

Tab 1	SB 304 by Sharief (CO-INTRODUCERS) Garcia; Identical to H 00511 Child Abuse Investigations						
826378	D	S	RCS	CF, Sharief	Delete everything after	03/13 12:36 PM	
Tab 2	SB 558 by Grall; Identical to H 01537 Contracts for Postadoption Contact						
435036	D	S	RCS	CF, Grall	Delete everything after	03/12 02:24 PM	
Tab 3	SB 738 by Burton; Similar to CS/H 00047 Child Care and Early Learning Providers						
831124	A	S	RCS	CF, Burton	Delete L.127 - 450:	03/13 11:11 AM	
Tab 4	SB 1174 by Jones; Identical to H 00989 Licensure of Family Foster Homes						
102620	A	S	RCS	CF, Jones	Delete L.25 - 33:	03/13 12:36 PM	
Tab 5	SB 1626 by Grall; Identical to H 01301 Child Welfare						
393658	D	S	RCS	CF, Grall	Delete everything after	03/13 11:11 AM	

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

CHILDREN, FAMILIES, AND ELDER AFFAIRS

Senator Grall, Chair
Senator Garcia, Vice Chair

MEETING DATE: Wednesday, March 12, 2025

TIME: 8:30—10:30 a.m.

PLACE: 301 Senate Building

MEMBERS: Senator Grall, Chair; Senator Garcia, Vice Chair; Senators Brodeur, Harrell, Rouson, Sharief, and Simon

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 304 Sharief (Identical H 511)	Child Abuse Investigations; Citing this act as "Patterson's Law"; requiring child protective investigators to inform subjects of their investigations of the right to request specified examinations of the alleged victim; authorizing an alleged perpetrator of child abuse to request specified examinations of the alleged victim under certain circumstances; prohibiting the request for or use of such examinations to obtain a second opinion on whether an alleged victim has been sexually abused, etc. CF 03/12/2025 Fav/CS JU RC	Fav/CS Yeas 5 Nays 0
2	SB 558 Grall (Identical H 1537)	Contracts for Postadoption Contact; Authorizing certain parties to enter into a written contract for postadoption contact that permits contact between an adopted child and his or her legal relatives; authorizing any party to such contract to file the contract with the court; requiring the court to make the contract a part of the final adoption order; authorizing and providing requirements for enforcement, modification, or termination of the contract, etc. CF 03/12/2025 Fav/CS JU RC	Fav/CS Yeas 7 Nays 0
3	SB 738 Burton (Similar CS/H 47)	Child Care and Early Learning Providers; Exempting public and private preschools from specified special assessments levied by a municipality; revising licensing standards for all licensed child care facilities and minimum standards and training requirements for child care personnel; requiring a county commission to affirm annually certain decisions; expanding the types of providers to be considered when developing and implementing a plan to eliminate duplicative and unnecessary inspections, etc. CF 03/12/2025 Fav/CS AHS FP	Fav/CS Yeas 6 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Children, Families, and Elder Affairs

Wednesday, March 12, 2025, 8:30—10:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 1174 Jones (Identical H 989)	Licensure of Family Foster Homes; Authorizing the transfer of certain licenses, etc. CF 03/12/2025 Fav/CS AHS RC	Fav/CS Yeas 7 Nays 0
5	SB 1626 Grall (Identical H 1301)	Child Welfare; Authorizing the Office of Statewide Prosecution in the Department of Legal Affairs to investigate and prosecute specified violations; revising the definition of the term "child who is found to be dependent"; defining the term "legal custodian"; authorizing a law enforcement officer or an authorized agent of the department to take a child into custody who is the subject of a specified court order; requiring a local government to exclude certain residential child-caring agencies from proximity limitations, etc. CF 03/12/2025 Fav/CS AHS FP	Fav/CS Yeas 7 Nays 0
Other Related Meeting Documents			

CourtSmart Tag Report

Room: SB 301
Caption: Senate Committee on Children, Families, and Elder Affairs

Case No.:

Type:
Judge:

Started: 3/12/2025 8:30:19 AM

Ends: 3/12/2025 9:57:35 AM

Length: 01:27:17

8:30:21 AM Chair Grall calls the meeting to order
8:30:22 AM Roll call
8:30:37 AM Chair Grall makes opening remarks
8:30:59 AM Tab 4, SB 1174 by Jones, Licensure of Family Foster Homes
8:31:04 AM Senator Jones explains the bill
8:31:47 AM Amendment #102620 by Jones
8:31:54 AM Senator Jones explains the amendment
8:32:35 AM Senator Jones waives closes on the amendment
8:32:43 AM Chair Grall reports the amendment
8:32:46 AM Back on the bill
8:32:53 AM Senator Jones waives close on bill
8:33:04 AM Roll call
8:33:29 AM Chair Grall passes the gavel to Vice Chair Garcia
8:33:36 AM Tab 2, SB 558 by Grall, Contracts for Postadoption Contact
8:33:42 AM Senator Grall explains the bill
8:34:49 AM Amendment #435036 by Grall
8:35:57 AM Chair Garcia recognizes public appearances
8:36:13 AM Senator Grall closes on the amendment
8:36:28 AM Chair Garcia reports the amendment
8:36:34 AM Back on the bill
8:36:40 AM Chair Garcia recognizes public appearances
8:36:53 AM Senator Grall closes on the bill
8:37:09 AM Roll call
8:37:29 AM Tab 5, SB 1626 by Grall, Child Welfare
8:37:35 AM Amendment #393658 by Grall
8:37:48 AM Senator Grall explains the amendment
8:41:01 AM Senator Grall waives close on the amendment
8:41:11 AM Chair Garcia reports the amendment
8:41:15 AM Back on the bill
8:41:30 AM Chair Garcia recognizes public appearances
8:41:33 AM Vanessa McCarthy
8:44:31 AM Melissa Marantes
8:49:06 AM John Barry
8:56:26 AM Questions:
8:56:29 AM Chair Garcia
8:56:32 AM John Barry
8:57:09 AM Stephanie Zimmerman
9:00:45 AM Questions:
9:00:48 AM Senator Harrell
9:01:36 AM Stephanie Zimmerman
9:03:22 AM Senator Harrell
9:03:34 AM Stephanie Zimmerman
9:04:37 AM Senator Harrell
9:04:45 AM Stephanie Zimmerman
9:06:09 AM Senator Harrell
9:06:14 AM Stephanie Zimmerman
9:07:07 AM Senator Grall closes on the bill
9:08:10 AM Roll call
9:08:34 AM Tab 3, SB 738 by Burton, Child Care and Early Learning Providers
9:08:42 AM Senator Burton explains the bill
9:12:25 AM Amendment #831124 by Burton
9:12:38 AM Senator Burton explains the amendment

9:13:30 AM	Questions:
9:13:33 AM	Senator Harrell
9:13:56 AM	Senator Burton
9:14:13 AM	Senator Burton waives close on the amendment
9:14:23 AM	Chair Garcia reports the amendment
9:14:26 AM	Back on the bill
9:14:32 AM	Chair Garcia recognizes public appearances
9:14:58 AM	Senator Burton closes on the bill
9:15:23 AM	Roll call
9:15:45 AM	Tab 1, SB 304 by Sharief, Child Abuse Investigations
9:15:56 AM	Senator Sharief explains the bill
9:19:08 AM	Amendment #826378 by Sharief
9:19:18 AM	Senator Sharief explains the amendment
9:20:20 AM	Questions:
9:20:21 AM	Senator Harrell
9:21:45 AM	Senator Sharief
9:23:14 AM	Senator Harrell
9:23:42 AM	Senator Sharief
9:23:59 AM	Senator Harrell
9:24:49 AM	Senator Sharief
9:26:06 AM	Senator Harrell
9:26:38 AM	Senator Sharief
9:26:46 AM	Senator Sharief closes on the amendment
9:27:31 AM	Chair Garcia reports the amendment
9:27:39 AM	Back on the bill as amended
9:27:45 AM	Chair Garcia recognizes public appearances
9:27:55 AM	Leigh Crutch
9:34:06 AM	Valentina Villalobos, Esq.
9:38:00 AM	Tasha Patterson
9:42:50 AM	Michael Patterson
9:44:31 AM	Caitlyn Clibbon
9:45:46 AM	Kayli Stafford
9:49:24 AM	Chair Garcia recognizes those waiving in support
9:51:28 AM	Debate:
9:51:31 AM	Senator Brodeur
9:52:52 AM	Senator Harrell
9:54:48 AM	Senator Sharief closes on the bill
9:56:10 AM	Roll call
9:56:37 AM	Chair Garcia recognizes Senators wishing to record votes
9:56:47 AM	Senator Harrell
9:57:02 AM	Senator Rouson
9:57:15 AM	Senator Harrell moves to adjourn
9:57:20 AM	Meeting adjourned

By Senator Sharief

35-00685A-25

2025304__

A bill to be entitled
An act relating to child abuse investigations;
providing a short title; amending s. 39.301, F.S.;
requiring child protective investigators to inform
subjects of their investigations of the right to
request specified examinations of the alleged victim;
amending s. 39.304, F.S.; authorizing an alleged
perpetrator of child abuse to request specified
examinations of the alleged victim under certain
circumstances; providing that the alleged perpetrator
is responsible for paying for such examinations;
prohibiting the request for or use of such
examinations to obtain a second opinion on whether an
alleged victim has been sexually abused; providing an
effective date.

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

Section 1. This act may be cited as "Patterson's Law."

Section 2. Paragraph (a) of subsection (5) of section
39.301, Florida Statutes, is amended to read:

39.301 Initiation of protective investigations.—

(5)(a) Upon commencing an investigation under this part,
the child protective investigator shall inform any subject of
the investigation of the following:

1. The names of the investigators and identifying
credentials from the department.
2. The purpose of the investigation.
3. The right to obtain his or her own attorney and ways

35-00685A-25

2025304__

that the information provided by the subject may be used.

4. The possible outcomes and services of the department's response.

5. The right of the parent or legal custodian to be engaged to the fullest extent possible in determining the nature of the allegation and the nature of any identified problem and the remedy.

6. The duty of the parent or legal custodian to report any change in the residence or location of the child to the investigator and that the duty to report continues until the investigation is closed.

7. The right of the subject to request examinations of the alleged victim as specified in s. 39.304(1)(c).

Section 3. Paragraph (c) is added to subsection (1) of section 39.304, Florida Statutes, to read:

39.304 Photographs, medical examinations, X rays, and medical treatment of abused, abandoned, or neglected child.—

(1)

(c) If an examination is performed on the child under paragraph (b), the alleged perpetrator may:

1. For the purpose of obtaining a second opinion, request that the alleged victim be examined by a licensed physician or advanced practice registered nurse who did not perform the initial examination and who routinely provides medical care to pediatric patients; and

2. For the purpose of ruling out a differential diagnosis, request that the alleged victim be examined by a licensed physician or an advanced practice registered nurse who routinely provides medical care to pediatric patients to determine whether

35-00685A-25

2025304__

the alleged victim has one or more of the following medical conditions:

a. Rickets.

b. Ehlers-Danlos syndromes.

c. Osteogenesis imperfecta, also known as brittle bone disease.

d. Vitamin D deficiency.

e. Any other medical condition known to appear to be caused by suspected abuse or to increase the risk of a misdiagnosis of abuse.

Examinations requested under this paragraph are to be paid for by the alleged perpetrator or as otherwise covered by insurance or Medicaid. Examinations under this paragraph may not be requested or used to obtain a second opinion on whether an alleged victim has been sexually abused.

Section 4. This act shall take effect July 1, 2025.

March 12, 2025

Meeting Date

Families, Children and Elderly Affairs

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Leigh Crutch**

Phone **718-791-7656**

Address **2941 Greenridge Road**
Street

Email **leighcrutch@gmail.com**

Orange Park

FL

32703

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3/12/2025

Meeting Date

Families, Children & Elderly Affairs

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name Valentina Villalobos, Esquire

Phone 813-547-4202

Address 3104 N Armenia Ave, Suite 2

Email valentina@elitechildadvocacy.com

Street

Tampa

FL

33607

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/12/2025

Meeting Date

SB 304

Bill Number or Topic

Families, Children, + Elderly

Committee

Amendment Barcode (if applicable)

Name

Tasha Patterson

Phone

(305) 528-0305

Address

1266 NW 122nd Terrace

Email

Street

Pembroke Pines

FL

33026

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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3/12/2025
Meeting Date

SB 304
Bill Number or Topic

Families, children, + Elderly
Committee

Amendment Barcode (if applicable)

Name Michael Patterson Phone (954) 478-0764

Address 1266 NW 122nd Terrace Email _____
Street
Pembroke Pines, FL 33026
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

APPEARANCE RECORD

3/2/2025

Meeting Date

304

Bill Number or Topic

S Children, Families & Elder

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Caitlyn Clibbon

Phone

Address

B

Street

Tallahassee FL 32308

City

State

Zip

Email

caitlync@disabilityrights
florida.org

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:I am appearing without
compensation or sponsorship.I am a registered lobbyist,
representing:Disability Rights
FloridaI am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

3/12/2025

Meeting Date

Families, Children and Elderly Affairs

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name Kayli Stafford

Phone (850)-694-2646

Address 3217 Riddle Drive

Email kaylimstafford@gmail.com

Street

Tallahassee

FL

32309

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

DUPLICATE

03/12/2025

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 304

Bill Number or Topic

Children, Families, and Elder Affairs

Committee

Amendment Barcode (if applicable)

Name **Jennifer Dritt - Florida Council Against Sexual Violence**

Phone **8503210781**

Address **1820 E. Park Avenue, Suite 100**

Email **jdritt@fcasv.org**

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

**The Florida Council Against Sexual
Violence**

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

Week of
March 9, 2025
Meeting Date
Children & Families
Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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SB 304
DUPLICATE

Patterson's Law
Bill Number or Topic
N/A
Amendment Barcode (if applicable)

Name Justine A. Elias
Address 4684 25th St N.
Street
St. Petersburg FL 33714
City State Zip

Phone (305) 815.2113
Email justinaelias@gmail.com

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

SB 304
DUPLICATE

week of March 9 2025

Meeting Date

Children and Families

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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Patterson's Law

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Elias Elias

Phone

407 924 6703

Address

4684 25th St N

Street

Email

Elias.david.elias@fla-mail.com

St. Petersburg

City

FL

State

33114

Zip

3-12-25

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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304

Bill Number or Topic

CHILDREN, FAMILIES, AND ELDER
Committee AFFAIRS

Amendment Barcode (if applicable)

Name LAURA YOUMANI - FLORIDA JUSTICE ASSOC. Phone 852-294-1838

Address 218 N MONROE ST
Street

Email

TAL

City

FL

State

32301

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

March 12, 2025

Meeting Date

Families, Children and Elderly Affairs

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name Joanna Davis, MD

Phone 954-873-6914

Address 1611 NW 12th Avenue

Street

Email jdavis3@med.miami.edu

Miami

City

FL

State

33136

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

March 12, 2025

Meeting Date

Families, Children and Elderly Affairs

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name Michelle Weidner- Executive Director, Family Justice Resource Center

Phone 815-608-9296

Address 6035 N Knoxville Ave

Street

Email michelle@famjustice.org

Peoria

IL

61614

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

March 12, 2025

Meeting Date

Families, Children and Elderly Affairs

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Brittany Lindsay, Esquire**

Phone **813-444-6250**

Address **14502 N Dale Mabry Hwy Ste 200**

Email **brittany@bllpa.com**

Street

Tampa

City

FL

State

33618

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 304

Meeting Date

Deliver both copies of this form to
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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Brooke Meade**

Phone **904-888-1784**

Address **5120 Hickson Rd.**

Email **brookemeade3@gmail.com**

Street

Jacksonville

Fl.

32207

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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S-001 (08/10/2021)

3/12/2025

Meeting Date

Families, Children & Elderly Affairs

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name Christina Dieujuste MSN, RN

Phone 3055424533

Address 6911 SW 26th Street

Email christina1.dieujuste@gmail.com

Street

Miramar

FL

33023

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

3/12/2025

Meeting Date

Families, Children & Elderly Affairs

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name Dayna Maeder, Esquire

Phone (407) 536-6886

Address 450 S. Orange Ave, Third Floor

Email dayna@maederlegal.com

Street

Orlando

FL

32801

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

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3/12/2025

Meeting Date

Families, Children & Elderly Affairs

Committee

The Florida Senate
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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name Lisa Imperiale

Phone 904-437-0950

Address 1521 W Grace Street Apt A

Street

Email lisaimperiale@yahoo.com

Tampa

FL

33607

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

3/12/2025

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 304

Bill Number or Topic

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Families, Children and Elderly Affairs

Committee

Amendment Barcode (if applicable)

Name **Merlande Dieujuste, MSN, APRN, FNP**

Phone **305-318-4220**

Address **1422 NW 206th Street**

Email **merlande98@gmail.com**

Street

Miami Gardens

FL

33169

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

March 12, 2025

Meeting Date

Families, Children and Elderly Affairs

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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HB 511

Bill Number or Topic

Name **Octavia Brown**

Phone **813-725-5080**

Amendment Barcode (if applicable)

Address **2701 W BUSCH BLVD**

Street

Email **octavia.brown@community-lawyer.com**

Tampa

City

FL

State

33618

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

3/12/2025

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 304

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Bill Number or Topic

Families, Children and Elderly Affairs

Committee

Amendment Barcode (if applicable)

Name Gina White MSN, APRN, FNP-BC

Phone 786-287-9444

Address 7720 NW 79th Ave #B8

Email gwhite0488@gmail.com

Street

Tamarac

FL

33321

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

3/12/2025

Meeting Date

Families, Children and Elderly Affairs

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Kim Young**

Phone **352-467-8566**

Address **35110 Saint Joe Rd**

Street

Email **kimonthefoo@gmail.com**

Dade City

City

FL

State

33525

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

The Florida Senate

3/12/2025

Meeting Date

Families, Children and Elderly Affairs

Committee

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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name Christy Lee Phone 813-784-4235

Address 6006 N Florida Ave, Apt 1506 Email advocates4familyjustice@gmail.com
Street

Tampa FL 33604
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

3/12/2025

Meeting Date

Families, Children & Elderly Affairs

Committee

The Florida Senate

APPEARANCE RECORD

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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Name Latoya Clarke (City of Sunrise Commisisoner) Phone (954) 746-3250

Address 10770 West Oakland Park Boulevard Email lclarke@sunrisefl.gov

Street

Sunrise

City

FL

State

33531

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

3/12/2025

Meeting Date

Families, Children and Elderly Affairs

Committee

Name William Tarelus

Address 2805 NW 87th Street

Street

Miami

City

FL

State

33147

Zip

The Florida Senate

APPEARANCE RECORD

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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 305-975-1657

Email wtarelus@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

3/12/2025

Meeting Date

Families, Children and Elderly Affairs

Committee

Name **Maliyah Dieujuste**

Phone **786-878-4539**

Address **3340 NW 188th Street**

Street

Miami Gardens

City

FL

State

33056

Zip

The Florida Senate
APPEARANCE RECORD

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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

3/12/2025

Meeting Date

Families, Children and Elderly Affairs

Committee

Name Ruth McLeod DNP, RN

Phone 321-684-8639

Address 9267 NW 54th Street

Email rjmandrt@yahoo.com

Street

Sunrise

City

FL

State

33351

Zip

The Florida Senate

APPEARANCE RECORD

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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

Speaking: ☐ For ☐ Against ☐ Information

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S-001 (08/10/2021)

3/12/2025

Meeting Date

Families, Children and Elderly Affairs

Committee

Name **Jerome McLeod**

Phone **321-684-9032**

Address **9267 NW 54th Street**
Street

Email _____

Sunrise

FL

33351

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

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The Florida Senate
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SB 304

Bill Number or Topic

Amendment Barcode (if applicable)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: CS/SB 304

INTRODUCER: Children, Families and Elder Affairs Committee and Senator Sharief

SUBJECT: Child Abuse Investigations

DATE: March 13, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Tuszynski	Tuszynski	CF	Fav/CS
2.			JU	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 304 amends child welfare reporting and investigation law to require that investigations of abuse allegations of children with injuries alleged to be abuse by medical professionals are thoroughly reviewed and investigated to ensure that specific medical conditions that are known to increase the risk of a misdiagnosis of abuse are ruled out before involving law enforcement or petitioning to find the child dependent under Ch. 39, F.S.

The bill allows a parent or legal custodian from whom a child was removed to request additional medical examinations in certain circumstances related to the diagnosis of Rickets, Ehlers-Danlos syndrome, Osteogenesis Imperfecta, or any other medical condition known to appear to be caused by suspected abuse or to increase the risk of a misdiagnosis of abuse.

The bill requires the parent or legal custodian pay for these requested medical examinations, or for them to be paid for as otherwise covered by insurance.

The bill requires any report of physical abuse made by a physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons in a medical setting to contain a summary of the analysis used to rule out a differential diagnosis of certain conditions

The bill delays the requirement of the Department of Children and Families (DCF) to immediately forward allegations of criminal conduct to law enforcement in the specific instance

when a parent from whom a child has been removed has alleged a pre-existing diagnosis of specific medical conditions or is requesting an additional medical examination. The bill requires that allegations of criminal conduct be immediately forwarded to law enforcement upon completion of the child protective investigation if criminal conduct is still alleged.

