liable for any damages caused by the negligence or willful
585 misconduct of the minor by reason of having signed the
586 application. Before signing the application, the caseworker,
587 authorized group home representative, or guardian ad litem shall
588 notify the caregiver ~~foster parent~~ or other responsible party of
589 his or her intent to sign and verify the application.

590 Section 17. Section 627.746, Florida Statutes, is amended
591 to read:

592 627.746 Coverage for minors who have a learner's driver
593 license; additional premium prohibited.—An insurer that issues
594 an insurance policy on a private passenger motor vehicle to a
595 named insured who is a caregiver ~~foster parent~~ of a minor who is
596 under the age of 18 years and is in out-of-home care as defined
597 in s. 39.01(49) ~~child~~ may not charge an additional premium for
598 coverage of the minor ~~child~~ while the minor ~~child~~ is operating
599 the insured vehicle, for the period of time that the minor has a
600 learner's driver license, until such time as the minor obtains a



601 driver license.

602 Section 18. Paragraph (g) of subsection (3) of section
603 1002.55, Florida Statutes, is amended to read:

604 1002.55 School-year prekindergarten program delivered by
605 private prekindergarten providers.—

606 (3) To be eligible to deliver the prekindergarten program,
607 a private prekindergarten provider must meet each of the
608 following requirements:

609 (g) The private prekindergarten provider must have a
610 prekindergarten director who has a prekindergarten director
611 credential that is approved by the office as meeting or
612 exceeding the minimum standards adopted under s. 1002.57.
613 Successful completion of a child care facility director
614 credential under s. 402.305(2)(g) ~~s. 402.305(2)(f)~~ before the
615 establishment of the prekindergarten director credential under
616 s. 1002.57 or July 1, 2006, whichever occurs later, satisfies
617 the requirement for a prekindergarten director credential under
618 this paragraph.

619 Section 19. Subsections (3) and (4) of section 1002.57,
620 Florida Statutes, are amended to read:

621 1002.57 Prekindergarten director credential.—

622 (3) The prekindergarten director credential must meet or
623 exceed the requirements of the Department of Children and
624 Families for the child care facility director credential under
625 s. 402.305(2)(g) ~~s. 402.305(2)(f)~~, and successful completion of



626 the prekindergarten director credential satisfies these
627 requirements for the child care facility director credential.

628 (4) The department shall, to the maximum extent
629 practicable, award credit to a person who successfully completes
630 the child care facility director credential under s.

631 402.305(2)(g) ~~s. 402.305(2)(f)~~ for those requirements of the
632 prekindergarten director credential which are duplicative of
633 requirements for the child care facility director credential.

634 Section 20. Subsection (1) of section 1002.59, Florida
635 Statutes, is amended to read:

636 1002.59 Emergent literacy and performance standards
637 training courses.—

638 (1) The office shall adopt minimum standards for one or
639 more training courses in emergent literacy for prekindergarten
640 instructors. Each course must comprise 5 clock hours and provide
641 instruction in strategies and techniques to address the age-
642 appropriate progress of prekindergarten students in developing
643 emergent literacy skills, including oral communication,
644 knowledge of print and letters, phonemic and phonological
645 awareness, and vocabulary and comprehension development. Each
646 course must also provide resources containing strategies that
647 allow students with disabilities and other special needs to
648 derive maximum benefit from the Voluntary Prekindergarten
649 Education Program. Successful completion of an emergent literacy
650 training course approved under this section satisfies



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651 requirements for approved training in early literacy and
652 language development under ss. 402.305(2)(e)5. ~~402.305(2)(d)5.~~,
653 402.313(6), and 402.3131(5).

654 Section 21. The Division of Law Revision and Information
655 is directed to prepare, with the assistance of the staffs of the
656 appropriate substantive committees of the House of
657 Representatives and the Senate, a reviser's bill for the 2019
658 Regular Session of the Legislature to capitalize each word of
659 the term "child protection team" wherever it occurs in Florida
660 Statutes.

661 Section 22. This act shall take effect July 1, 2018.