The bill also requires a child protective investigator that has commenced an investigation to inform the parent being investigated of the parent's duty to report a preexisting diagnosis for certain medical conditions.

The bill does not appear to have a fiscal impact. *See* Section V. Fiscal Impact Statement.

The bill provides an effective date of July 1, 2025.

II. Present Situation:

Florida's Child Welfare System

Chapter 39, F.S., creates Florida's dependency system, which is charged with protecting child welfare. This system identifies children and families in need of services through reports to a central child abuse hotline.¹ The Department of Children and Families (DCF) and Community-based Care Lead Agencies (CBC)² work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the system finds safe out-of-home placements for these children.

The DCF's practice model for child and family well-being is a safety-focused, family-centered, and trauma-informed approach. It is implemented to ensure:³

- Safety;
- The physical and emotional health of children;
- Strengthened families:
- Long-term secure relationships; and
- Community integration.

The DCF contracts for case management, out-of-home services, and related services with CBCs.⁴ The outsourced provision of child welfare services is intended to increase local community ownership of service provision and design. CBCs contract with many subcontractors for case management and direct-care services to children and their families. There are 16 CBCs statewide that serve the state's 20 judicial circuits. However, the DCF remains responsible for the operation of the central abuse hotline and investigations of abuse, abandonment, and neglect.

¹ Section 39.101, F.S.

² Section 409.986, F.S.; a "community-based care lead agency" or "lead agency" means a single entity with which the DCF has a contract for the provision of care for children in the child protection and child welfare system in a community that is no smaller than a county and no larger than two contiguous judicial circuits. The secretary of the DCF may authorize more than one eligible lead agency within a single county if doing so will result in more effective delivery of services to children.

³ *See Generally*, Department of Children and Families, Florida's Child Welfare Practice Model, available at: https://www.myflfamilies.com/sites/default/files/2022-12/FLCSPracticeModel_0.pdf (last visited 3/5/25).

⁴ *See* Part V, Chapter 409, F.S.

Ultimately, the DCF is responsible for all program oversight and the overall performance of the child welfare system.

Dependency System Process

When a child is in danger of, or has suffered from, abuse, abandonment or neglect, the dependency system is set up to protect the child's welfare. The dependency process includes, among other things:⁵

- A report to the central abuse hotline.
- A child protective investigation to determine the safety of the child.
- The court finding the child dependent.
- Case planning to address the problems resulting in the child's dependency.
- Reunification with the child's parent or another option to establish permanency, such as adoption.

Mandatory Reporting

Florida law requires *any* person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected to report such knowledge or suspicion to the DCF central abuse hotline.⁶ A person from the general public, while a mandatory reporter, may make a report anonymously.⁷ However, a person with certain occupations such as a physician, nurse, teacher, law enforcement officer, or judge must provide his or her name to the central abuse hotline when making a report.⁸

Central Abuse Hotline and Investigations

The central abuse hotline (hotline) receives all reports or known or suspected child abuse, abandonment, or neglect.⁹ The hotline must receive reports 24 hours a day, 7 days a week via telephone, writing, or electronic reporting.¹⁰

A report to the hotline is the first step that must be taken to initiate a safety assessment and an investigation.¹¹ When allegations are made against a parent, legal custodian, caregiver,¹² or other person responsible for the child's welfare,¹³ the hotline counselor must assess whether the report

⁵ See generally, Chapter 39, F.S.

⁶ Section 39.201(1)(a), F.S.

⁷ Section 39.201(1)(b)1., F.S.

⁸ Section 39.201(1)(b)2., F.S.

⁹ Section 39.101(1)(a), F.S.

¹⁰ *Id.*

¹¹ Section 39.101, F.S.

¹² Section 39.01(10), F.S., defines "caregiver" as the parent, legal custodian, permanent guardian, adult household member, or other person responsible for a child's welfare as defined in subsection (57).

¹³ Section 39.01(57), F.S., defines "other person responsible for a child's welfare" to include the child's legal guardian or foster parent; an employee of any school, public or private child day care center, residential home, institution, facility, or agency; a law enforcement officer employed in any facility, service, or program for children that is operated or contracted by the Department of Juvenile Justice, with exceptions of specified personnel working in their official capacity.

Section 39.201(2)(f), F.S., requires reports of known or suspected institutional child abuse or neglect to be made in the same manner as other reports under s. 39.201, F.S.

meets the statutory definition of abuse, abandonment, or neglect.¹⁴ If they do, the report is accepted for a protective investigation.¹⁵ At the same time, the DCF makes a determination regarding the timeline for which a protective investigation must be initiated including, in part:

- Immediately if:
 - It appears the child's immediate safety or well-being is endangered;
 - The family may flee or the child will be unavailable for purposes of conducting a child protective investigation; or
 - The facts otherwise so warrant; or
- Within 24 hours in all other child abuse, abandonment, or neglect cases.¹⁶

For reports requiring an immediate onsite protective investigation, the central abuse hotline shall immediately notify the department's designated district staff responsible for protective investigations to ensure that an onsite investigation is promptly initiated.¹⁷ For reports not requiring an immediate onsite protective investigation, the central abuse hotline shall notify the department's designated district staff responsible for protective investigations in sufficient time to allow for an investigation.¹⁸

Once assigned, a child protective investigator must assess the safety and perceived needs of the child and family, if in-home services are needed to stabilize the family, or if the safety of the child necessitates removal and the provision of out-of-home services.¹⁹

Medical Examination

A child protective investigator may refer a child to a licensed physician or an emergency department in a hospital without the consent of the child's parents or legal custodian if that child has visible areas of trauma that indicate a need for a medical examination, or if the child verbally complains or appears in distress as a result of injury through suspected child abuse, abandonment, or neglect.²⁰ Such examination may be performed by any licensed physician or an advanced practice registered nurse.²¹

Consent for non-emergency medical treatment must be obtained from a parent or legal custodian of the child, if available, or the DCF must obtain a court order for medical treatment.²²

Child Protection Teams

A child protection team (CPT) is a medically directed, multidisciplinary team that supplements the child protective investigation efforts of DCF and local sheriffs' offices in cases of child abuse

¹⁴ Section 39.201(4), F.S.

¹⁵ *Id.*

¹⁶ Section 39.101(2), F.S.

¹⁷ Section 39.301(1), F.S.

¹⁸ *Id.*

¹⁹ Section 39.301, F.S.; Part IV, Chapter 39, F.S.

²⁰ Section 39.304(1)(b), F.S.

²¹ *Id.*

²² Section 39.304(2)(a), F.S.

and neglect.²³ CPTs are independent community-based programs contracted by the Department of Health Children's Medical Services (CMS) program that provide expertise in evaluating alleged child abuse and neglect, assess risk and protective factors, and provide recommendations for interventions to protect children and enhance a caregiver's capacity to provide a safer environment when possible.²⁴

Certain reports of child abuse, abandonment, and neglect to the hotline must be referred to CPTs, including:²⁵

- Injuries to the head, bruises to the neck or head, burns, or fractures in a child of any age;
- Bruises anywhere on a child five years of age or younger;
- Any report alleging sexual abuse of a child;
- Any sexually transmitted disease in a prepubescent child;
- Reported malnutrition or failure of a child to thrive;
- Reported medical neglect of a child;
- A sibling or other child remaining in a home where one or more children have been pronounced dead on arrival or have been injured and later died as a result of suspected abuse, abandonment, or neglect; and
- Symptoms of serious emotional problems in a child when emotional or other abuse, abandonment or neglect is suspected.
- A child who does not live in this state who is currently being evaluated in a medical facility in this state.

When the CPT accepts a referral from DCF or law enforcement, it may provide one or more of the following services:²⁶

- Medical diagnosis and evaluation;
- Child forensic interviews;
- Child and family assessments;
- Psychological and psychiatric evaluations; and
- Expert court testimony.

III. Effect of Proposed Changes:

CS/SB 304 amends child welfare reporting and investigation law to require that investigations of abuse allegations of children with injuries alleged to be abuse by medical professionals are thoroughly reviewed and investigated to ensure that specific medical conditions that are known to increase the risk of a misdiagnosis of abuse are ruled out before involving law enforcement or petitioning to find the child dependent under Ch. 39, F.S.

²³ Florida Department of Health, Children's Medical Services, *Child Protection Teams*, available at: <https://www.floridahealth.gov/%5C/programs-and-services/childrens-health/cms-specialty-programs/Child-Protection/index.html> (last visited 3/6/25).

²⁴ *Id.*

²⁵ Section 39.303(4), F.S.

²⁶ See generally, s. 39.303(3), F.S.

Section 1 of the bill amends s. 39.201(1), F.S., to require any report of physical abuse made by a physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons in a medical setting to contain a summary of the analysis used to rule out a differential diagnosis of:

- Rickets.
- Ehlers-Danlos syndrome.
- Osteogenesis imperfecta, or brittle bone disease.
- Any other medical condition known to appear to be caused by suspected abuse or to increase the risk of a misdiagnosis of abuse.

Section 2 of the bill amends s. 39.301(2)(a), F.S., to delay the requirement of the DCF to immediately forward an allegation of criminal conduct to law enforcement in the specific instance when a parent from whom a child has been removed has alleged a pre-existing diagnosis of Rickets, Ehlers-Danlos syndrome, Osteogenesis Imperfecta, or any other medical condition known to appear to be caused by suspected abuse or to increase the risk of a misdiagnosis of abuse.

The bill also delays the requirement of an immediate forward of criminal conduct allegations if the parent from whom the child has been removed seeks an examination of the child for a second opinion or to rule out a differential diagnosis of Rickets, Ehlers-Danlos syndrome, Osteogenesis Imperfecta, or any other medical condition known to appear to be caused by suspected abuse or to increase the risk of a misdiagnosis of abuse.

The bill requires that allegations of criminal conduct to be immediately forwarded to law enforcement upon completion of the child protective investigation if criminal conduct is still alleged.

The bill amends s. 39.301(5)(a), F.S., to require a child protective investigator that has commenced an investigation to inform the parent being investigated of the parent's duty to report a preexisting diagnosis for the child of Rickets, Ehlers-Danlos syndrome, Osteogenesis Imperfecta, or any other medical condition known to appear to be caused by suspected abuse or to increase the risk of a misdiagnosis of abuse and provide any medical records that support that diagnosis to the DCF in a timely manner.

The bill makes conforming cross reference changes in s. 39.301, F.S.

Section 3 of the bill amends s. 39.303, F.S., to require the child protection team to consult with a licensed physician or advanced practice registered nurse (APRN) with experience in and routinely provides medical care to pediatric patients when evaluating a report of a child with a reported preexisting diagnosis of Rickets, Ehlers-Danlos syndrome, Osteogenesis Imperfecta, or any other medical condition known to appear to be caused by suspected abuse or to increase the risk of a misdiagnosis of abuse.

The bill makes conforming cross reference changes in s. 39.303, F.S.

Section 4 of the bill amends s. 39.304(1) to allow a parent or legal custodian from whom a child was removed to request additional medical examinations in certain circumstances. The parent or

legal custodian may request an examination by the CPT as soon as practicable if the CPT did not perform the initial examination that led to the allegations of abuse, abandonment, or neglect. Furthermore, the bill allows a parent or legal custodian to request an additional medical examination if the initial examination was performed by the CPT and the parent or legal custodian would like:

- A second opinion on diagnosis or treatment; or
- To rule out a differential diagnosis of Rickets, Ehlers-Danlos syndrome, Osteogenesis Imperfecta, or any other medical condition known to appear to be caused by suspected abuse or to increase the risk of a misdiagnosis of abuse.

If the parent or legal custodian is seeking a second opinion on diagnosis or treatment, the additional medical exam must be completed by a licensed physician or APRN of his or her choice. If they are seeking to rule out a specific differential diagnosis, the additional medical exam must be performed by a licensed physician or APRN who routinely provides diagnosis of and care to pediatric patients for Rickets, Ehlers-Danlos syndrome, Osteogenesis Imperfecta, or any other medical condition known to appear to be caused by suspected abuse or to increase the risk of misdiagnosis of abuse.

The bill also requires the parent pay for these requested medical examinations, or for them to be paid for as otherwise covered by insurance. The bill does not allow a request for a second opinion examination for a child alleged to have been sexually abused.

Section 5 of the bill provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 39.201, 39.301, 39.303, and 39.304.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Children, Families, and Elder Affairs on March 12, 2025:

- Requires certain mandatory reporters of child abuse, abandonment, or neglect to include a summary of the analysis used to rule out a differential diagnosis of certain conditions.
- Stops the requirement of an immediate report of allegations to law enforcement in the instances related to these diagnoses and requires the report only after an investigation is complete and criminal conduct is still alleged.
- Creates a requirement for a parent to be informed of the duty to report any pre-existing medical condition at the initiation of an investigation and provide supporting records of that Dx in a timely manner.
- Requires the Child Protection Team to consult with an experienced physician or APRN when evaluating reports that contain pre-existing diagnoses of certain medical conditions.
- Allows a parent to request examinations in certain instances to get a second opinion on diagnosis or treatment or to rule out differential diagnosis of certain conditions.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/13/2025	.	
	.	
	.	
	.	

The Committee on Children, Families, and Elder Affairs (Sharief) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (d) is added to subsection (1) of
section 39.201, Florida Statutes, to read:

39.201 Required reports of child abuse, abandonment, or
neglect, sexual abuse of a child, and juvenile sexual abuse;
required reports of death; reports involving a child who has
exhibited inappropriate sexual behavior.—



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(1) MANDATORY REPORTING.—

(d) Any report made by a person whose occupation is listed in sub-subparagraph (b)2.a. must contain a summary of the analysis used to rule out a differential diagnosis of the conditions specified in s. 39.303(4)(b).

Section 2. Paragraph (a) of subsection (2), paragraph (a) of subsection (5), and paragraph (c) of subsection (14) of section 39.301, Florida Statutes, are amended to read:

39.301 Initiation of protective investigations.—

(2)(a) The department shall immediately forward allegations of criminal conduct to the municipal or county law enforcement agency of the municipality or county in which the alleged conduct has occurred, unless the parent or legal custodian:

1. Has alleged that the child has a preexisting diagnosis specified in s. 39.303(4)(b); or

2. Is requesting that the child have an examination under s. 39.304(1)(c).

Allegations of criminal conduct that are not immediately forwarded to the law enforcement agency pursuant to subparagraph 1. or subparagraph 2. must be immediately forwarded to the law enforcement agency upon completion of the investigation under this part if criminal conduct is still alleged.

(5)(a) Upon commencing an investigation under this part, the child protective investigator shall inform any subject of the investigation of the following:

1. The names of the investigators and identifying credentials from the department.

2. The purpose of the investigation.



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40 3. The right to obtain his or her own attorney and ways
41 that the information provided by the subject may be used.

42 4. The possible outcomes and services of the department's
43 response.

44 5. The right of the parent or legal custodian to be engaged
45 to the fullest extent possible in determining the nature of the
46 allegation and the nature of any identified problem and the
47 remedy.

48 6. The duty of the parent or legal custodian to report any
49 change in the residence or location of the child to the
50 investigator and that the duty to report continues until the
51 investigation is closed.

52 7. The duty of the parent or legal custodian to report any
53 preexisting diagnosis for the child which is specified in s.
54 39.303(4) (b) and provide any medical records that support that
55 diagnosis in a timely manner.

56 (14)

57 (c) The department, in consultation with the judiciary,
58 shall adopt by rule:

59 1. Criteria that are factors requiring that the department
60 take the child into custody, petition the court as provided in
61 this chapter, or, if the child is not taken into custody or a
62 petition is not filed with the court, conduct an administrative
63 review. Such factors must include, but are not limited to,
64 noncompliance with a safety plan or the case plan developed by
65 the department, and the family under this chapter, and prior
66 abuse reports with findings that involve the child, the child's
67 sibling, or the child's caregiver.

68 2. Requirements that if after an administrative review the



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department determines not to take the child into custody or petition the court, the department shall document the reason for its decision in writing and include it in the investigative file. For all cases that were accepted by the local law enforcement agency for criminal investigation pursuant to subsection (2), the department must include in the file written documentation that the administrative review included input from law enforcement. In addition, for all cases that must be referred to Child Protection Teams pursuant to s. 39.303(5) and (6) ~~s. 39.303(4) and (5)~~, the file must include written documentation that the administrative review included the results of the team's evaluation.

Section 3. Present subsections (4) through (10) of section 39.303, Florida Statutes, are redesignated as subsections (5) through (11), respectively, a new subsection (4) is added to that section, and subsection (3) and present subsections (5) and (6) of that section are amended, to read:

39.303 Child Protection Teams and sexual abuse treatment programs; services; eligible cases.—

(3) The Department of Health shall use and convene the Child Protection Teams to supplement the assessment and protective supervision activities of the family safety and preservation program of the Department of Children and Families. This section does not remove or reduce the duty and responsibility of any person to report pursuant to this chapter all suspected or actual cases of child abuse, abandonment, or neglect or sexual abuse of a child. The role of the Child Protection Teams is to support activities of the program and to provide services deemed by the Child Protection Teams to be



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necessary and appropriate to abused, abandoned, and neglected children upon referral. The specialized diagnostic assessment, evaluation, coordination, consultation, and other supportive services that a Child Protection Team must be capable of providing include, but are not limited to, the following:

(a) Medical diagnosis and evaluation services, including provision or interpretation of X rays and laboratory tests, and related services, as needed, and documentation of related findings.

(b) Telephone consultation services in emergencies and in other situations.

(c) Medical evaluation related to abuse, abandonment, or neglect, as defined by policy or rule of the Department of Health.

(d) Such psychological and psychiatric diagnosis and evaluation services for the child or the child's parent or parents, legal custodian or custodians, or other caregivers, or any other individual involved in a child abuse, abandonment, or neglect case, as the team may determine to be needed.

(e) Expert medical, psychological, and related professional testimony in court cases.

(f) Case staffings to develop treatment plans for children whose cases have been referred to the team. A Child Protection Team may provide consultation with respect to a child who is alleged or is shown to be abused, abandoned, or neglected, which consultation shall be provided at the request of a representative of the family safety and preservation program or at the request of any other professional involved with a child or the child's parent or parents, legal custodian or custodians,



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or other caregivers. In every such Child Protection Team case staffing, consultation, or staff activity involving a child, a family safety and preservation program representative shall attend and participate.

(g) Case service coordination and assistance, including the location of services available from other public and private agencies in the community.

(h) Such training services for program and other employees of the Department of Children and Families, employees of the Department of Health, and other medical professionals as is deemed appropriate to enable them to develop and maintain their professional skills and abilities in handling child abuse, abandonment, and neglect cases. The training service must include training in the recognition of and appropriate responses to head trauma and brain injury in a child under 6 years of age as required by ss. 402.402(2) and 409.988.

(i) Educational and community awareness campaigns on child abuse, abandonment, and neglect in an effort to enable citizens more successfully to prevent, identify, and treat child abuse, abandonment, and neglect in the community.

(j) Child Protection Team assessments that include, as appropriate, medical evaluations, medical consultations, family psychosocial interviews, specialized clinical interviews, or forensic interviews.

~~A Child Protection Team that is evaluating a report of medical neglect and assessing the health care needs of a medically complex child shall consult with a physician who has experience in treating children with the same condition.~~



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(4) A Child Protection Team shall consult with a physician licensed under chapter 458 or chapter 459 or an advanced practice registered nurse licensed under chapter 464 who has experience in and routinely provides medical care to pediatric patients when evaluating a report of:

(a) Medical neglect and assessing the needs of a medically complex child; or

(b) A child with a reported preexisting diagnosis of any of the following:

1. Rickets.

2. Ehlers-Danlos syndrome.

3. Osteogenesis imperfecta.

4. Vitamin D deficiency.

5. Any other medical condition known to appear to be caused by, or known to be misdiagnosed as, abuse.

(6)~~(5)~~ All abuse and neglect cases transmitted for investigation to a circuit by the hotline must be simultaneously transmitted to the Child Protection Team for review. For the purpose of determining whether a face-to-face medical evaluation by a Child Protection Team is necessary, all cases transmitted to the Child Protection Team which meet the criteria in subsection (5) ~~(4)~~ must be timely reviewed by:

(a) A physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team;

(b) A physician licensed under chapter 458 or chapter 459 who holds board certification in a specialty other than pediatrics, who may complete the review only when working under the direction of the Child Protection Team medical director or a



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physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team;

(c) An advanced practice registered nurse licensed under chapter 464 who has a specialty in pediatrics or family medicine and is a member of a Child Protection Team;

(d) A physician assistant licensed under chapter 458 or chapter 459, who may complete the review only when working under the supervision of the Child Protection Team medical director or a physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team; or

(e) A registered nurse licensed under chapter 464, who may complete the review only when working under the direct supervision of the Child Protection Team medical director or a physician licensed under chapter 458 or chapter 459 who holds board certification in pediatrics and is a member of a Child Protection Team.

~~(7)-(6)~~ A face-to-face medical evaluation by a Child Protection Team is not necessary when:

(a) The child was examined for the alleged abuse or neglect by a physician who is not a member of the Child Protection Team, and a consultation between the Child Protection Team medical director or a Child Protection Team board-certified pediatrician, advanced practice registered nurse, physician assistant working under the supervision of a Child Protection Team medical director or a Child Protection Team board-certified pediatrician, or registered nurse working under the direct supervision of a Child Protection Team medical director or a



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Child Protection Team board-certified pediatrician, and the examining physician concludes that a further medical evaluation is unnecessary;

(b) The child protective investigator, with supervisory approval, has determined, after conducting a child safety assessment, that there are no indications of injuries as described in paragraphs (5) (a)-(h) ~~(4) (a)-(h)~~ as reported; or

(c) The Child Protection Team medical director or a Child Protection Team board-certified pediatrician, as authorized in subsection (6) ~~(5)~~, determines that a medical evaluation is not required.

Notwithstanding paragraphs (a), (b), and (c), a Child Protection Team medical director or a Child Protection Team pediatrician, as authorized in subsection (6) ~~(5)~~, may determine that a face-to-face medical evaluation is necessary.

Section 4. Paragraph (c) is added to subsection (1) of section 39.304, Florida Statutes, to read:

39.304 Photographs, medical examinations, X rays, and medical treatment of abused, abandoned, or neglected child.—

(1)

(c) If an examination is performed on a child under paragraph (b), the parent or legal custodian from whom the child was removed pursuant to s. 39.401 may:

1. If the initial examination was not performed by the Child Protection Team, request that the child be examined by the Child Protection Team as soon as practicable;

2. If the initial examination was performed by the Child Protection Team, for the purpose of obtaining a second opinion



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on diagnosis or treatment, request that the child be examined by
a physician licensed under chapter 458 or chapter 459 or an
advanced practice registered nurse licensed under chapter 464 of
his or her choosing who routinely provides medical care to
pediatric patients; or

3. For the purpose of ruling out a differential diagnosis,
request that the child be examined by a physician licensed under
chapter 458 or chapter 459 or an advanced practice registered
nurse licensed under chapter 464 who routinely provides
diagnosis of and medical care to pediatric patients for the
conditions specified in s. 39.303(4)(b).

An examination requested under subparagraph 2. or subparagraph
3. must be paid for by the parent or legal custodian making such
request or as otherwise covered by insurance or Medicaid. An
examination may not be requested under this paragraph for the
purpose of obtaining a second opinion as to whether a child has
been sexually abused.

Section 5. This act shall take effect July 1, 2025.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to specific medical diagnoses in child
protective investigations; amending s. 39.201, F.S.;
requiring that reports made by certain persons contain
a summary of a specified analysis; amending s. 39.301,



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F.S.; providing an exception to the requirement that the Department of Children and Families immediately forward certain allegations to a law enforcement agency; requiring a child protective investigator to inform the subject of an investigation of a certain duty; conforming a cross-reference; amending s. 39.303, F.S.; requiring Child Protection Teams to consult with a licensed physician or advanced practice registered nurse when evaluating certain reports; conforming provisions to changes made by the act; amending s. 39.304, F.S.; authorizing, under a certain circumstance, a parent or legal custodian from whom a child was removed to request specified examinations of the child; requiring that certain examinations be paid for by the parent or legal custodian making the request or as otherwise covered by insurance or Medicaid; prohibiting the request of an examination for a specified purpose; providing an effective date.

By Senator Grall

29-00963-25

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A bill to be entitled
An act relating to contracts for postadoption contact;
amending s. 63.0427, F.S.; defining the term "legal
relative"; authorizing certain parties to enter into a
written contract for postadoption contact that permits
contact between an adopted child and his or her legal
relatives; providing that certain contract provisions
are unenforceable; requiring that a postadoption
contract include certain statements; authorizing any
party to such contract to file the contract with the
court; requiring the court to make the contract a part
of the final adoption order; providing that the
continuing validity of the adoption is not contingent
upon compliance with the terms of the contract;
authorizing and providing requirements for
enforcement, modification, or termination of the
contract; prohibiting enforcement of the contract in
certain circumstances; providing for automatic
termination of the contract in certain circumstances;
providing an effective date.

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

Section 1. Subsection (3) is added to section 63.0427,
Florida Statutes, to read:

63.0427 Agreements for continued communication or contact
between adopted child and siblings, parents, and other
relatives; contracts for postadoption contact.—

(3) (a) As used in this section, the term "legal relative"

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means a person who, immediately before the entry of an order terminating parental rights, is related to the child subject to such order biologically or through any relationship established or recognized by law, court order, or marriage.

(b) In lieu of, or in addition to, a postadoption communication or contact order under subsection (1), an adoptive parent and a biological parent, and the adopted child, if the adopted child is 14 years of age or older, may voluntarily enter into a written contract for postadoption contact that permits continued contact between legal relatives and the adopted child until the child reaches 18 years of age. If the adopted child is 14 years of age or older, he or she must be a party to the contract and is deemed to have the capacity to enter into a contract for the purposes of this subsection.

(c) A contract for postadoption contact may provide for privileges relating to the adopted child which include, but are not limited to, visitation with the child; communication and contact with the child, including, but not limited to, written correspondence and telephone calls; the sharing of information about the child; and the sharing of information about biological or adoptive parents.

(d) A provision of a contract for postadoption contact is unenforceable if the provision:

1. Permits contact between an adopted child and a person legally restrained from such contact; or
2. Impairs the ability of the adoptive parents and child to change residence within or outside of this state.

(e) A contract for postadoption contact must include the following statements in at least 14-point boldface type:

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59 1. "Failure to follow the terms of this contract, or any
60 amendment thereto, does not invalidate a final adoption order."

61 2. "A disagreement between the parties to, or any action
62 brought to enforce, this contract may not serve as the basis for
63 any action or order affecting the custody of the adopted child."

64 (f) Any party to a contract for postadoption contact may
65 file the contract with the court. A contract for postadoption
66 contact filed with the court must be made a part of the final
67 adoption order, but the continuing validity of the adoption is
68 not contingent upon compliance with the terms of the contract.

69 (g) A contract for postadoption contact may be modified or
70 terminated upon the agreement of all parties to the contract. If
71 there is a disagreement among such parties as to enforcement,
72 modification, or termination of the contract, the contract may
73 be enforced, modified, or terminated in the following manner:

74 1. Any party to a contract for postadoption contact may
75 seek the enforcement of the contract. An adoptive parent or
76 child, but not a biological parent, may unilaterally seek to
77 modify or terminate the contract. The party seeking enforcement,
78 modification, or termination, as applicable, must deliver by
79 certified mail or personal service to all other parties to the
80 contract a notice stating with reasonable particularity the
81 requested action.

82 2. Any party who opposes the action sought may, within 30
83 days, provide a response by certified mail or personal service.

84 3. If after the 30-day period no response is received, or
85 if the received response is not satisfactory, the adoptive
86 parent must seek and obtain, at his or her own expense, a
87 written recommendation from a psychologist licensed under

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chapter 490 or a clinical social worker licensed under chapter 491 addressing whether the requested action is in the child's best interests and providing other recommendations as appropriate regarding the child's continued contact with legal relatives. The opinion of the psychological professional must be provided to the other parties by the adoptive parents within 90 days after delivery of the notice required under subparagraph 1.

4. If the parties are not thereafter able to reach an agreement, the parties must engage in mediation.

5. If the parties are not able to reach an agreement after two mediation sessions or if any party refuses to engage in mediation, the party seeking enforcement, modification, or termination, as applicable, may petition the court for such enforcement, modification, or termination.

6. In an action to enforce, modify, or terminate a contract for postadoption contact, the burden of proof is on the party seeking such enforcement, modification, or termination. The best interests of the child must be the court's primary consideration in determining whether to enforce, modify, or terminate the contract, but the good faith of each party, any change in circumstances since the execution of the contract, and the extent of each party's compliance with the contract may also be considered, as well as any other evidence the court finds appropriate. The court shall issue an enforcement, modification, or termination order, if appropriate, and make such order a part of the final adoption order.

(h) During any period of time in which the adoptive parents temporarily lose custody of the child, the contract for postadoption contact does not terminate but may not be enforced.

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117 (i) A contract for postadoption contact automatically
118 terminates upon the adopted child reaching 18 years of age.

119 Section 2. This act shall take effect July 1, 2025.

3/12/25

The Florida Senate

APPEARANCE RECORD

958

Meeting Date

Children's Families

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Lisa Hurley

Phone

850.224.5081

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311 E. Park Ave.

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City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

☒ Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FAMILY LAW SECTION, FL BAR

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

Meeting Date

3/12/25
Children's FamiliesDeliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

558
* 435036

Committee

Amendment Barcode (if applicable)

Name

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For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:☐I am appearing without
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FAMILY LAW SECTION, FL BAR

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: CS/SB 558

INTRODUCER: Children, Families, and Elder Affairs Committee and Senator Grall

SUBJECT: Contracts for Postadoption Contact

DATE: March 13, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rao	Tuszynski	CF	Fav/CS
2.			JU	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

Florida law currently provides children that have been adopted from the child welfare system with a process for continuing contact with their siblings, or upon agreement of the adoptive parents, with their biological parents after adoption.

CS/SB 558 expands postadoption contact opportunities by providing an option for the adopted child, adoptive parent, and the biological parent to voluntarily enter a postadoption contract that permits continued contact between a birth parent, siblings, and the adopted child until the child reaches 18 years of age. This contract may be entered into in lieu of, or in addition to the postadoption communication or contact order provided under current law.

The bill specifies requirements for the contract for postadoption contact and provides a process for the enforcement, modification, or termination of the contract. Any party to the contract may seek to enforce the contract, but only the adopted child or adoptive parents are allowed to seek modification or termination of the contract.

The bill specifies the contract is unenforceable, but not terminated, during any period of time in which the adoptive parents temporarily lose custody of the adopted child and the contract automatically terminates upon the adopted child reaching 18 years of age.

The bill adds postadoption contract actions as part of the single filing fee requirement for adoption cases.

The bill has no fiscal impact on the private or government sector. *See* Section V., Fiscal Impact Statement.

The bill provides an effective date of July 1, 2025.

II. Present Situation:

Adoptions

Adoption is the act of creating a legal relationship between a parent and child where one did not previously exist, declaring the child to be the legal child of the adoptive parents and entitled to all rights and privileges and subject to all the obligations of a child born to the adoptive parents.¹ Generally, adoptions can be referred to as “private adoptions” or “adoptions from the child welfare system.” Private adoptions begin upon a birth parent voluntarily surrendering their parental rights with the intent of placing a child in an adoptive home.² Adoptions from the child welfare system may be sought as a permanent placement for a child that cannot reunify to his or her home due to safety concerns.³ Adoption is one of the legally recognized child-welfare permanency goals that may be ordered by a court for a child within the child welfare system.⁴

The Florida Adoptions Act, codified in ch. 63, F.S., applies to all adoptions, whether private or from the child welfare system, involving the following entities:⁵

- The Department of Children and Families (DCF) under Chapter 39, F.S.;
- Child-placing agencies licensed by the DCF under s. 63.202, F.S.;
- Child-caring agencies registered under s. 409.176, F.S.;
- An attorney licensed to practice in Florida; or
- A child-placing agency licensed in another state which is licensed by the DCF to place children in Florida.

To free a child for adoption —both private adoptions and adoptions from the child welfare system— the legal relationship between the child and his or her current parents must be terminated in a proceeding known as a termination of parental rights.⁶ Generally, the process of a termination of parental rights includes obtaining the social and medical histories and records of the child and making a diligent search for any parent whose location is unknown.⁷ Once a court

¹ *See generally*, Section 63.032(2), F.S.

² *Id.*

³ Section 39.811(2), F.S.; *See generally*, Parts VIII and X of ch. 39, F.S.

⁴ Section 39.01(62), F.S., defines “permanency goal” to mean the living arrangement identified for the child to return to or identified as the permanent living arrangement of the child. The permanency goal is also the case plan goal. If concurrent case planning is being used, reunification may be pursued at the same time that another permanency goal is pursued. *See also* Section 39.621(3), F.S.

⁵ Section 63.032(3), F.S.

⁶ Section 39.812, F.S. governs the termination of parental rights for a case in which a minor is adopted from the child welfare system. Section 63.087, F.S. governs the termination of parental rights for a private adoption.

⁷ The Florida Bar, *Consumer Pamphlet: Adoption in Florida*, available at: <https://www.floridabar.org/public/consumer/pamphlet002/#general> (last visited 3/7/25).

terminates parental rights, the adoptive parents can file a petition for the adoption of the child⁸ and a final home investigation can be conducted to ensure the proposed adoption is in the best interest of the minor.⁹

Adoption Filing Fees

The clerk of the court assesses filing fees upon an individual that files petitions related to adoption.¹⁰ Current law allows the clerk of the court to assess one filing fee for multiple petitions that includes the adoption action, the declaratory statement petition, and the petition for termination of parental rights.¹¹

Open Adoptions

Open adoptions generally refer to ongoing contact or information sharing between birth parents, adoptive parents, and the adopted child.¹² Typically, the degree of openness of the adoption varies on the wishes of the birth parents, adoptive parents, and the adopted child. Communication between the adopted child and the birth parents can be limited to the exchange of letters and photos to as expansive as regular in-person visits.¹³ Increased postadoption contact may be beneficial for older adopted children that had an attachment to birth relatives prior to adoption.¹⁴ Additionally, open adoptions may offer adopted children a greater sense of identity, due to an increased opportunity to discuss their background and heritage with their birth parent.¹⁵ Adoptive parents may find open adoptions allow for greater transparency with adopted children, and can help provide a better understanding of the child's origins which ultimately can lead to a supportive home environment.¹⁶

⁸ Section 63.112, F.S.; In "private" adoptions the petition for termination of parental rights and the petition for adoption are often filed simultaneously as it is rarely contested, and the adoptive placement is known. In adoptions from the child welfare system, the termination of parental rights is often contested, and an adoptive placement is not always identified at the time of termination, so the petition for adoption is often filed later.

⁹ Section 63.125, F.S.

¹⁰ Section 63.102, F.S.

¹¹ *Id.*

¹² American Bar Association, *The Evolution of Open Adoption: Legal Frameworks, Protocols, and Impact Analysis*, available at: https://www.americanbar.org/groups/family_law/resources/committee-articles/evolution-open-adoption-legal-frameworks-protocols-impact-analysis/?_cf_chl_rt_tk=eIPq0B8BaJ8lDwBgFB6wIpMHa15hf4JsnBGAG_dqKY4-1733223995-1.0.1.1-FX3abjF9obwMm5N0QRxEE8yKmWG5.OfoKRfJ8tu04b8#:~:text=This%20article%20examines%20the%20shift%20from%20closed%20to,parents%2C%20and%20adoptive%20parents%2C%20weighing%20advantages%20and%20challenges. (last visited 3/7/25).

¹³ *Id.*

¹⁴ Child Welfare Information Gateway, *Postadoption Contact Agreements Between Birth and Adoptive Families*, available at: <https://cwig-prod-prod-drupal-s3fs-us-east-1.s3.amazonaws.com/public/documents/cooperative.pdf?VersionId=7jeA0qMdgmYy81k.6tMFikJNOmvdDVt> (last visited 3/7/25).

¹⁵ American Bar Association, *The Evolution of Open Adoption: Legal Frameworks, Protocols, and Impact Analysis*, available at: https://www.americanbar.org/groups/family_law/resources/committee-articles/evolution-open-adoption-legal-frameworks-protocols-impact-analysis/?_cf_chl_rt_tk=eIPq0B8BaJ8lDwBgFB6wIpMHa15hf4JsnBGAG_dqKY4-1733223995-1.0.1.1-FX3abjF9obwMm5N0QRxEE8yKmWG5.OfoKRfJ8tu04b8#:~:text=This%20article%20examines%20the%20shift%20from%20closed%20to,parents%2C%20and%20adoptive%20parents%2C%20weighing%20advantages%20and%20challenges. (last visited 3/7/25).

¹⁶ *Id.*

Postadoption Communication and Contact

Postadoption contact agreements (PACA) are arrangements that allow contact or communication between a child, his or her adoptive family, and members of the child's birth family or other persons with whom the child has an established relationship, such as a foster parent, after the child's adoption has been finalized.¹⁷ These arrangements, sometimes referred to as cooperative adoption or open adoption agreements, can range from informal, mutual understandings between the birth and adoptive families to written, formal contracts.

These PACA have become more prevalent in recent years due to several factors, to include:¹⁸

- Many adopted children, especially older children, have attachments to one or more birth relatives with whom ongoing contact may be desirable.
- Birth parents who participate in selecting an adoptive family may have a wide range of choices and may base their decision on the willingness of the adoptive parent(s) to allow postadoption contact.
- Contact and communication with birth relatives can be a resource for adoptive parents and adopted children for information about the child's medical, social, and cultural history.

For a PACA to be enforceable, it must be approved by the court that has jurisdiction over the adoption.¹⁹ Generally, all parties to be included in the agreement must agree in writing to all terms of the agreement prior to the adoption finalization. The court may approve the agreement only if all parties agree on its provisions, and the court finds the agreement is in the best interests of the child.²⁰ In multiple states, the court must consider the wishes of or obtain written consent of the adoptive child if they are 12 years of age or older.²¹ In other states, that age is 14 years.²²

Florida Law on Postadoption Communication

Florida law provides a process that allows a child adopted from the child welfare system to seek continued communication with his or her siblings, or their biological parents or other specified relatives after an adoption.²³ A child can have the court consider the appropriateness of postadoption communication if the child's parents had their parental rights terminated and whose custody has been awarded to the department pursuant to s. 39.811, and is now the subject of a petition for adoption under ch. 63, F.S.²⁴

¹⁷ Child Welfare Information Gateway. (2018). *Postadoption contact agreements between birth and adoptive families*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau, p. 1, available at: <https://www.childwelfare.gov/resources/postadoption-contact-agreements-between-birth-and-adoptive-families/> (last visited 3/8/35).

¹⁸ *Id.*, p. 2

¹⁹ *Id.*, p. 3

²⁰ *Id.*

²¹ *Id.*; Arizona, California, Connecticut, Indiana, Louisiana, Massachusetts, Pennsylvania, Rhode Island, and Utah.

²² *Id.*; Delaware, Georgia, Nebraska, New Mexico, New Hampshire, Oregon, Vermont, Virginia, and the District of Columbia.

²³ Section 63.0427, F.S.

²⁴ Section 63.0427(1), F.S.

This postadoption communication and contact may include, but is not limited to, visits, written correspondence, or telephone calls. In determining the appropriateness of the postadoption communication or contact, the court shall consider the following information:²⁵

- Any orders of the court pursuant to s. 39.811(7), F.S.
- Recommendations of the DCF, the foster parents if other than the adoptive parents, and the guardian ad litem.
- Statements of the prospective adoptive parents.
- Any other information deemed relevant and material to the court.

If postadoption communication or contact is in the best interest of the child, the court will enter an order stating the nature and frequency of the communication or contact.²⁶ This order must be included in the final adoption order, but the adoption's continuing validity is not contingent upon the postadoption communication or contact. Further, postadoption communication or contact is not allowed to impair the ability of the adoptive parents and child from changing residence within or outside Florida.²⁷

Current law allows the adoptive parent to petition for review of a communication or contact order if the adoptive parent believes the best interests of the adopted child are being compromised.²⁸ Upon this petition, the court may order the postadoption communication or contact to be terminated or modified; however, the court is prohibited from increasing the contact between the adopted child and siblings, birth parents, or other relatives without the consent of the adoptive parents. During review of the postadoption communication or contact, the court may order the parties to engage in mediation.²⁹

III. Effect of Proposed Changes:

Section 1 of the bill amends s. 63.0427, F.S. to authorize certain individuals to enter into a voluntary written contract for postadoption contact that permits contact between an adopted child and his or her birth parent and siblings after an adoption is finalized.

The bill allows the following parties to enter a written contract for postadoption contact:

- An adoptive parent;
- A biological parent;
- The adopted child, if he or she is 12 years of age or older.
 - The bill requires the adopted child to be a party to the contract if he or she is over 12 years of age and is deemed to have the capacity to enter the contract.

The contract for postadoption contact may be in lieu of, or in addition to, a postadoption communication or contact order that is ordered by the court. The parties entering into a contract for postadoption contact must do so voluntarily.

²⁵ Section 63.0427(1), F.S.

²⁶ Section 63.0427, F.S.

²⁷ Section 63.0427, F.S.

²⁸ Section 63.0427(2), F.S.

²⁹ Section 63.0427(2), F.S.

The contract must be incorporated into the final judgment terminating parental rights, instead of the final adoption order, maintaining the separation of those orders.

The postadoption contract permits continued contact between a birth parent, siblings and the adopted child until the child reaches 18 years of age. The contract may provide for privileges relating to the adopted child such as visitation, communication, and contact with the child, which includes, but is not limited to:

- Written correspondence and telephone calls;
- Sharing of information about the child; and
- Sharing of information about biological or adoptive parents.

Any provision in a contract for postadoption contact is unenforceable if the provision:

- Permits contact between an adopted child and a person that is legally restrained from contacting the child;
- Impairs the adoptive parents' and child's ability to change residence within or outside the state; or
- Is objected to by the adopted child who is 12 years of age or older.

The bill requires a contract for postadoption contact to include the following statements in at least 14-point boldface type:

- "Failure to follow the terms of this contract, or any amendment thereto, does not invalidate a final adoption order."
- "A disagreement between the parties to, or any action brought to enforce, this contract may not serve as the basis for any action or order affecting the custody of the adopted child."

The bill requires that the contract must be filed with and approved by the court in the termination of parental rights and adoption proceedings if the parties intend for the contract to be enforceable. The bill provides that the continuing validity of the adoption is not contingent upon compliance with the contract.

The bill allows the contract for postadoption contact to be modified or terminated upon the agreement of all parties to the contract and if there is not agreement, establishes a process for enforcing, modifying, or terminating a contract, as follows:

- **Notice to all parties to the contract:** The party that is seeking enforcement, modification, or termination must file a motion in the termination of parental rights proceeding and serve the motion on the other parties by the method designated in the contract.
- **Case Management Order:** Within 45 days of the filing of the motion to enforce, modify, or terminate the contract for postadoption contact, the court shall issue a case management order.
- **Court Issuance of an Enforcement, Modification, or Termination of the Contract:** The court shall primarily consider the best interest of the child in determining whether to enforce, modify, or terminate the contract. However, the court shall also consider the good faith of each party, any change in circumstances since the execution of the contract, the extent of each party's compliance with the contract, and any other evidence the court finds appropriate.

- The burden of proof is on the party that seeks the enforcement, modification, or termination of the contract.

The bill also provides that the contract for postadoption contact does not terminate, but is unenforceable, during any period of time in which the adoptive parents temporarily lose custody of the child and the contract for postadoption contact automatically terminates when the child reaches 18 years of age.

Section 2 of the bill amends s. 63.102, F.S. to include postadoption contract actions as part of the single filing fee requirement for adoption cases. Thus, the clerk of the court shall only assess one filing fee that includes the adoption action, the declaratory statement petition, the petition for the termination of parental rights, and any postadoption contract actions.

Section 3 of the bill provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends s. 63.0427 and 63.102 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Children, Families, and Elder Affairs on March 12, 2025:

- Removes the definition of “legal relative” and narrows who may be allowed continued contact with an adopted child to the birth parent and siblings.
- Lowers the age of an adopted child who must be party to the contract from 14 years of age to 12 years of age.
- Allows the adopted child who is party to the contract the ability to object to any provision of the postadoption contract, making that provision unenforceable.
- Requires the parties to detail enforceability and notice requirements within the contract.
- Requires the filed contract to be incorporated into the final judgment terminating parental rights, rather than the final adoption order. This maintains a separation between the adoption order and the order to terminate parental rights.
- Requires any party seeking enforcement, modification, or termination of the contract to show such is in the best interest of the child by a preponderance of the evidence.
- Adds postadoption contract actions as part of the single filing fee requirement for adoption cases.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2025	.	
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	.	
	.	

The Committee on Children, Families, and Elder Affairs (Grall)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (3) is added to section 63.0427,
Florida Statutes, to read:

63.0427 Agreements for continued communication or contact
between adopted child and siblings, parents, and other
relatives; contracts for postadoption contact.—

(3) (a) In lieu of, or in addition to, a postadoption



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11 communication or contact order under subsection (1), an adoptive
12 parent and a biological parent, and the adopted child, if the
13 adopted child is 12 years of age or older, may voluntarily enter
14 into a written contract for postadoption contact that permits
15 continued contact between a birth parent, siblings, and the
16 adopted child until the child reaches 18 years of age. If the
17 adopted child is 12 years of age or older, he or she must be a
18 party to the contract and is deemed to have the capacity to
19 enter into a contract for the purposes of this subsection.

20 (b) A contract for postadoption contact may provide for
21 privileges relating to the adopted child which include, but are
22 not limited to, visitation with the child; communication and
23 contact with the child, including, but not limited to, written
24 correspondence and telephone calls; the sharing of information
25 about the child; and the sharing of information about biological
26 or adoptive parents.

27 (c) A provision of a contract for postadoption contact is
28 unenforceable if the provision:

29 1. Permits contact between an adopted child and a person
30 legally restrained from such contact; or

31 2. Impairs the ability of the adoptive parents and child to
32 change residence within or outside of this state.

33 3. Objected to by the adopted child who is 12 years of age
34 or older.

35 (d) A contract for postadoption contact must include the
36 following statements in at least 14-point boldface type:

37 1. "Failure to follow the terms of this contract, or any
38 amendment thereto, does not invalidate a final adoption order."

39 2. "A disagreement between the parties to, or any action



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brought to enforce, this contract may not serve as the basis for any action or order affecting the custody of the adopted child."

(e) If the contract states the parties intend that the contract shall be enforceable, the contract shall be filed with the court, approved by the court in the termination of parental rights and adoption proceedings in the best interest of the child, and incorporated into the final judgment terminating parental rights and final judgment of adoption as binding and enforceable. The continuing validity of the adoption is not contingent upon compliance with the terms of the contract. The court shall reserve jurisdiction for the purpose of enforcing the contract for postadoption contact.

(f) A contract for postadoption contact may be modified or terminated upon the agreement of all parties to the contract. If there is a disagreement among such parties as to enforcement, modification, or termination of the contract, the contract may be enforced, modified, or terminated in the following manner:

1. Any party to a contract for postadoption contact may seek the enforcement of the contract. An adoptive parent or child, but not a biological parent, may unilaterally seek to modify or terminate the contract. The party seeking enforcement, modification, or termination shall file a motion in the termination of parental rights proceeding and serve the motion on the other parties by the method designated in the contract.

2. Within 45 days of the filing of a motion under this subsection, the court shall issue a case management order.

3. In an action to enforce, modify, or terminate a contract for postadoption contact, the burden of proof is on the party seeking such enforcement, modification, or termination to show



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that such enforcement, modification, or termination is in the best interest of the child by a preponderance of the evidence. The best interests of the child must be the court's primary consideration in determining whether to enforce, modify, or terminate the contract, but the good faith of each party, any change in circumstances since the execution of the contract, and the extent of each party's compliance with the contract may also be considered, as well as any other evidence the court finds appropriate. The court shall issue an enforcement, modification, or termination order.

(g) During any period of time in which the adoptive parents temporarily lose custody of the child, the contract for postadoption contact does not terminate but may not be enforced.

(h) A contract for postadoption contact automatically terminates upon the adopted child reaching 18 years of age.

Section 2. Paragraph (e) of subsection (5) of section 63.102, Florida Statutes, is amended to read:

63.102 Filing of petition for adoption or declaratory statement; venue; proceeding for approval of fees and costs.—

(5) PRIOR APPROVAL OF FEES AND COSTS.—A proceeding for prior approval of fees and costs may be commenced any time after an agreement is reached between the birth mother and the adoptive parents by filing a petition for declaratory statement on the agreement entitled "In the Matter of the Proposed Adoption of a Minor Child" in the circuit court.

(e) A declaratory statement as to the adoption contract, regardless of when filed, shall be consolidated with any related petition for adoption. The clerk of the court shall only assess one filing fee that includes the adoption action, the



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declaratory statement petition, ~~and~~ the petition for termination
of parental rights, and any postadoption contract actions under
s. 63.0427.

Section 3. This act shall take effect January 1, 2026.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to contracts for postadoption contact;
amending s. 63.0427, F.S.; defining the term "legal
relative"; authorizing certain parties to enter into a
written contract for postadoption contact that permits
contact between an adopted child and his or her legal
relatives; providing that certain contract provisions
are unenforceable; requiring that a postadoption
contract include certain statements; authorizing any
party to such contract to file the contract with the
court; requiring the court to make the contract a part
of the final adoption order; providing that the
continuing validity of the adoption is not contingent
upon compliance with the terms of the contract;
authorizing and providing requirements for
enforcement, modification, or termination of the
contract; prohibiting enforcement of the contract in
certain circumstances; providing for automatic
termination of the contract in certain circumstances;
providing an effective date.



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By Senator Burton

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A bill to be entitled

An act relating to child care and early learning providers; amending s. 170.201, F.S.; exempting public and private preschools from specified special assessments levied by a municipality; defining the term "preschool"; amending s. 402.305, F.S.; revising licensing standards for all licensed child care facilities and minimum standards and training requirements for child care personnel; requiring the Department of Children and Families to conduct specified screenings of child care personnel within a specified timeframe and issue provisional approval of such personnel under certain conditions; providing an exception; revising minimum standards for sanitation and safety of child care facilities; making technical changes; deleting provisions relating to educating parents and children about specified topics; deleting provisions relating to specialized child care facilities for the care of mildly ill children; amending s. 402.306, F.S.; requiring a county commission to affirm annually certain decisions; amending s. 402.3115, F.S.; expanding the types of providers to be considered when developing and implementing a plan to eliminate duplicative and unnecessary inspections; revising requirements for an abbreviated inspection plan for certain child care facilities; requiring the department to review and update certain elements included in such abbreviated inspections; requiring the department to revise the

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abbreviated inspection plan as necessary; amending s. 402.316, F.S.; providing that certain child care facilities are exempt from specified requirements; amending s. 627.70161, F.S.; defining the term "large family child care home"; providing that specified insurance provisions apply to large family child care homes; amending s. 1002.59, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Subsection (2) of section 170.201, Florida Statutes, is amended to read:

170.201 Special assessments.—

(2) Property owned or occupied by a religious institution and used as a place of worship or education; by a public or private preschool, elementary school, middle school, or high school; or by a governmentally financed, insured, or subsidized housing facility that is used primarily for persons who are elderly or disabled shall be exempt from any special assessment levied by a municipality to fund any service if the municipality so desires. As used in this subsection, the term "religious institution" means any church, synagogue, or other established physical place for worship at which nonprofit religious services and activities are regularly conducted and carried on and the term "governmentally financed, insured, or subsidized housing facility" means a facility that is financed by a mortgage loan made or insured by the United States Department of Housing and Urban Development under s. 8, s. 202, s. 221(d)(3) or (4), s.

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232, or s. 236 of the National Housing Act and is owned or operated by an entity that qualifies as an exempt charitable organization under s. 501(c)(3) of the Internal Revenue Code. As used in this subsection, the term "preschool" means any child care facility licensed under s. 402.305.

Section 2. Paragraphs (a) and (c) of subsection (1), paragraphs (a), (e), and (f) of subsection (2), paragraphs (a) and (c) of subsection (7), and subsections (9), (13), and (17) of section 402.305, Florida Statutes, are amended to read:

402.305 Licensing standards; child care facilities.—

(1) LICENSING STANDARDS.—The department shall establish licensing standards that each licensed child care facility must meet regardless of the origin or source of the fees used to operate the facility or the type of children served by the facility.

(a) The standards shall be designed to address ~~the following areas:~~

~~1. the health and nutrition, sanitation, safety, developmental needs, and sanitary adequate physical conditions surroundings~~ for all children served by in child care facilities.

~~2. The health and nutrition of all children in child care.~~

~~3. The child development needs of all children in child care.~~

(c) The minimum standards for child care facilities shall be adopted in the rules of the department and shall address the areas delineated in this section.

1. The department, in adopting rules to establish minimum standards for child care facilities, shall recognize that

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different age groups of children may require different standards.

2. The department may adopt different minimum standards for facilities that serve children in different age groups, including school-age children.

3. The department may create up to three classification levels for violations of licensing standards that directly relate to the health and safety of a child. A class three violation is the least serious in nature and must be the same incident of noncompliance that occurs at least three times within a 2-year period.

4. The department shall ~~also~~ adopt by rule a definition for child care which distinguishes between child care programs that require child care licensure and after-school programs that do not require licensure. Notwithstanding any other provision of law to the contrary, minimum child care licensing standards shall be developed to provide for reasonable, affordable, and safe before-school and after-school care. After-school programs that otherwise meet the criteria for exclusion from licensure may provide snacks and meals through the federal Afterschool Meal Program (AMP) administered by the Department of Health in accordance with federal regulations and standards. The Department of Health shall consider meals to be provided through the AMP only if the program is actively participating in the AMP, is in good standing with the department, and the meals meet AMP requirements. Standards, at a minimum, shall allow for a credentialed director to supervise multiple before-school and after-school sites.

(2) PERSONNEL.—Minimum standards for child care personnel

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shall include minimum requirements as to:

(a) Good moral character based upon screening as defined in s. 402.302(15). This screening shall be conducted as provided in chapter 435, using the level 2 standards for screening provided ~~set forth~~ in that chapter, and include employment history checks, a search of criminal history records, sexual predator and sexual offender registries, and child abuse and neglect registry of any state in which the current or prospective child care personnel resided during the preceding 5 years. The department shall complete the screening and provide the results to the child care facility within 3 business days. If the department is unable to complete the screening within 3 business days, the department shall issue the current or prospective child care personnel a 45-day provisional-hire status while all required information is being requested and the department is awaiting results unless the department has reason to believe a disqualifying factor may exist. During the 45-day period, the current or prospective child care personnel must be under the direct supervision of a screened and trained staff member when in contact with children.

(e) Minimum training requirements for child care personnel.

1. Such minimum standards for training shall ensure that all child care personnel take an approved 40-clock-hour introductory course in child care, which course covers ~~at least~~ the following topic areas:

- a. State and local rules and regulations which govern child care.
- b. Health, safety, and nutrition.
- c. Identifying and reporting child abuse and neglect.

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d. Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development.

e. Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.

f. Specialized areas, including computer technology for professional and classroom use and early literacy and language development of children from birth to 5 years of age, as determined by the department, for owner-operators and child care personnel of a child care facility.

g. Developmental disabilities, including autism spectrum disorder and Down syndrome, and early identification, use of available state and local resources, classroom integration, and positive behavioral supports for children with developmental disabilities.

Within 90 days after employment, child care personnel shall begin training to meet the training requirements. Child care personnel shall successfully complete such training within 1 year after the date on which the training began, as evidenced by passage of a competency examination. Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, pursuant to ss. 1007.24 and 1007.25. Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood

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development or child growth and development, or a child development associate credential or an equivalent state-approved child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.

~~2. The introductory course in child care shall stress, to the extent possible, an interdisciplinary approach to the study of children.~~

2.3. The introductory course shall cover recognition and prevention of shaken baby syndrome; prevention of sudden infant death syndrome; recognition and care of infants and toddlers with developmental disabilities, including autism spectrum disorder and Down syndrome; and early childhood brain development within the topic areas identified in this paragraph.

3.4. On an annual basis in order to further their child care skills and, if appropriate, administrative skills, child care personnel who have fulfilled the requirements for the child care training shall be required to take an additional 1 continuing education unit of approved inservice training, or 10 clock hours of equivalent training, as determined by the department.

4.5. Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours of equivalent training, as determined by the department, in early literacy and language development of children from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subparagraph 3.

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204 ~~4.~~

205 ~~5.6.~~ Procedures for ensuring the training of qualified
206 child care professionals to provide training of child care
207 personnel, including onsite training, shall be included in the
208 minimum standards. It is recommended that the state community
209 child care coordination agencies (central agencies) be
210 contracted by the department to coordinate such training when
211 possible. Other district educational resources, such as
212 community colleges and career programs, can be designated in
213 such areas where central agencies may not exist or are
214 determined not to have the capability to meet the coordination
215 requirements set forth by the department.

216 ~~6.7.~~ Training requirements do ~~shall~~ not apply to certain
217 occasional or part-time support staff, including, but not
218 limited to, swimming instructors, piano teachers, dance
219 instructors, and gymnastics instructors.

220 ~~7.8.~~ The child care operator shall be required to take
221 basic training in serving children with disabilities within 5
222 years after employment, either as a part of the introductory
223 training or the annual 8 hours of inservice training.

224 (f) Periodic health examinations for child care facility
225 drivers.

226 (7) SANITATION AND SAFETY.—

227 (a) Minimum standards must ~~shall~~ include requirements for
228 sanitary and safety conditions, first aid treatment, emergency
229 procedures, and pediatric cardiopulmonary resuscitation. The
230 minimum standards must ~~shall~~ require that at least one staff
231 person trained in person in cardiopulmonary resuscitation, as
232 evidenced by current documentation of course completion, ~~must~~ be

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present at all times that children are present.

~~(c) Some type of communications system, such as a pocket pager or beeper, shall be provided to a parent whose child is in drop-in child care to ensure the immediate return of the parent to the child, if necessary.~~

(9) ADMISSIONS AND RECORDKEEPING.—

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

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

~~(c) During the months of April and September of each year, at a minimum, each facility shall provide parents of children enrolled in the facility information regarding the potential for a distracted adult to fail to drop off a child at the facility and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The child care facility shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which child care facilities may choose to reproduce and provide to parents to satisfy the requirements of~~

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~~this paragraph.~~

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

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

(13) PLAN OF ACTIVITIES.—Minimum standards shall ensure that each child care facility has and implements a written plan for the daily provision of varied activities and active and quiet play opportunities appropriate to the age of the child. ~~The written plan must include a program, to be implemented periodically for children of an appropriate age, which will assist the children in preventing and avoiding physical and mental abuse.~~

~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF MILDLY ILL CHILDREN. Minimum standards shall be developed by the department, in conjunction with the Department of Health, for specialized child care facilities for the care of mildly ill children. The minimum standards shall address the following~~

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~~areas; personnel requirements; staff-to-child ratios; staff training and credentials; health and safety; physical facility requirements, including square footage; client eligibility, including a definition of "mildly ill children"; sanitation and safety; admission and recordkeeping; dispensing of medication; and a schedule of activities.~~

Section 3. Subsection (1) of section 402.306, Florida Statutes, is amended to read:

402.306 Designation of licensing agency; dissemination by the department and local licensing agency of information on child care.—

(1)(a) Any county whose licensing standards meet or exceed state minimum standards may:

1.~~(a)~~ Designate a local licensing agency to license child care facilities in the county; or

2.~~(b)~~ Contract with the department to delegate the administration of state minimum standards in the county to the department.

(b) The decision to designate a local licensing agency under subparagraph (a)1. must be annually affirmed by a majority vote of the county commission.

Section 4. Section 402.3115, Florida Statutes, is amended to read:

402.3115 Elimination of duplicative and unnecessary inspections; abbreviated inspections.—

(1) The Department of Children and Families and local governmental agencies that license child care facilities shall develop and implement a plan to eliminate duplicative and unnecessary inspections of child care facilities, family day

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care homes, and large family child care homes.

(2) (a) ~~In addition,~~ The department and the local governmental agencies shall develop and implement an abbreviated inspection plan for child care facilities that meet all of the following conditions:

1. Have been licensed for at least 2 consecutive years.

2. Have not had a ~~no~~ Class 1 deficiency, as defined by rule, for at least 2 consecutive years.

3. Have not had more than three of the same ~~or~~ Class 2 deficiencies, as defined by rule, for at least 2 consecutive years.

4. Have received at least two full onsite renewal inspections in the most recent 2 years.

5. Do not have any current uncorrected violations.

6. Do not have any open regulatory complaints or active child protective services investigations.

(b) The abbreviated inspection must include those elements identified by the department ~~and the local governmental agencies~~ as being key indicators of whether the child care facility continues to provide quality care and programming. The department shall review and update these elements every 5 years.

(3) The department shall revise the plan under subsection (1) as necessary to maintain the validity and effectiveness of inspections.

Section 5. Subsection (1) of section 402.316, Florida Statutes, is amended to read:

402.316 Exemptions.—

(1) The provisions of ss. 402.301-402.319, except for the requirements regarding screening of child care personnel, shall

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not apply to a child care facility which is an integral part of church or parochial schools, or a child care facility that solely provides child care to eligible children as defined in s. 402.261(1)(c), conducting regularly scheduled classes, courses of study, or educational programs accredited by, or by a member of, an organization which publishes and requires compliance with its standards for health, safety, and sanitation. However, such facilities shall meet minimum requirements of the applicable local governing body as to health, sanitation, and safety and shall meet the screening requirements pursuant to ss. 402.305 and 402.3055. Failure by a facility to comply with such screening requirements shall result in the loss of the facility's exemption from licensure.

Section 6. Section 627.70161, Florida Statutes, is amended to read:

627.70161 Family day care and large family child care insurance.—

(1) PURPOSE AND INTENT.—The Legislature recognizes that family day care homes and large family child care homes fulfill a vital role in providing child care in Florida. It is the intent of the Legislature that residential property insurance coverage should not be canceled, denied, or nonrenewed solely on the basis of the ~~family~~ day care or child care services at the residence. The Legislature also recognizes that the potential liability of residential property insurers is substantially increased by the rendition of child care services on the premises. The Legislature therefore finds that there is a public need to specify that contractual liabilities that arise in connection with the operation of the family day care home or

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378 large family child care home are excluded from residential
379 property insurance policies unless they are specifically
380 included in such coverage.

381 (2) DEFINITIONS.—As used in this section, the term:

382 (a) "Child care" means the care, protection, and
383 supervision of a child, for a period of less than 24 hours a day
384 on a regular basis, which supplements parental care, enrichment,
385 and health supervision for the child, in accordance with his or
386 her individual needs, and for which a payment, fee, or grant is
387 made for care.

388 (b) "Family day care home" means an occupied residence in
389 which child care is regularly provided for children from at
390 least two unrelated families and which receives a payment, fee,
391 or grant for any of the children receiving care, whether or not
392 operated for a profit.

393 (c) "Large family child care home" means an occupied
394 residence in which child care is regularly provided for children
395 from at least two unrelated families, which receives a payment,
396 fee, or grant for any of the children receiving care, regardless
397 of whether operated for profit, and which has at least two full-
398 time child care personnel on the premises during the hours of
399 operation. One of the two full-time child care personnel must be
400 the owner or occupant of the residence. A large family child
401 care home must first have operated as a licensed family day care
402 home for at least 2 years, with an operator who has held a child
403 development associate credential or its equivalent for at least
404 1 year, before seeking licensure as a large family child care
405 home. Household children under 13 years of age, when on the
406 premises of the large family child care home or on a field trip

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with children enrolled in child care, must be included in the overall capacity of the licensed home. A large family child care home may provide care for one of the following groups of children, which must include household children under 13 years of age:

1. A maximum of eight children from birth to 24 months of age.

2. A maximum of 12 children, with no more than four children under 24 months of age.

(3) FAMILY DAY CARE AND LARGE FAMILY CHILD CARE; COVERAGE.—A residential property insurance policy may ~~shall~~ not provide coverage for liability for claims arising out of, or in connection with, the operation of a family day care home or large family child care home, and the insurer shall be under no obligation to defend against lawsuits covering such claims, unless:

(a) Specifically covered in a policy; or

(b) Covered by a rider or endorsement for business coverage attached to a policy.

(4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An insurer may not deny, cancel, or refuse to renew a policy for residential property insurance solely on the basis that the policyholder or applicant operates a family day care home or large family child care home. In addition to other lawful reasons for refusing to insure, an insurer may deny, cancel, or refuse to renew a policy of a family day care home or large family child care home provider if one or more of the following conditions occur:

(a) The policyholder or applicant provides care for more

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children than authorized ~~for family day care homes~~ by s.
402.302;

(b) The policyholder or applicant fails to maintain a
separate commercial liability policy or an endorsement providing
liability coverage for the family day care home or large family
child care home operations;

(c) The policyholder or applicant fails to comply with the
applicable ~~family day care home~~ licensure and registration
requirements specified in chapter 402 ~~s. 402.313~~; or

(d) Discovery of willful or grossly negligent acts or
omissions or any violations of state laws or regulations
establishing safety standards for family day care homes or large
family child care homes by the named insured or his or her
representative which materially increase any of the risks
insured.

Section 7. Subsection (1) of section 1002.59, Florida
Statutes, is amended to read:

1002.59 Emergent literacy and performance standards
training courses.—

(1) The department, in collaboration with the Just Read,
Florida! Office, shall adopt minimum standards for courses in
emergent literacy for prekindergarten instructors. Each course
must consist of 5 clock hours and provide instruction in
strategies and techniques to address the age-appropriate
progress of prekindergarten students in developing emergent
literacy skills, including oral communication, knowledge of
print and letters, phonological and phonemic awareness,
vocabulary and comprehension development, and foundational
background knowledge designed to correlate with the content that

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students will encounter in grades K-12, consistent with the evidence-based content and strategies grounded in the science of reading identified pursuant to s. 1001.215(7). The course standards must be reviewed as part of any review of subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas conducted pursuant to s. 1012.586. Each course must also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(e)4., 402.313(6), and 402.3131(5) ~~ss. 402.305(2)(e)5., 402.313(6), and 402.3131(5).~~

Section 8. This act shall take effect July 1, 2025.

March 12, 2025

Meeting Date

Committee on Children, Families, and Elder Affairs

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 738

Bill Number or Topic

Amendment Barcode (if applicable)

Name Eric Carr Phone 850-529-4237

Address 136 S. Bronough Street Email ecarr@FLChamber.com

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Tallahassee

City

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State

32301

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Chamber of Commerce

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something of value for my appearance
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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

738

Bill Number or Topic

Amendment Barcode (if applicable)

3.12.25

Meeting Date

Children Families & Elder Affairs

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Name DAVID DANIEL

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TAUOHASSEE
City

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State

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Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

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compensation or sponsorship.

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(travel, meals, lodging, etc.),
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FLORIDA ASSOCIATION FOR CHILD CARE MANAGEMENT

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: CS/SB 738

INTRODUCER: Children, Families, and Elder Affairs Committee and Senator Burton

SUBJECT: Child Care and Early Learning Providers

DATE: March 13, 2025

REVISED: 3/14/25

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rao	Tuszynski	CF	Fav/CS
2.			AHS	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

Florida law directs the Department of Children and Families (DCF) to create minimum standards for the licensure of child care facilities. CS/SB 738 makes several changes to these requirements for child care. Specifically, the bill:

- Directs the DCF to codify classification levels for violations relating to the health and safety of a child.
- Provides for a 45-day provisional-hire status upon a delayed background screening of child care personnel.
- Adjusts training requirements relating to the introductory course child care personnel must take and cardiopulmonary resuscitation training.
- Limits periodic health examinations to child care facility drivers.
- Removes language that requires facilities to provide parents with pagers or beepers during drop-in child care.
- Removes the requirement for child care facilities to provide parents with information about the influenza virus and the dangers of a distracted adult leaving a child in a vehicle.
- Removes the requirement for child care facilities to develop a program to assist in preventing and avoiding physical and mental abuse.
- Removes the requirement for the DCF to develop standards for specialized child care facilities for the care of mildly ill children.

The bill allows child care facilities, family day care homes, and large family child care homes to receive abbreviated inspections, upon meeting certain conditions.

The bill requires the county commissions of the counties that elect to license their own child care facilities to annually affirm this decision to designate a local licensing agency.

The bill exempts preschools from special assessments levied by municipalities. Further, the bill provides an exemption from licensing, except for the screening of personnel, for a child care facility that solely provides child care to certain eligible children.

The bill exempts from licensure child care facilities and family day care homes that are authorized to provide child care services by the U.S. Department of Defense or the U.S. Coast Guard.

The bill has an indeterminate, but significant, negative fiscal impact on state government. See Section V. Fiscal Impact Statement.

The bill provides an effective date of July 1, 2025.

II. Present Situation:

The present situation is presented in Section III under the Effect of Proposed Changes.

III. Effect of Proposed Changes:

Child Care Program Licensure

The Florida Department of Children and Families (DCF) provides licensing requirements for child-care programs in the state.¹ The program is accountable for the statewide licensure of Florida's child-care facilities², specialized child-care facilities for the care of mildly ill children³, large family child-care homes⁴ and licensure or registration of family day care homes.⁵ The purpose of the program is to ensure a healthy and safe environment for the children in child-care

¹ Florida Department of Children and Families, *About Child Care Licensure*, available at:

<https://www.myflfamilies.com/services/child-family/child-care/about-child-care-licensure#:~:text=The%20program%20is%20accountable%20for%20the%20statewide%20licensure,licensure%20or%20registration%20of%20family%20day%20care%20homes>. (last visited 3/4/25).

² Section 402.302(2), F.S. defines a "child care facility" as any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. Certain entities are excluded from the definition of a child care facility. See Section 402.302(2), F.S.

³ The term "Specialized Child Care Facilities for the Care of Mildly Ill Children" refers to a child care facility that provides child care for more than five mildly ill children unrelated to the operator, and receives a payment, fee, or grant for any of the children receiving care. Specialized child care facilities may provide care for mildly ill children in a facility specialized for this purpose or as a component of other child care services offered in a distinct and separate part of a regularly licensed child care facility. See 65C-25.001, F.A.C.

⁴ A "large family child care home" must have operated as a licensed family day care home for 2 years, with an operator who has had a child development associate credential or its equivalent for 1 year, before seeking licensure as a large family child care home. See Section 402.302(11), F.S.

⁵ A "family day care home" regularly provides child care for children from at least two unrelated families and receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. Family day care homes are restricted in the number of children it can provide child care to, based on the ages of the group of children in the family day care home. See Section 402.302(8), F.S.

settings and to improve the quality of their care. The DCF ensures that licensing requirements are met through on-going inspections of child-care facilities and homes.⁶

Local Licensing Agencies

Present Situation

Florida law allows any county whose licensing standards meet or exceed the state minimum standards to designate a local licensing agency to license child care facilities, rather than DCF licensure.⁷ Counties that do not choose to administer their own child-care licensing programs are licensed by DCF.⁸ Currently, DCF child-care licensing staff are responsible for the inspection and licensure of child-care facilities and homes in 63 out of 67 counties.⁹ Local licensing agencies regulate child care programs in the following four counties: Broward, Palm Beach, Pinellas, and Sarasota.¹⁰

The following table displays the number of providers the DCF and local licensing agencies regulate:¹¹

Statewide Child Care Facility Licensure as of January 2025			
	DCF	Local Licensing Agency	Statewide
Facilities	7,697	1,820	9,517
Family Day Care Homes	1,601	433	2,034
Large Family Child Care Homes	330	78	408
Mildly Ill Facilities	1	0	1
Total	9,629	2,331	11,960

Effect of the Proposed Language

The bill amends s. 402.306, F.S., to require a county commission that has designated a local licensing agency to annually affirm that designation by majority vote.

⁶ *Id.*

⁷ Section 402.306, F.S.

⁸ Florida Department of Children and Families, *About Child Care Licensure*, available at: <https://www.myflfamilies.com/services/child-family/child-care/about-child-care-licensure#:~:text=The%20program%20is%20accountable%20for%20the%20statewide%20licensure,licensure%20or%20regi%20of%20family%20day%20care%20homes>. (last visited 3/4/25).

⁹ Florida Department of Children and Families, *About Child Care Licensure*, available at: <https://www.myflfamilies.com/services/child-family/child-care/about-child-care-licensure#:~:text=The%20program%20is%20accountable%20for%20the%20statewide%20licensure,licensure%20or%20regi%20of%20family%20day%20care%20homes>. (last visited 3/4/25).

¹⁰ Florida Department of Children and Families, 2025 Agency Analysis, p. 2 (on file with the Children, Families, and Elder Affairs Committee).

¹¹ *Id.*, p. 3.

State Minimum Standards for Child Care Facilities

Present Situation

Current law requires minimum standards for child care personnel that include minimum requirements as to:¹²

- Good moral character based on level 2 background screening.
- Fingerprint submission.
- Exemptions from disqualification from working with children or the developmentally disabled.
- Minimum age requirements.
- Minimum training requirements. Periodic health examinations.
- Credentials for child care facility directors.

Background Screening: The DCF establishes minimum standards for child care personnel that include minimum requirements for good moral character based upon background screening.¹³ This screening must be conducted using the level 2 standards for screening which include employment history checks, a search of criminal history records, sexual predator and sexual offender registries, and the child abuse and neglect registry of any state in which the current or prospective child care personnel resided during the preceding five years.¹⁴

A level 2 background screening is a multi-agency effort and includes the Florida Department of Law Enforcement and the Federal Bureau of Investigation.¹⁵ While background screenings typically take a few business days, the request for additional out-of-state documents, incomplete information, or variations in agency processing times may delay the process of the background screening and delay employment of child care personnel.¹⁶

Training: The DCF also establishes minimum training requirements for child care personnel. The DCF has adopted the Child Care Facility Handbook to describe these requirements in detail.¹⁷ Child care personnel must successfully complete 40 hours of child care training and pass competency examinations offered by the DCF.¹⁸ This training must commence within 90 days of employment, and be completed within one year after the date on which the training began.¹⁹ The training courses cover the following topic areas:²⁰

- State and local rules and regulations which govern child care.
- Health, safety, and nutrition.

¹² Section 402.305, F.S.

¹³ Section 402.302(15), F.S.

¹⁴ Section 402.305(2), F.S.

¹⁵ Upon the initiation of a background screening, fingerprints are sent to the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigations (FBI). Results from FDLE and the FBI are typically available within 24 to 48 hours; however, FDLE standards require results within 72 hours. See Florida Department of Children and Families, 2025 Agency Analysis, p. 6 (on file with the Children, Families, and Elder Affairs Committee).

¹⁶ *Id.*

¹⁷ Florida Department of Children and Families, *Child Care Facility Handbook*, October 2021, available at: https://www.myflfamilies.com/sites/default/files/2022-12/FacilityHandbook_0.pdf (last visited 3/5/25).

¹⁸ *Id.*

¹⁹ Section 402.305(2), F.S.

²⁰ Section 402.305(2), F.S.

- Identifying and reporting child abuse and neglect.
- Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development.
- Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.
- Specialized areas, including computer technology for professional and classroom use and early literacy and language development of children from birth to five years of age, as determined by the DCF, for owner-operators and child care personnel of a child care facility.
- Developmental disabilities, including autism spectrum disorder and Down syndrome, and early identification, use of available state and local resources, classroom integration, and positive behavioral supports for children with developmental disabilities.

Minimum Licensing Standards

Florida law has extensive licensing requirements for child care facilities that address the health, sanitation, safety, and adequate physical surroundings for all children in child care; the health and nutrition of all children in child care; and the child development needs of all children in child care.²¹

Sanitation and Safety: Current law includes minimum standards for sanitary and safety conditions that include cardiopulmonary resuscitation (CPR). At least one staff person trained in CPR must be present at all times the children are present.²² There must be current documentation of course completion to be in compliance with Florida law.²³

Additionally, minimum safety standards require a parent whose child is in drop-in child care to receive a communications system such as a pager or beeper to ensure the child can be immediately returned to the parent.²⁴

Information: Each year, child care facilities must provide parents of children enrolled in the facility detailed information regarding:²⁵

- The causes, symptoms, and transmission of the influenza virus and the importance of immunizing their children.
- The potential for a distracted adult to fail to drop off a child at the facility and instead leave the child in the adult's vehicle upon arrival at the adult's destination.

Written Plans: Each child care facility is required to implement a written plan for the daily provision of varied activities and active and quiet play opportunities appropriate to the age of the child.²⁶

²¹ Section 402.305(1), F.S.

²² Section 402.305(7), F.S.

²³ *Id.*

²⁴ Drop-in child care refers to child care provided occasionally in a child care facility in a shopping mall or business establishment where a child is in care for no more than a 4-hour period and the parent remains on the premises of the shopping mall or business establishment at all times. See Section 402.302(6), F.S.

²⁵ Section 402.305(9), F.S.

²⁶ Section 402.305(13), F.S.

Specialized Facilities for Mildly Ill Children: The DCF oversees and implements minimum standards for specialized child care facilities for the care of mildly ill children.²⁷ The term mildly ill children refers to children with short term illness or symptoms of an illness or disability, provided either as an exclusive service in a center specialized for this purpose, or as a component of other child care services offered in a regularly licensed child care facility.²⁸ The DCF requires child care facilities to have one licensed health caregiver, at a minimum, that physically assesses the child; provides ongoing daily oversight; makes decisions on the exclusion of an ineligible child; and be present at the facility at all times during the hours of operation.²⁹

Violations

If a child care facility is in noncompliance with licensing standards, Florida law allows the DCF to administer disciplinary sanctions for violations.³⁰ The DCF utilizes three classification levels for violations of licensing standards.³¹

- Class 1 violations are the most serious in nature, pose an imminent threat to a child include abuse or neglect and which could or does result in death or serious harm to the health, safety, and well-being of a child.
- Class 2 violations are less serious in nature than Class 1 violations and could be anticipated to pose a threat to the health, safety, or well-being of a child, although the threat is not imminent.
- Class 3 violations are less serious in nature than Class 1 or Class 2 violations and pose a low potential for harm to children.

The following table shows the number of violations recorded in Fiscal Year 2023-24.³²

Violations in Fiscal Year 2023-24	
Classification	Number of Violations
Class 1	145
Class 2	3,908
Class 3	12,352
Total	16,405

A majority (75%) of the violations recorded in FY 2023-24 were classified as Class 3 violations. Specifically, 803 programs accumulated over five Class 3 violations during the fiscal year.³³

Effect of Proposed Changes

The bill amends s. 402.305, F.S. to modify the minimum licensing standards child care facilities must follow. Specifically, the bill:

²⁷ Section 402.305(17), F.S.

²⁸ Florida Department of Children and Families, 2025 Agency Analysis, p. 6 (on file with the Children, Families, and Elder Affairs Committee).

²⁹ 65C-25.002, F.A.C.

³⁰ Section 402.310, F.S.

³¹ Florida Department of Children and Families, 2025 Agency Analysis, p. 3 (on file with the Children, Families, and Elder Affairs Committee).

³² *Id.*

³³ *Id.*

- Allows the Department of Children and Families (DCF) to create up to three classification levels of violations of licensing standards that relate to the health and safety of a child. The bill clarifies a class three violation as the least serious in nature and must be the same incident of noncompliance that occurs at least three times within a two year period.
- Requires the DCF to complete the background screening for child care personnel and provide the results to the child care facility within three business days from the receipt of the criminal history records check.
 - Upon failure to do so, the bill requires the DCF to issue the current or prospective child care personnel a 45-day provisional-hire status while all information is being requested and the DCF is awaiting results, unless the DCF believes a disqualifying factor may exist.
 - During the 45-day period, the current or prospective child care personnel must be under the direct supervision of a screened and trained staff member when in contact with children.
- Requires the 40-clock-hour introductory course in child care that must be taken by child care personnel to cover specified topics areas.
- Removes the requirement for the introductory course in child care to stress an interdisciplinary approach to the study of children.
- Limits periodic health examinations to child care facility drivers.
- Requires that the required training in cardiopulmonary resuscitation (CPR) must be in-person training.
- Removes language that requires facilities that provide drop-in child care to provide pagers or beepers to parents.
- Removes the requirement for child care facilities to provide parents with information about the influenza virus and the influenza vaccine during the months of August and September.
- Removes the requirement for child care facilities to provide parents with information on the dangers of a distracted adult leaving a child in a vehicle, and resources for avoiding this occurrence, during the months of April and September.
- Removes the requirement for a program to be implemented periodically by a child care facility to assist in preventing and avoiding physical and mental abuse.
- Removes a requirement for the DCF in conjunction with the Department of Health to develop standards for specialized child care facilities for the care of mildly ill children.

Abbreviated Inspections for Child Care Facilities

Present Situation

The DCF and local licensing agencies are tasked with eliminating duplicative and unnecessary inspections of child care facilities.³⁴

Child care facilities that have had no Class 1 or Class 2 deficiencies for at least two consecutive years are eligible to receive an abbreviated inspection, rather than a full routine inspection.³⁵ Abbreviated inspections include elements identified by the DCF and local licensing agency that ensure a child care facility continues to provide quality care and programming.³⁶

³⁴ Section 402.3115, F.S.

³⁵ Section 402.3115, F.S.; and Florida Department of Children and Families, 2025 Agency Analysis, p. 6 (on file with the Children, Families, and Elder Affairs Committee).

³⁶ *Id.*

In 2022, the DCF expanded the providers eligible for abbreviated inspections to include family day care homes and large family child care homes that meet the following criteria:³⁷

- Have been licensed for at least two consecutive years.
- Have had no Class 1 violations or Class 2 violations for at least two consecutive years.
- Have received at least two full onsite renewals in the most recent two years.
- Have no current uncorrected violations.
- Have no open regulatory or active child protective services investigations.

The following table shows the number of inspections that were abbreviated in Fiscal Year 2023-24.³⁸

Abbreviated Inspections of Child Care Facilities FY 2023-24	
Total Inspections Statewide	33,717
Abbreviated Inspections	2,044

Effect of Proposed Changes

The bill amends s. 402.3115, F.S. to allow child care facilities, family day care homes, and large family child care homes to receive an abbreviated inspection upon meeting all of the following conditions:

- Have been licensed for at least two consecutive years.
- Have not had a Class 1 deficiency for at least two consecutive years.
- Have not had more than three of the same Class 2 deficiencies for at least two consecutive years.
- Have received at least two full onsite renewal inspections in the most recent two years.
- Do not have any current uncorrected violations.
- Do not have any open regulatory complains or active child protective services investigations.

The bill removes local governmental agencies' ability to identify elements included in the abbreviated inspection and leaves the responsibility solely to the DCF.

The bill requires the DCF to review and update the elements included in the abbreviated inspection every five years, and revise the overall plan as necessary.

Child Care Licensure Exemptions

Present Situation

Florida exempts child care facilities that are an integral part of a church or parochial school which is accredited by, or is a member of, an organization that publishes and requires compliance with its standards for health, safety, and sanitation from the child care licensure requirements.³⁹ However, child care facilities that are exempt from licensure must meet the child

³⁷ Florida Department of Children and Families, *2025 Agency Analysis*, p. 6 (on file with the Children, Families, and Elder Affairs Committee).

³⁸ *Id.*, p. 7.

³⁹ Section 402.316, F.S.

care personnel background screening requirements.⁴⁰ If the child care facility desires licensure by the DCF, the facility must notify DCF to obtain a license.⁴¹ Once licensed by the DCF, the facility cannot withdraw its licensure and continue to operate.⁴²

Any county or city with state or local child care licensing programs that were in existence on July 1, 1974, are authorized to continue to license the child care facilities covered under such programs until and unless the licensing agency makes the determination to exempt the child care facility from licensure.⁴³

The Department of Defense (DoD) provides military families with access to quality, affordable Child Development Programs with the intention of improving the efficiency and retention of servicemembers.⁴⁴ The DoD is the country's largest employer-sponsored child care program.⁴⁵

CDPs provide access and referral to available, affordable, quality programs and services that meet the basic needs of children, from birth through 12 years of age, in a safe, healthy, and nurturing environment.⁴⁶

The Department of Defense certifies four types of child care programs to provide care to children of military families.⁴⁷ The following table displays the programs DoD provides.⁴⁸

Department of Defense Sanctioned Child Care Programs	
Child Development Centers	Located on military installations to offer care for infants through preschool age children. Provides full-day and part-day care Monday-Friday during standard work hours. Varies in size. Has DoD certification and accreditation from a national accrediting body such as the National Association for the Education of Young Children.
Family Child Care	Provides child care for infants through school-age children in their homes, either on or off a military installation.

⁴⁰ *Id.*

⁴¹ Section 402.316(3), F.S.

⁴² *Id.*

⁴³ Section 402.316, F.S.

⁴⁴ Department of Defense, *Report to the Congressional Defense Committees on Department of Defense Child Development Programs 2020*, available at: <https://securefamiliesinitiative.org/wp-content/uploads/2021/04/Report-on-DoD-Child-Development-Programs-June-2020.pdf> (last visited 3/10/25).

⁴⁵ *Id.*

⁴⁶ DoDI6060.02

⁴⁷ Military OneSource, *Military Child Care Programs*, available at: <https://www.militaryonesource.mil/benefits/military-child-care-programs/> (last visited 3/10/25).

⁴⁸ DoDI6060.02, available at: <https://www.esd.whs.mil/portals/54/documents/dd/issuances/dodi/606002p.pdf> (last visited 3/10/25).

	Offers a flexible schedule including full-day, part-day, and school year care, summer camp, hourly care, and in some cases, 24/7 and extended care. Limited to no more than six children under eight years of age, and no more than three children under two years of age. Certified by the military installation, but individual providers may voluntarily seek national accreditation.
School-age Care	Provides care to children in kindergarten through sixth grade in DoD youth centers, child development centers, or other facilities. Provides care before and after school, during non-school days and summer vacations. DoD certified and accredited by a national accrediting body.
Supplemental Child Care	Provides short-term alternative child care options in settings located on and off military installations.

There are over 460 child development centers nationwide.⁴⁹ In Fiscal Year 2019, over 200,000 children were served in a child development program.⁵⁰

Programs that provide child care must meet specific criteria to meet the requirements in the DoD Certificate to Operate.⁵¹ The criteria included in the Certificate to Operate follow general programmatic areas relating to logistics surrounding health, safety, and risk management, as well as programming criteria such as parental involvement.⁵²

Federal law provides that each facility operated by the federal government that hires individuals to care for children under the age of 18 years must undergo a criminal background check.⁵³

The background check must be⁵⁴:

- Based on a set of the employee's fingerprints obtained by a law enforcement officer and on other identifying information;
- Conducted through the Identification Division of the Federal Bureau of Investigation and through the State criminal history repositories of all States that an employee or

⁴⁹ Military Installations, *Programs and Services Contacts Child Development Centers*, available at: <https://installations.militaryonesource.mil/search?program-service=29/view-by=ALL> (last visited 3/10/25).

⁵⁰ Department of Defense, *Report to the Congressional Defense Committees on Department of Defense Child Development Programs 2020*, available at: <https://securefamiliesinitiative.org/wp-content/uploads/2021/04/Report-on-DoD-Child-Development-Programs-June-2020.pdf> (last visited 3/10/25).

⁵¹ Military Childcare, *Military-Operated Child Care Programs*, available at: <https://public.militarychildcare.csd.disa.mil/mcc-central/mcchome/military-operated-child-care-programs> (last visited 3/10/25).

⁵² Military Childcare, *Military-Operated Child Care Programs*, available at: <https://public.militarychildcare.csd.disa.mil/mcc-central/mcchome/military-operated-child-care-programs> (last visited 3/10/25).

⁵³ 34 U.S.C. s. 20351

⁵⁴ *Id.*

- prospective employee lists as current and former residences in an employment application; and
- Initiated through the personnel programs of the applicable Federal agencies.

DoD Specific Child Care Background Screening Requirements

DoD requires all individuals who have regular contact with children under 18 years of age in a DoD-sanctioned child care services program must undergo a criminal history background check.⁵⁵ Additionally, individuals must undergo a reverification every 5 years.⁵⁶

The DoD initiates a background check for individuals that generally include:

- FBI fingerprint check.
- Installation Records Check (IRC)
- Tier 1 investigation with Child Care Investigation for Non-Sensitive Positions.
- State Criminal History Repository (SCHR) Check.

Child Care Training Requirements

The DoD requires all newly hired CDP personnel and FCC providers to complete 40 hours of orientation that begins prior to working with children.⁵⁷ The orientation includes:

- Working with children of different ages, including developmentally appropriate activities and environmental observations.
- Age-appropriate guidance and discipline techniques.
- Applicable regulations, policies, and procedures.
- Child safety and fire prevention.
- Child abuse prevention, identification, and reporting.
- Parent and family relations.
- Health and sanitation procedures, including pediatric CPR and first aid.
- Safe infant sleep practices and Sudden Infant Death Syndrome prevention.
- Nutrition, obesity prevention, and meal service.
- Working with children with special needs.
- Accountability and child supervision training.
- For FCC providers only, infant and child CPR and first aid must be completed prior to accepting children for care. Training shall be updated as necessary to maintain current certifications.
- For FCC providers only, training in business operations.

Effect of Proposed Language

The bill amends s. 402.316, F.S. to provide an exemption from licensing, except for the screening of personnel, for a child care facility that solely provides child care to eligible children. The bill utilizes the same definition of eligible child that is used in s. 402.261, F.S., which refers

⁵⁵ DoDI6060.02, available at: <https://www.esd.whs.mil/portals/54/documents/dd/issuances/dodi/606002p.pdf> (last visited 3/10/25).

⁵⁶ *Id.*

⁵⁷ DoDI6060.02, available at: <https://www.esd.whs.mil/portals/54/documents/dd/issuances/dodi/606002p.pdf> (last visited 3/10/25).

to the child or grandchild of an employee of a taxpayer, if such employee is the child's or grandchild's caregiver.

The bill also exempts from licensure a child care facility or a family day care home that is authorized by the Department of Defense (DoD) or U.S. Coast Guard to provide child care services and has completed background screening by the DoD and received a favorable suitability and fitness determination. The exemption does not extend to a child care facility or family day care home that elects to serve children not eligible for care under the DoD Instruction 6060.02.

The bill gives the DCF and local licensing agencies rulemaking authority to administer provisions relating to child care licensure exemptions, including, but not limited to, assessments of previous licensure history.

Special Assessments

Present Situation

There are 67 county governments⁵⁸ and over 400 municipal governments⁵⁹ in the state of Florida. Municipalities levy and collect special assessments to fund capital improvements and municipal services including, but not limited to, fire protection, emergency medical services, garbage disposal, sewer improvement, street improvement, and parking facilities.⁶⁰ Small municipalities with a population of fewer than 100 persons may use special assessments to fund special security and crime prevention services and facilities.⁶¹

Florida law exempts certain properties from special assessments levied by municipalities. Currently, the following entities are exempt from special assessments:⁶²

- Property owned or occupied by a religious institution and used as a place of worship or education;
- Property owned or occupied by a public or private elementary, middle, or high school; or
- Property owned or occupied by a governmentally financed, insured, or subsidized housing facility that is used primarily for persons who are elderly or disabled.

As of 2023, there were over 8,500 licensed preschools in Florida.⁶³

⁵⁸ Florida Department of State, *County Governments*, available at: <https://dos.fl.gov/library-archives/research/florida-information/government/local-resources/fl-counties/> (last visited 3/4/25).

⁵⁹ Florida Department of State, *Florida Cities*, available at: <https://dos.fl.gov/library-archives/research/florida-information/government/local-resources/fl-cities/> (last visited 3/4/25).

⁶⁰ Section 170.201(1), F.S.

⁶¹ *Id.*

⁶² Section 170.201(2), F.S.

⁶³ Department of Children and Families, *Child Care Provider List 11-1-2024*, available at: <https://www.myflfamilies.com/sites/default/files/2023-11/Public%20-%202023-11-1%20-%20Statewide.pdf> (last visited 3/4/25).

Effect of Proposed Changes

The bill amends s. 170.201, F.S., to include properties owned or occupied by a preschool to be included in the exemption from special assessments levied by local governments and municipalities.

The bill defines a preschool as a child care facility licensed under s. 402.305, F.S.

Other

The bill updates cross references and makes other conforming changes to align statute with the substantive changes of the language.

The bill provides an effective date of July 1, 2025.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Article VII, s. 18(b) of the Florida Constitution provides that, except upon the approval of each house of the Legislature by a two-thirds vote of the membership, the Legislature may not enact, amend, or repeal any general law if the anticipated effect of doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. However, the mandates requirements do not apply to laws having an insignificant impact,⁶⁴ which is \$2.3 million or less for Fiscal Year 2025-2026.⁶⁵

The bill, in part, limits the authority to collect special assessments on preschools. The Revenue Estimated Conference determined that this provision in a previous version of this bill [SB 820 (2024)] would reduce the authority of local governments to raise revenue by \$4.4 million in Fiscal Year 2024-2025. Therefore, this bill may be a mandate requiring a two-thirds vote of the membership of each house of the Legislature for approval.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁶⁴ FLA. CONST. art. VII, s. 18(d). An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See Florida Senate Committee on Community Affairs, *Interim Report 2012-115: Insignificant Impact*, (September 2011), available at <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited March 8, 2025).

⁶⁵ Based on the Demographic Estimating Conference's estimated population adopted on April 1, 2024; Florida Population Estimates by County and Municipality Estimate, available at: https://edr.state.fl.us/Content/population-demographics/data/2024_Pop_Estimates.pdf (last visited March 8, 2025).

D. State Tax or Fee Increases:

Not applicable. The bill does not impose or raise a state tax or fee which would be subject to the provisions of Article VII, s. 19 of the Florida Constitution.

E. Other Constitutional Issues:

None Identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 170.201, 402.305, 402.306, 402.3115, 402.316, and 1002.59

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Children, Families, and Elder Affairs on March 12, 2025:

- Amends technical language.
- Requires the DCF to provide background screening results to child care facilities within three business days upon receipt of the criminal history record check.
- Requires the DCF and local licensing agencies to develop and implement abbreviated inspections for family day care homes and large family child care homes.

- Removes amendments to s. 627.70161, F.S., which prevented large family child care homes from experiencing cancelation, denial, or nonrenewal of residential property insurance solely on the basis of the services provided at the residence.
- Exempts from licensure child care facilities and family day care homes that are authorized by the U.S. Department of Defense or the U.S. Coast Guard and have completed proper background screenings and receive favorable suitability and fitness determinations.
- Authorizes the DCF and local licensing agencies to adopt rules to administer provisions relating to child care licensure exemptions, including, but not limited to, assessments of previous licensure history.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/13/2025	.	
	.	
	.	
	.	

The Committee on Children, Families, and Elder Affairs (Burton) recommended the following:

Senate Amendment (with title amendment)

Delete lines 127 - 450
and insert:
to the child care facility within 3 business days from the receipt of the criminal history record check. If the department is unable to complete the screening within 3 business days, the department shall issue the current or prospective child care personnel a 45-day provisional-hire status while all required information is being requested and the department is awaiting



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results unless the department has reason to believe a
disqualifying factor may exist. During the 45-day period, the
current or prospective child care personnel must be under the
direct supervision of a screened and trained staff member when
in contact with children.

(e) Minimum training requirements for child care personnel.

1. Such minimum standards for training shall ensure that
all child care personnel take an approved 40-clock-hour
introductory course in child care, which course covers ~~at least~~
the following topic areas:

a. State and local rules and regulations which govern child
care.

b. Health, safety, and nutrition.

c. Identifying and reporting child abuse and neglect.

d. Child development, including typical and atypical
language, cognitive, motor, social, and self-help skills
development.

e. Observation of developmental behaviors, including using
a checklist or other similar observation tools and techniques to
determine the child's developmental age level.

f. Specialized areas, including computer technology for
professional and classroom use and early literacy and language
development of children from birth to 5 years of age, as
determined by the department, for owner-operators and child care
personnel of a child care facility.

g. Developmental disabilities, including autism spectrum
disorder and Down syndrome, and early identification, use of
available state and local resources, classroom integration, and
positive behavioral supports for children with developmental



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disabilities.

h. Online training coursework, provided at no cost by the department, to meet minimum training standards for child care personnel.

Within 90 days after employment, child care personnel shall begin training to meet the training requirements. Child care personnel shall successfully complete such training within 1 year after the date on which the training began, as evidenced by passage of an in-person or online a competency examination.

Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, pursuant to ss. 1007.24 and 1007.25.

Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood development or child growth and development, or a child development associate credential or an equivalent state-approved child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.

~~2. The introductory course in child care shall stress, to the extent possible, an interdisciplinary approach to the study of children.~~

~~2.3.~~ The introductory course shall cover recognition and prevention of shaken baby syndrome; prevention of sudden infant death syndrome; recognition and care of infants and toddlers



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with developmental disabilities, including autism spectrum disorder and Down syndrome; and early childhood brain development within the topic areas identified in this paragraph.

~~3.4.~~ On an annual basis in order to further their child care skills and, if appropriate, administrative skills, child care personnel who have fulfilled the requirements for the child care training shall be required to take an additional 1 continuing education unit of approved inservice training, or 10 clock hours of equivalent training, as determined by the department.

~~4.5.~~ Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours of equivalent training, as determined by the department, in early literacy and language development of children from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subparagraph 3.4.

~~5.6.~~ Procedures for ensuring the training of qualified child care professionals to provide training of child care personnel, including onsite training, shall be included in the minimum standards. It is recommended that the state community child care coordination agencies (central agencies) be contracted by the department to coordinate such training when possible. Other district educational resources, such as community colleges and career programs, can be designated in such areas where central agencies may not exist or are determined not to have the capability to meet the coordination requirements set forth by the department.



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98 ~~6.7.~~ Training requirements do ~~shall~~ not apply to certain
99 occasional or part-time support staff, including, but not
100 limited to, swimming instructors, piano teachers, dance
101 instructors, and gymnastics instructors.

102 ~~7.8.~~ The child care operator shall be required to take
103 basic training in serving children with disabilities within 5
104 years after employment, either as a part of the introductory
105 training or the annual 8 hours of inservice training.

106 (f) Periodic health examinations for child care facility
107 drivers.

108 (7) SANITATION AND SAFETY.—

109 (a) Minimum standards must ~~shall~~ include requirements for
110 sanitary and safety conditions, first aid treatment, emergency
111 procedures, and pediatric cardiopulmonary resuscitation. The
112 minimum standards must ~~shall~~ require that at least one staff
113 person trained in person in cardiopulmonary resuscitation, as
114 evidenced by current documentation of course completion, ~~must~~ be
115 present at all times that children are present.

116 ~~(c) Some type of communications system, such as a pocket~~
117 ~~pager or beeper, shall be provided to a parent whose child is in~~
118 ~~drop-in child care to ensure the immediate return of the parent~~
119 ~~to the child, if necessary.~~

120 (9) ADMISSIONS AND RECORDKEEPING.—

121 (a) Minimum standards must ~~shall~~ include requirements for
122 preadmission and periodic health examinations, requirements for
123 immunizations, and requirements for maintaining emergency
124 information and health records on all children.

125 ~~(b) During the months of August and September of each year,~~
126 ~~each child care facility shall provide parents of children~~



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~~enrolled in the facility detailed information regarding the
causes, symptoms, and transmission of the influenza virus in an
effort to educate those parents regarding the importance of
immunizing their children against influenza as recommended by
the Advisory Committee on Immunization Practices of the Centers
for Disease Control and Prevention.~~

~~(c) During the months of April and September of each year,
at a minimum, each facility shall provide parents of children
enrolled in the facility information regarding the potential for
a distracted adult to fail to drop off a child at the facility
and instead leave the child in the adult's vehicle upon arrival
at the adult's destination. The child care facility shall also
give parents information about resources with suggestions to
avoid this occurrence. The department shall develop a flyer or
brochure with this information that shall be posted to the
department's website, which child care facilities may choose to
reproduce and provide to parents to satisfy the requirements of
this paragraph.~~

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

~~(c)(e)~~ Any child shall be exempt from medical or physical
examination or medical or surgical treatment upon written
request of the parent or guardian of such child who objects to
the examination and treatment. However, the laws, rules, and



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regulations relating to contagious or communicable diseases and sanitary matters shall not be violated because of any exemption from or variation of the health and immunization minimum standards.

(13) PLAN OF ACTIVITIES.—Minimum standards shall ensure that each child care facility has and implements a written plan for the daily provision of varied activities and active and quiet play opportunities appropriate to the age of the child. ~~The written plan must include a program, to be implemented periodically for children of an appropriate age, which will assist the children in preventing and avoiding physical and mental abuse.~~

~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF MILDLY ILL CHILDREN.—Minimum standards shall be developed by the department, in conjunction with the Department of Health, for specialized child care facilities for the care of mildly ill children. The minimum standards shall address the following areas: personnel requirements; staff-to-child ratios; staff training and credentials; health and safety; physical facility requirements, including square footage; client eligibility, including a definition of "mildly ill children"; sanitation and safety; admission and recordkeeping; dispensing of medication; and a schedule of activities.~~

Section 3. Subsection (1) of section 402.306, Florida Statutes, is amended to read:

402.306 Designation of licensing agency; dissemination by the department and local licensing agency of information on child care.—

(1)(a) Any county whose licensing standards meet or exceed



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state minimum standards may:

1.~~(a)~~ Designate a local licensing agency to license child care facilities in the county; or

2.~~(b)~~ Contract with the department to delegate the administration of state minimum standards in the county to the department.

(b) The decision to designate a local licensing agency under subparagraph (a)1. must be annually affirmed by a majority vote of the county commission.

Section 4. Section 402.3115, Florida Statutes, is amended to read:

402.3115 Elimination of duplicative and unnecessary inspections; abbreviated inspections.—

(1) The Department of Children and Families and local governmental agencies that license child care facilities shall develop and implement a plan to eliminate duplicative and unnecessary inspections of child care facilities, family day care homes, and large family child care homes.

(2) (a) ~~In addition,~~ The department and the local governmental agencies shall develop and implement an abbreviated inspection plan for child care facilities, family day care homes, and large family child care homes that meet all of the following conditions:

1. Have been licensed for at least 2 consecutive years.

2. Have not had a ~~no~~ Class 1 deficiency, as defined by rule, for at least 2 consecutive years.

3. Have not had more than three of the same ~~or~~ Class 2 deficiencies, as defined by rule, for at least 2 consecutive years.



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214 4. Have received at least two full onsite renewal
215 inspections in the most recent 2 years.

216 5. Do not have any current uncorrected violations.

217 6. Do not have any open regulatory complaints or active
218 child protective services investigations.

219 (b) The abbreviated inspection must include those elements
220 identified by the department and the local governmental agencies
221 as being key indicators of whether the child care facility
222 continues to provide quality care and programming. The
223 department shall review and update these elements every 5 years.

224 (3) The department shall revise the plan under subsection
225 (1) as necessary to maintain the validity and effectiveness of
226 inspections.

227 Section 5. Section 402.316, Florida Statutes, is amended to
228 read:

229 402.316 Exemptions.—

230 (1) The provisions of ss. 402.301-402.319, except for the
231 requirements regarding screening of child care personnel, do
232 ~~shall~~ not apply to a child care facility which is an integral
233 part of church or parochial schools, or a child care facility
234 that solely provides child care to eligible children as defined
235 in s. 402.261(1)(c), conducting regularly scheduled classes,
236 courses of study, or educational programs accredited by, or by a
237 member of, an organization which publishes and requires
238 compliance with its standards for health, safety, and
239 sanitation. However, such facilities shall meet minimum
240 requirements of the applicable local governing body as to
241 health, sanitation, and safety and shall meet the screening
242 requirements pursuant to ss. 402.305 and 402.3055. Failure by a



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facility to comply with such screening requirements shall result in the loss of the facility's exemption from licensure.

(2) The provisions of ss. 402.301-402.319 do not apply to a child care facility or family day care home if the child care facility or family day care home has a certificate issued by the United States Department of Defense or by the United States Coast Guard to provide child care and has completed background screening by the United States Department of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a favorable suitability and fitness determination. If the child care facility or family day care home elects to serve children ineligible for care under the United States Department of Defense Instruction 6060.02, the child care facility or family day care home must be licensed under chapter 402.

~~(3)(2) Any county or city with state or local child care licensing programs in existence on July 1, 1974, will continue to license the child care facility facilities as covered by such programs, notwithstanding the exemption under provisions of subsection (1) which desires to be licensed may submit an application to the department or local licensing agency pursuant to s. 402.308(4), until and unless the licensing agency makes a determination to exempt them.~~

(4)(3) The department and the local licensing agency pursuant to s. 402.308(4) shall adopt rules to administer and implement this section, including, but not limited to, any assessments of previous licensure history ~~Any child care facility covered by the exemption provisions of subsection (1), but desiring to be included in this act, is authorized to do so by submitting notification to the department. Once licensed,~~



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~~such facility cannot withdraw from the act and continue to
operate.~~

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

And the title is amended as follows:

 Delete lines 27 - 36

and insert:

 facilities, family day care homes, and large family
 child care homes; requiring the department to review
 and update certain elements included in such
 abbreviated inspections; requiring the department to
 revise the abbreviated inspection plan as necessary;
 amending s. 402.316, F.S.; providing that certain
 child care facilities and family day care homes are
 exempt from specified requirements; deleting a
 provision requiring a county or city with certain
 child care licensing programs in existence on a
 specified date to continue to license certain
 facilities under certain circumstances; authorizing
 certain exempt child care facilities to submit an
 application for licensure to the department or a local
 licensing agency; requiring the department and the
 local licensing agency to adopt rules; amending s.
 1002.59, F.S.; conforming a cross-

By Senator Jones

34-01014-25

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A bill to be entitled
An act relating to licensure of family foster homes;
amending s. 409.175, F.S.; authorizing the transfer of
certain licenses; requiring the Department of Children
and Families to adopt rules for such transfer;
providing an effective date.

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

Section 1. Paragraph (i) of subsection (6) of section
409.175, Florida Statutes, is amended to read:

409.175 Licensure of family foster homes, residential
child-caring agencies, and child-placing agencies; public
records exemption.—

(6)

(i)1. Upon determination that the applicant meets the state
minimum licensing requirements and has obtained a letter from a
community-based care lead agency which indicates that the family
foster home meets the criteria established by the lead agency,
the department shall issue a license without charge to a
specific person or agency at a specific location. A license may
be issued if all the screening materials have been timely
submitted; however, a license may not be issued or renewed if
any person at the home or agency has failed the required
screening. ~~The license is nontransferable.~~ A copy of the license
shall be displayed in a conspicuous place. Except as provided in
paragraph (k), the license is valid for 1 year from the date of
issuance, unless the license is suspended or revoked by the
department or is voluntarily surrendered by the licensee. The

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license is the property of the department.

2. A licensee may transfer its license to another location within this state. The department shall adopt rules to administer this subparagraph.

Section 2. This act shall take effect October 1, 2025.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: CS/SB 1174

INTRODUCER: Children, Families, and Elder Affairs Committee and Senator Jones

SUBJECT: Licensure of Family Foster Homes

DATE: March 13, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Kennedy	Tuszynski	CF	Fav/CS
2.			AHS	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1174 amends the licensure requirements for family foster homes, residential child-caring agencies, and child-placing agencies allowing a foster parent to amend their current license when they relocate without the need to submit a new application.

The bill requires the Department of Children and Families (DCF) to adopt rules to administer this requirement and ensure the amended license process receives priority.

The bill likely does not have a fiscal impact on state government. See Section V. Fiscal Impact Statement.

The bill is effective October 1, 2025.

II. Present Situation:

Florida's Child Welfare System – Generally

Chapter 39, F.S., creates Florida's dependency system charged with protecting children who have been abused, abandoned, or neglected. Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations. The Department of Children and Families (DCF) and community-based care lead agencies (CBCs) work with those families to address the problems endangering children, if

possible.¹ If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for these children.²

Child Protective Investigations

The DCF is required to operate and maintain a central abuse hotline (hotline)³ to receive reports of known or suspected instances of child abuse⁴, abandonment⁵, or neglect⁶, or instances when a child does not have a parent, legal custodian, or adult relative available to provide supervision and care.⁷ The hotline must operate 24 hours a day, 7 days a week, and accept reports through a single statewide toll-free telephone number or through electronic reporting.⁸

If the hotline determines a report meets the statutory criteria for child abuse, abandonment, or neglect, a DCF child protective investigator (CPI) must complete a child protective investigation.⁹ Through face-to-face interviews with the child and family members, and assessments of the immediate safety of the children in the home, the CPI determines further actions.

When a CPI determines that in-home services are not enough to ensure a child's safety, the CPI must remove the child from the home and place him or her in a safe and appropriate temporary out-of-home placement.¹⁰ These placements are aimed to be the least restrictive, most family-like placements available.¹¹ The DCF is required to consider a child's placement in the following priority order:¹²

- Nonoffending parent.

¹ See Chapter 39, F.S.

² *Id.*

³ Hereinafter cited as "hotline." The "Florida Abuse Hotline" is the DCF's central abuse reporting intake assessment center, which receives, and processes reports of known or suspected child abuse, neglect or abandonment 24 hours a day, seven days a week. Chapter 65C-30.001, F.A.C. and Section 39.101, F.S.

⁴ Section 39.01(2), F.S. defines "abuse" as any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired.

⁵ Section 39.01(1), F.S. defines "abandoned" or "abandonment" as a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child's care and maintenance or has made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. "Establish or maintain a substantial and positive relationship" means, in part, frequent and regular contact with the child, and the exercise of parental rights and responsibilities.

⁶ Section 39.01(53), F.S. states "neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired, except when such circumstances are caused primarily by financial inability unless services have been offered and rejected by such person.

⁷ Section 39.201(1), F.S.

⁸ Section 39.101(1), F.S.

⁹ Prior to July 1, 2023, seven counties allowed the local sheriff's office to perform child protective investigations. The 2023 legislative session transitioned this responsibility fully back to the Department after changes in Florida's child welfare system aimed to integrate child protective investigations within existing crisis-oriented systems the DCF maintains. *See generally*: Laws of Fla. 2023-77.

¹⁰ Section 39.4021, F.S.

¹¹ *Id.*

¹² *Id.*

- Relative caregiver.
- Adoptive parent of the child's sibling, when the DCF or CBC lead agency is aware of such sibling.
- Fictive kin with a close existing relationship to the child.
- Nonrelative caregiver that does not have an existing relationship with the child.
- *Licensed foster care.*
- *Group or congregate care.*

If a child is removed from his or her home and placed in a family foster home, those foster parents become a critical place in a child's support network, ensuring their needs are met while in out-of-home placement and contributing to the potential reunification of the child with his or her biological family or some other permanency arrangement that is in the best interests of that child.¹³

Licensure of Family Foster Homes

Section 409.175, F.S. establishes the licensing requirements for family foster homes,¹⁴ residential child-caring agencies,¹⁵ and child-placing agencies,¹⁶ with the purpose of protecting the health, safety, and well-being of children in such care.¹⁷ Under existing law, family foster home licenses are issued for a specific person or agency at a specific location.¹⁸

Once issued, a family foster home license is nontransferable.¹⁹

If a foster parent relocates, they are required to contact the DCF and their supervising agency in writing no less than 30 calendar days prior to the expected date of relocation.²⁰ Upon relocation, if relocating within the same region, the following is required of the foster parent:²¹

- New "Application for License to Provide Out-of-Home Care for Dependent Children;"
- New Unified Home Study for the new location;
- Satisfactory environmental health inspection of the new residence;

¹³ See The Florida Department of Children and Families, *Foster Care Overview*, available at: <https://www.myflfamilies.com/services/child-family-services/foster-care/overview> (last visited 3/6/2025)

¹⁴ Section 409.175(2)(e), F.S.; defined as a residence licensed by the department in which children who are unattended by a parent or legal guardian are provided 24-hour care. The term does not include an adoptive home that has been approved by the department or approved by a licensed child-placing agency for children placed for adoption.

¹⁵ Section 409.175(2)(l), F.S.; defined as any person, corporation, or agency, public or private, other than the child's parent or legal guardian, that provides staffed 24-hour care for children in facilities maintained for that purpose, regardless of whether operated for profit or whether a fee is charged. Such residential child-caring agencies include, but are not limited to, maternity homes, runaway shelters, group homes that are administered by an agency, emergency shelters that are not in private residences, and wilderness camps. Residential child-caring agencies do not include hospitals, boarding schools, summer or recreation camps, nursing homes, or facilities operated by a governmental agency for the training, treatment, or secure care of delinquent youth, or facilities licensed under s. 393.067 or s. 394.875 or chapter 397.

¹⁶ Section 409.175(2)(d), F.S.; defined as any person, corporation, or agency, public or private, other than the parent or legal guardian of the child or an intermediary acting pursuant to chapter 63, that receives a child for placement and places or arranges for the placement of a child in a family foster home, residential child-caring agency, or adoptive home.

¹⁷ Section 409.175(1)(a), F.S.

¹⁸ See generally, s. 409.175, F.S.

¹⁹ Section 409.175(6)(i), F.S.

²⁰ Rule 65C-45.009(7), F.A.C.

²¹ *Id.*

- Disaster plan; and
- Home emergency evacuation plan.

If the foster parent is relocating between DCF regions, they must notify their supervising agency at least 30 days prior to move. The coordination and responsibility for ensuring the transition of the license between regions is:²²

- The supervising agency must assist the foster parent in finding a supervising agency in the new region.
- The lead agency and supervising agency must work in partnership to secure a commitment from the new supervising agency to complete the requirements for licensing the new home.
- The new supervising agency must contact the foster parent within five business days of notification of the relocation to begin the licensing process.
- The DCF regional licensing office in the new region must request any additional documentation required to ensure that all minimum standards are met within 10 business days of receipt of the application file, and if no addition information is required, the new license shall be issued within 10 business days.

Federal Law

Title IV-E of the Social Security Act²³ mandates that all children in foster care are placed in safe and appropriate environments and that the child's health and safety shall be the paramount concern.²⁴ Furthermore, federal law mandates that the state is responsible for establishing and maintaining standards for foster family homes, including standards related to safety and sanitation.²⁵ State Title IV-E child welfare agencies ensure safe and appropriate environments by performing home studies to check the criminal backgrounds of the people and physical environments of the homes in which they place children.²⁶ Florida's approved federal Title IV-E state plan details how Florida meets the health and safety requirements of federal law, and this includes a unified home study of both foster and potential adoptive homes.²⁷

The DCF reports that without this home study of the physical location, the state could lose federal Title IV-E funding for foster care.²⁸

²² *Id.*

²³ Title IV-E of the Social Security Act authorizes the federal-state Foster Care, Prevention, and Permanency program. Under this program states are entitled to federal reimbursement for a part of the cost of providing foster care to children who, typically, due to abuse or neglect in their own homes, are removed from that home and placed in foster care.

²⁴ 42 U.S. Code § 671; 45 CFR 1356.21(b)

²⁵ 42 U.S.C. 671(a)(10); 42 U.S. Code § 672

²⁶ See generally, Children's Bureau, *Home Study Requirements for Prospective Foster Parents*, available at <https://www.childwelfare.gov/resources/home-study-requirements-prospective-foster-parents/> (last visited 3/8/25).

²⁷ See Generally, Agency Plan for Title IV-E of the Social Security Act, Foster Care and Adoption Assistance, State of Florida, available at <https://www.myflfamilies.com/sites/default/files/2023-05/TitleIVStatePlan-Approved01032020.pdf> (last visited on 3/8/25); Child and Family Services Plan, 2025-2029, Department of Children and Families, available at <https://www.myflfamilies.com/sites/default/files/2025-01/Child%20and%20Family%20Services%20Plan%202025-2029.pdf> (last visited 3/9/25).

²⁸ Florida Department of Children and Families, *2025 Agency Analysis*, pg.2 (on file with the Children, Families, and Elder Affairs Committee).

²⁸ *Id.*

III. Effect of Proposed Changes:

CS/SB 1174 amends s. 409.175, F.S., to require the DCF to adopt rules to ensure that a family foster home that relocates can amend their current license without submitting a new application and require the DCF provide priority processing of license amendment requests.

The bill provides an effective date of October 1, 2025.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends s. 409.175, of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Children, Families, and Elder Affairs on March 12, 2025:

The CS makes the following changes:

- Reinserts language into statute keeping licenses nontransferable.
- Requires the DCF to adopt rules to ensure that a licensee that relocates can amend his or her current license without submitting a new application and that the licensure amendment process receives priority.

- B. **Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/13/2025	.	
	.	
	.	
	.	

The Committee on Children, Families, and Elder Affairs (Jones) recommended the following:

Senate Amendment (with title amendment)

Delete lines 25 - 33
and insert:
screening. The license is nontransferable. A copy of the
license shall be displayed in a conspicuous place. Except as
provided in paragraph (k), the license is valid for 1 year from
the date of issuance, unless the license is suspended or revoked
by the department or is voluntarily surrendered by the licensee.
The license is the property of the department.



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11 2. The department shall adopt rules to ensure that a
12 licensee that moves to another location within this state may
13 amend his or her current license without the need to submit a
14 new application for licensure and that the amended license
15 process receives priority.

16
17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 Delete lines 3 - 5

20 and insert:

21 amending s. 409.175, F.S.; requiring the Department of
22 Children and Families to adopt rules to ensure and
23 prioritize amended licenses for certain licensees;

By Senator Grall

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A bill to be entitled

An act relating to child welfare; amending s. 16.56, F.S.; authorizing the Office of Statewide Prosecution in the Department of Legal Affairs to investigate and prosecute specified violations; amending s. 39.01, F.S.; revising the definition of the term "child who is found to be dependent"; defining the term "legal custodian"; amending s. 39.206, F.S.; authorizing certain persons to petition the court to release a reporter's identity in order to file a lawsuit for civil damages; authorizing the court to issue an order for an in-camera inspection of certain records; prohibiting the Department of Children and Families from being made a party to such action; creating s. 39.3011, F.S.; defining the term "Family Advocacy Program"; requiring the department to enter into agreements with certain military installations for child protective investigations involving military families; providing requirements for such agreements; amending s. 39.401, F.S.; authorizing a law enforcement officer or an authorized agent of the department to take a child into custody who is the subject of a specified court order; amending s. 39.5075, F.S.; authorizing, rather than requiring, the department or a community-based care provider to petition the court for a specified order; providing that a certain order may be issued only if a certain petition is filed by specified entities; creating s. 39.5077, F.S.; defining the term "unaccompanied alien

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child"; requiring any natural person who meets certain criteria to submit a specified report with the department; requiring such report be submitted within a specified time period; requiring any natural person who meets certain criteria to verify his or her relationship with an unaccompanied alien child in certain ways; requiring the person verifying his or her relationship with such child to pay for DNA testing; requiring such person to verify his or her relationship within a specified time period; requiring certain entities to submit a specified report to the department within a specified time period; requiring a specified attestation; providing criminal penalties and civil fines; requiring the department to notify certain persons or entities of certain requirements; requiring the department to notify the Department of Law Enforcement, the Office of Refugee Resettlement, and Immigration and Customs Enforcement under certain circumstances; authorizing the department to adopt certain rules; requiring certain persons or entities to submit a report to the central abuse hotline under certain circumstances; amending s. 39.905, F.S.; authorizing the department to waive a specified requirement if there is an emergency need for a new domestic violence center, to issue a provisional certification to such center under certain circumstances, and to adopt rules relating to provisional certifications; amending s. 125.901, F.S.; revising membership requirements for certain

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independent special districts; amending s. 402.305, F.S.; authorizing the department to grant certain exemptions from disqualification for certain persons; amending s. 409.145, F.S.; requiring the department to establish a fee schedule for daily room and board rates for certain children by a date certain, which may include different rates based on a child's acuity level or the geographic location of the residential child-caring agency; requiring the department to adopt rules; amending s. 409.175, F.S.; authorizing the department to grant certain exemptions from disqualification for certain persons; authorizing the department to extend the expiration date of a license by a specified amount of time for a certain purpose; amending s. 419.001, F.S.; providing that certain residential child-caring agencies are not subject to certain proximity requirements; requiring a local government to exclude certain residential child-caring agencies from proximity limitations; amending s. 553.73, F.S.; prohibiting the Florida Building Commission from mandating the installation of fire sprinklers or a fire suppression system in certain agencies licensed by the department; amending s. 633.208, F.S.; providing that certain residential child-caring agencies are not required to install fire sprinklers or a fire suppression system under certain circumstances; amending s. 937.0201, F.S.; revising the definition of the term "missing child"; amending s. 937.021, F.S.; specifying the entity with

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jurisdiction for accepting missing child reports under certain circumstances; authorizing law enforcement agencies to use reasonable force to take certain children into custody; amending ss. 402.30501, 1002.57, and 1002.59, F.S.; conforming cross-references; providing effective dates.

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

Section 1. Effective January 1, 2026, paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

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

(a) Investigate and prosecute the offenses of:

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

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense

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may continue independently if the prosecution of the violation
of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as
amended;

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

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

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act
of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

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

14. Any criminal violation of the Florida Securities and
Investor Protection Act;

15. Any violation of chapter 787, as well as any and all
offenses related to a violation of chapter 787; ~~or~~

16. Any criminal violation of chapter 24, part II of
chapter 285, chapter 546, chapter 550, chapter 551, or chapter
849; or

17. Any violation of s. 39.5077;

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146
147 or any attempt, solicitation, or conspiracy to commit any of the
148 crimes specifically enumerated above. The office shall have such
149 power only when any such offense is occurring, or has occurred,
150 in two or more judicial circuits as part of a related
151 transaction, or when any such offense is connected with an
152 organized criminal conspiracy affecting two or more judicial
153 circuits. Informations or indictments charging such offenses
154 shall contain general allegations stating the judicial circuits
155 and counties in which crimes are alleged to have occurred or the
156 judicial circuits and counties in which crimes affecting such
157 circuits or counties are alleged to have been connected with an
158 organized criminal conspiracy.

159 Section 2. Subsection (15) of section 39.01, Florida
160 Statutes, is amended to read:

161 39.01 Definitions.—When used in this chapter, unless the
162 context otherwise requires:

163 (15) "Child who is found to be dependent" means a child
164 who, pursuant to this chapter, is found by the court:

165 (a) To have been abandoned, abused, or neglected by the
166 child's parent or parents or legal custodians;

167 (b) To have been surrendered to the department, the former
168 Department of Health and Rehabilitative Services, or a licensed
169 child-placing agency for purpose of adoption;

170 (c) To have been voluntarily placed with a licensed child-
171 caring agency, a licensed child-placing agency, an adult
172 relative, the department, or the former Department of Health and
173 Rehabilitative Services, after which placement, under the
174 requirements of this chapter, a case plan has expired and the

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parent or parents or legal custodians have failed to
substantially comply with the requirements of the plan;

(d) To have been voluntarily placed with a licensed child-
placing agency for the purposes of subsequent adoption, and a
parent or parents have signed a consent pursuant to the Florida
Rules of Juvenile Procedure;

(e) To have no parent or legal custodians capable of
providing supervision and care;

(f) To be at substantial risk of imminent abuse,
abandonment, or neglect by the parent or parents or legal
custodians; or

(g) To have been sexually exploited and to have no parent,
legal custodian, or responsible adult relative currently known
and capable of providing the necessary and appropriate
supervision and care.

For purposes of this subsection, the term "legal custodian"
includes a sponsor to whom an unaccompanied alien child, as
defined in s. 39.5077(1), has been released by the Office of
Refugee Resettlement of the Department of Health and Human
Services. Notwithstanding any other provision of law, an
unaccompanied alien child may not be found to have been
abandoned, abused, or neglected based solely on allegations of
abandonment, abuse, or neglect that occurred before placement in
this state or by a parent who is not in the United States.

Section 3. Subsection (10) of section 39.206, Florida
Statutes, is amended to read:

39.206 Administrative fines for false report of abuse,
abandonment, or neglect of a child; civil damages.—

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(10) A person who knowingly and willfully makes a false report of abuse, abandonment, or neglect of a child, or a person who counsels another to make a false report may be civilly liable for damages suffered, including reasonable attorney fees and costs, as a result of the filing of the false report. If there has not been a prior determination by the department that a person has filed a false report and the name of the person who filed the false report or counseled another to do so has not been disclosed under subsection (9), the person who alleges he or she is the subject of a false report may petition the court in the circuit in which the petitioner resides for a determination that the reporter's identity be released for the purpose of proceeding with a lawsuit for civil damages. Upon filing a legally sufficient petition by the petitioner that he or she is the subject of a false report, the court may issue a written order to the department to produce the report and records relating to such false report for an in-camera inspection. ~~If department as custodian of the records may be named as a party in the suit until the dependency court determines in a written order upon an in-camera in-camera~~ inspection of the records and report the court finds that there is a reasonable basis for believing that the report was false, ~~and that~~ the identity of the reporter may be disclosed for the purpose of proceeding with a lawsuit for civil damages resulting from the filing of the false report. The person who was the subject of the alleged false report ~~alleged perpetrator~~ may submit witness affidavits to assist the court in making this initial determination. The department may not be made a party to such action.

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233 Section 4. Section 39.3011, Florida Statutes, is created to
234 read:

235 39.3011 Protective investigations involving military
236 families.—

237 (1) For purposes of this section, the term “Family Advocacy
238 Program” means the program established by the United States
239 Department of Defense to address child abuse, neglect, and
240 domestic abuse in military families.

241 (2) The department shall enter into an agreement for child
242 protective investigations involving military families with the
243 Family Advocacy Program, or any successor program, of each
244 United States military installation located in this state. Such
245 agreement must include procedures for all of the following:

246 (a) Identifying the military personnel alleged to have
247 committed the child abuse, neglect, or domestic abuse.

248 (b) Notifying and sharing information with the military
249 installation when a child protective investigation implicating
250 military personnel has been initiated.

251 (c) Maintaining confidentiality as required under state and
252 federal law.

253 Section 5. Paragraph (b) of subsection (1) of section
254 39.401, Florida Statutes, is amended to read:

255 39.401 Taking a child alleged to be dependent into custody;
256 law enforcement officers and authorized agents of the
257 department.—

258 (1) A child may only be taken into custody:

259 (b) By a law enforcement officer, or an authorized agent of
260 the department, if the officer or authorized agent has probable
261 cause to support a finding that the:

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262 1. ~~That the~~ Child has been abused, neglected, or abandoned,
263 or is suffering from or is in imminent danger of illness or
264 injury as a result of abuse, neglect, or abandonment;

265 2. Child is the subject of a court order to take the child
266 into the custody of the department;

267 3.2. ~~That the~~ Parent or legal custodian of the child has
268 materially violated a condition of placement imposed by the
269 court; or

270 4.3. ~~That the~~ Child has no parent, legal custodian, or
271 responsible adult relative immediately known and available to
272 provide supervision and care.

273 Section 6. Subsection (4) of section 39.5075, Florida
274 Statutes, is amended to read:

275 39.5075 Citizenship or residency status for immigrant
276 children who are dependents.—

277 (4) If the child may be eligible for special immigrant
278 juvenile status, the department or community-based care provider
279 may ~~shall~~ petition the court for an order finding that the child
280 meets the criteria for special immigrant juvenile status. The
281 ruling of the court on this petition must include findings as to
282 the express wishes of the child, if the child is able to express
283 such wishes, and any other circumstances that would affect
284 whether the best interests of the child would be served by
285 applying for special immigrant juvenile status. An order finding
286 that a child meets the criteria for special immigrant juvenile
287 status may be issued only upon a petition filed by the
288 department or a community-based care provider under this
289 section.

290 Section 7. Effective January 1, 2026, section 39.5077,

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Florida Statutes, is created to read:

39.5077 Unaccompanied alien children.—

(1) For purposes of this section, the term “unaccompanied alien child” means a child who has no lawful immigration status in the United States, has not attained 18 years of age, and with respect to whom:

(a) There is no parent or legal guardian in the United States; or

(b) No parent or legal guardian in the United States is available to provide care and physical custody.

(2) (a) Any natural person who obtains or has obtained physical custody of an unaccompanied alien child through a corporation, public or private agency other than the department, or person other than the child’s biological or adoptive parent, legal guardian, or court-appointed custodian; who retains such physical custody of the child for 10 or more consecutive days; and who is not the biological or adoptive parent, legal guardian, or court-appointed custodian of the child, must report such physical custody to the department and initiate proceedings under chapter 63, chapter 744, or chapter 751 to determine legal custody of the child.

(b)1. A person who obtains custody of an unaccompanied alien child on or after January 1, 2026, must comply with this subsection within 30 days after obtaining physical custody of such child.

2. A person who obtains custody of an unaccompanied alien child before January 1, 2026, must comply with this subsection within 90 days after January 1, 2026.

(3) (a) Any natural person who obtains or has obtained

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physical custody of an unaccompanied alien child through a corporation, a public or private agency other than the department, or any other person and who is the biological or adoptive parent, legal guardian, or court-appointed custodian of the child must verify his or her relationship to the child by submitting to the department a DNA test or other adequate documentation as determined by the department. The cost of DNA testing is borne by the person verifying his or her relationship to the child.

(b)1. A person who obtains custody of an unaccompanied alien child on or after January 1, 2026, must comply with this subsection within 30 days after obtaining physical custody of such child.

2. A person who obtains custody of an unaccompanied alien child before January 1, 2026, must comply with this subsection within 90 days after January 1, 2026.

(4) An entity that takes placement of or transfers, or assists in the transfer of, physical custody of an unaccompanied alien child to any natural person or entity must report to the department within 30 days after such placement or transfer all identifying information of the unaccompanied alien child and the natural person or entity that received such placement or transfer of physical custody of the child. An entity that takes placement of or transfers, or assists in the transfer of, physical custody of an unaccompanied alien child must attest to notifying the natural person or entity obtaining physical custody of the child of all applicable requirements of this section.

(5) A natural person or an entity that willfully violates

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subsections (2) and (3) commits a felony of the third degree,
punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
If the natural person or entity is convicted, the court shall
impose a fine of \$1,000 on the natural person or a fine of
\$10,000 on an entity.

(6) If the department believes that a natural person or an
entity has failed to report as required by this section, the
department must notify in writing such person or entity of the
obligation to report and the requirements of this section.

(7) The department shall notify the Department of Law
Enforcement, the Office of Refugee Resettlement, and Immigration
and Customs Enforcement if a natural person or an entity fails
to report information required under this section within 30 days
after receipt of the written notification required in subsection
(6).

(8) The department may adopt rules to implement this
section, including rules relating to:

(a) The specific information that must be reported to the
department.

(b) Verifying biological or adoptive parentage, legal
guardianship, or court-appointed custody as required under
subsections (2) and (3).

(c) The creation of forms for all reports required under
this section.

(9) A natural person or an entity that is involved with or
interacts with an unaccompanied alien child and suspects abuse,
abandonment, or neglect of such child must immediately submit a
report to the central abuse hotline.

Section 8. Paragraph (h) of subsection (1) of section

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39.905, Florida Statutes, is amended to read:

39.905 Domestic violence centers.—

(1) Domestic violence centers certified under this part must:

(h) Demonstrate local need and ability to sustain operations through a history of 18 consecutive months' operation as a domestic violence center, including 12 months' operation of an emergency shelter as provided in paragraph (c), and a business plan which addresses future operations and funding of future operations. The department may waive this requirement if there is an emergency need for a new domestic violence center to provide services in an area, and no other viable options exist to ensure continuity of services. If there is an emergency need, the department may issue a provisional certification to the domestic violence center as long as the center meets all other criteria in this subsection. The department may adopt rules to provide minimum standards for a provisional certificate, including increased monitoring and site visits and the time period such certificate is valid.

Section 9. Paragraphs (a) and (b) of subsection (1) of section 125.901, Florida Statutes, are amended to read:

125.901 Children's services; independent special district; council; powers, duties, and functions; public records exemption.—

(1) Each county may by ordinance create an independent special district, as defined in ss. 189.012 and 200.001(8)(e), to provide funding for children's services throughout the county in accordance with this section. The boundaries of such district shall be coterminous with the boundaries of the county. The

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county governing body shall obtain approval at a general election, as defined in s. 97.021, by a majority vote of those electors voting on the question, to annually levy ad valorem taxes which shall not exceed the maximum millage rate authorized by this section. Any district created pursuant to the provisions of this subsection shall be required to levy and fix millage subject to the provisions of s. 200.065. Once such millage is approved by the electorate, the district shall not be required to seek approval of the electorate in future years to levy the previously approved millage. However, a referendum to increase the millage rate previously approved by the electors must be held at a general election, and the referendum may be held only once during the 48-month period preceding the effective date of the increased millage.

(a) The governing body of the district shall be a council on children's services, which may also be known as a juvenile welfare board or similar name as established in the ordinance by the county governing body. Such council shall consist of 10 members, including the superintendent of schools; a local school board member; the district administrator from the appropriate district of the Department of Children and Families, or his or her designee who is a member of the Senior Management Service or of the Selected Exempt Service; one member of the county governing body; and the judge assigned to juvenile cases who shall sit as a voting member of the board, except that said judge shall not vote or participate in the setting of ad valorem taxes under this section. If there is more than one judge assigned to juvenile cases in a county, the chief judge shall designate one of said juvenile judges to serve on the board. The

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436 remaining five members shall be appointed by the Governor, ~~and~~
437 ~~shall, to the extent possible, represent the demographic~~
438 ~~diversity of the population of the county. After soliciting~~
439 ~~recommendations from the public,~~ The county governing body may
440 ~~shall~~ submit to the Governor recommendations ~~the names of at~~
441 ~~least three persons~~ for each vacancy and the Governor must make
442 a selection within 45 days after receipt of the recommendations
443 from the county governing body ~~occurring among the five members~~
444 ~~appointed by the Governor, and the Governor shall appoint~~
445 ~~members to the council from the candidates nominated by the~~
446 ~~county governing body. The Governor shall make a selection~~
447 ~~within a 45-day period or request a new list of candidates. All~~
448 members appointed by the Governor must ~~shall~~ have been residents
449 of the county for the previous 24-month period. Such members
450 shall be appointed for 4-year terms, except that the length of
451 the terms of the initial appointees shall be adjusted to stagger
452 the terms. The Governor may remove a member for cause or upon
453 the written petition of the county governing body. If any of the
454 members of the council required to be appointed by the Governor
455 under ~~the provisions of this subsection~~ resigns, dies, or is
456 removed from office ~~shall resign, die, or be removed from~~
457 ~~office,~~ the vacancy thereby created shall, as soon as
458 practicable, be filled by appointment by the Governor, ~~using the~~
459 ~~same method as the original appointment,~~ and such appointment to
460 fill a vacancy shall be for the unexpired term of the person who
461 resigns, dies, or is removed from office.

462 (b) However, any county as defined in s. 125.011(1) may
463 instead have a governing body consisting of 33 members,
464 including the superintendent of schools, or his or her designee;

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two representatives of public postsecondary education institutions located in the county; the county manager or the equivalent county officer; the district administrator from the appropriate district of the Department of Children and Families, or the administrator's designee who is a member of the Senior Management Service or the Selected Exempt Service; the director of the county health department or the director's designee; the state attorney for the county or the state attorney's designee; the chief judge assigned to juvenile cases, or another juvenile judge who is the chief judge's designee and who shall sit as a voting member of the board, except that the judge may not vote or participate in setting ad valorem taxes under this section; an individual who is selected by the board of the local United Way or its equivalent; a member of a locally recognized faith-based coalition, selected by that coalition; a member of the local chamber of commerce, selected by that chamber or, if more than one chamber exists within the county, a person selected by a coalition of the local chambers; a member of the early learning coalition, selected by that coalition; a representative of a labor organization or union active in the county; a member of a local alliance or coalition engaged in cross-system planning for health and social service delivery in the county, selected by that alliance or coalition; a member of the local Parent-Teachers Association/Parent-Teacher-Student Association, selected by that association; a youth representative selected by the local school system's student government; a local school board member appointed by the chair of the school board; the mayor of the county or the mayor's designee; one member of the county governing body, appointed by the chair of that body; a

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member of the state Legislature who represents residents of the county, selected by the chair of the local legislative delegation; an elected official representing the residents of a municipality in the county, selected by the county municipal league; and 4 members-at-large, appointed to the council by the majority of sitting council members. The remaining seven members shall be appointed by the Governor in accordance with procedures set forth in paragraph (a), except that the Governor may remove a member for cause or upon the written petition of the council. ~~Appointments by the Governor must, to the extent reasonably possible, represent the geographic and demographic diversity of the population of the county.~~ Members who are appointed to the council by reason of their position are not subject to the length of terms and limits on consecutive terms as provided in this section. The remaining appointed members of the governing body shall be appointed to serve 2-year terms, except that those members appointed by the Governor shall be appointed to serve 4-year terms, and the youth representative and the legislative delegate shall be appointed to serve 1-year terms. A member may be reappointed; however, a member may not serve for more than three consecutive terms. A member is eligible to be appointed again after a 2-year hiatus from the council.

Section 10. Subsection (2) of section 402.305, Florida Statutes, is amended to read:

402.305 Licensing standards; child care facilities.—

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

(a) Good moral character based upon screening as defined in s. 402.302(15). This screening shall be conducted as provided in

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chapter 435, using the level 2 standards for screening set forth in that chapter, and include employment history checks, a search of criminal history records, sexual predator and sexual offender registries, and child abuse and neglect registry of any state in which the current or prospective child care personnel resided during the preceding 5 years.

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

~~(c) The department may grant exemptions from disqualification from working with children or the developmentally disabled as provided in s. 435.07.~~

(c)~~(d)~~ Minimum age requirements. Such minimum standards shall prohibit a person under the age of 21 from being the operator of a child care facility and a person under the age of 16 from being employed at such facility unless such person is under direct supervision and is not counted for the purposes of computing the personnel-to-child ratio.

(d)~~(e)~~ Minimum training requirements for child care personnel.

1. Such minimum standards for training shall ensure that all child care personnel take an approved 40-clock-hour introductory course in child care, which course covers at least the following topic areas:

a. State and local rules and regulations which govern child care.

b. Health, safety, and nutrition.

c. Identifying and reporting child abuse and neglect.

d. Child development, including typical and atypical language, cognitive, motor, social, and self-help skills

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development.

e. Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.

f. Specialized areas, including computer technology for professional and classroom use and early literacy and language development of children from birth to 5 years of age, as determined by the department, for owner-operators and child care personnel of a child care facility.

g. Developmental disabilities, including autism spectrum disorder and Down syndrome, and early identification, use of available state and local resources, classroom integration, and positive behavioral supports for children with developmental disabilities.

Within 90 days after employment, child care personnel shall begin training to meet the training requirements. Child care personnel shall successfully complete such training within 1 year after the date on which the training began, as evidenced by passage of a competency examination. Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, pursuant to ss. 1007.24 and 1007.25. Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood development or child growth and development, or a child development associate credential or an equivalent state-approved

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child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.

2. The introductory course in child care shall stress, to the extent possible, an interdisciplinary approach to the study of children.

3. The introductory course shall cover recognition and prevention of shaken baby syndrome; prevention of sudden infant death syndrome; recognition and care of infants and toddlers with developmental disabilities, including autism spectrum disorder and Down syndrome; and early childhood brain development within the topic areas identified in this paragraph.

4. On an annual basis in order to further their child care skills and, if appropriate, administrative skills, child care personnel who have fulfilled the requirements for the child care training shall be required to take an additional 1 continuing education unit of approved inservice training, or 10 clock hours of equivalent training, as determined by the department.

5. Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours of equivalent training, as determined by the department, in early literacy and language development of children from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subparagraph 4.

6. Procedures for ensuring the training of qualified child care professionals to provide training of child care personnel, including onsite training, shall be included in the minimum

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standards. It is recommended that the state community child care coordination agencies (central agencies) be contracted by the department to coordinate such training when possible. Other district educational resources, such as community colleges and career programs, can be designated in such areas where central agencies may not exist or are determined not to have the capability to meet the coordination requirements set forth by the department.

7. Training requirements shall not apply to certain occasional or part-time support staff, including, but not limited to, swimming instructors, piano teachers, dance instructors, and gymnastics instructors.

8. The child care operator shall be required to take basic training in serving children with disabilities within 5 years after employment, either as a part of the introductory training or the annual 8 hours of inservice training.

(e)~~(f)~~ Periodic health examinations.

(f)~~(g)~~ A credential for child care facility directors. The credential shall be a required minimum standard for licensing.

The department may grant limited exemptions authorizing a person to work in a specified role or with a specified population.

Section 11. Paragraph (e) is added to subsection (3) of section 409.145, Florida Statutes, to read:

409.145 Care of children; "reasonable and prudent parent" standard.—The child welfare system of the department shall operate as a coordinated community-based system of care which empowers all caregivers for children in foster care to provide quality parenting, including approving or disapproving a child's

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participation in activities based on the caregiver's assessment using the "reasonable and prudent parent" standard.

(3) ROOM AND BOARD RATES.—

(e) By July 1, 2026, the department shall, in coordination with its providers, establish a fee schedule for daily room and board rates for children in out-of-home care who are placed in a residential child-caring agency as defined in s. 409.175(2)(1). The fee schedule may include different payment rates based on factors including, but not limited to, the acuity level of the child being placed and the geographic location of the residential child-caring agency. The department shall adopt rules to implement this paragraph.

Section 12. Paragraph (b) of subsection (5), subsection (7), and paragraph (e) of subsection (14) of section 409.175, Florida Statutes, are amended to read:

409.175 Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption.—

(5) The department shall adopt and amend rules for the levels of licensed care associated with the licensure of family foster homes, residential child-caring agencies, and child-placing agencies. The rules may include criteria to approve waivers to licensing requirements when applying for a child-specific license.

(b) The requirements for licensure and operation of family foster homes, residential child-caring agencies, and child-placing agencies shall include:

1. The operation, conduct, and maintenance of these homes and agencies and the responsibility which they assume for

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children served and the evidence of need for that service.

2. The provision of food, clothing, educational opportunities, services, equipment, and individual supplies to assure the healthy physical, emotional, and mental development of the children served.

3. The appropriateness, safety, cleanliness, and general adequacy of the premises, including fire prevention and health standards, to provide for the physical comfort, care, and well-being of the children served.

4. The ratio of staff to children required to provide adequate care and supervision of the children served and, in the case of family foster homes, the maximum number of children in the home.

5. The good moral character based upon screening, education, training, and experience requirements for personnel and family foster homes.

~~6. The department may grant exemptions from disqualification from working with children or the developmentally disabled as provided in s. 435.07.~~

6.7. The provision of preservice and inservice training for all foster parents and agency staff.

7.8. Satisfactory evidence of financial ability to provide care for the children in compliance with licensing requirements.

8.9. The maintenance by the agency of records pertaining to admission, progress, health, and discharge of children served, including written case plans and reports to the department.

9.10. The provision for parental involvement to encourage preservation and strengthening of a child's relationship with the family.

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697 ~~10.11.~~ The transportation safety of children served.

698 ~~11.12.~~ The provisions for safeguarding the cultural,
699 religious, and ethnic values of a child.

700 ~~12.13.~~ Provisions to safeguard the legal rights of children
701 served.

702 ~~13.14.~~ Requiring signs to be conspicuously placed on the
703 premises of facilities maintained by child-caring agencies to
704 warn children of the dangers of human trafficking and to
705 encourage the reporting of individuals observed attempting to
706 engage in human trafficking activity. The signs must advise
707 children to report concerns to the local law enforcement agency
708 or the Department of Law Enforcement, specifying the appropriate
709 telephone numbers used for such reports. The department shall
710 specify, at a minimum, the content of the signs by rule.

711
712 The department may grant limited exemptions authorizing a person
713 to work in a specified role or with a specified population.

714 (7) The department may extend a license expiration date
715 once for a period of up to 90 ~~30~~ days to allow for the
716 implementation of corrective measures. However, the department
717 may not extend a license expiration date more than once during a
718 licensure period.

719 (14)

720 (e)1. In addition to any other preservice training required
721 by law, foster parents, as a condition of licensure, and agency
722 staff must successfully complete preservice training related to
723 human trafficking which must be uniform statewide and must
724 include, but need not be limited to, all of the following:

725 a. Basic information on human trafficking, such as an

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understanding of relevant terminology, and the differences between sex trafficking and labor trafficking.~~†~~

b. Factors and knowledge on identifying children at risk of human trafficking.~~†~~ ~~and~~

c. Steps that should be taken to prevent at-risk youths from becoming victims of human trafficking.

2. Foster parents, before licensure renewal, and agency staff, during each full year of employment, must complete inservice training related to human trafficking to satisfy the training requirement under subparagraph (5)(b)6 ~~(5)(b)7~~.

Section 13. Subsection (2), paragraph (c) of subsection (3), and subsection (4) of section 419.001, Florida Statutes, are amended to read:

419.001 Site selection of community residential homes.—

(2) Homes of six or fewer residents which otherwise meet the definition of a community residential home are considered ~~shall be deemed~~ a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. Homes of six or fewer residents which otherwise meet the definition of a community residential home must ~~shall~~ be allowed in single-family or multifamily zoning without approval by the local government, provided that such homes are not located within a radius of 1,000 feet of another existing such home with six or fewer residents or within a radius of 1,200 feet of another existing community residential home. Such homes with six or fewer residents are not required to comply with the notification provisions of this section; provided that, before licensure, the sponsoring agency provides the local government with the most recently published data compiled from the

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licensing entities that identifies all community residential homes within the jurisdictional limits of the local government in which the proposed site is to be located in order to show that there is not a home of six or fewer residents which otherwise meets the definition of a community residential home within a radius of 1,000 feet and not a community residential home within a radius of 1,200 feet of the proposed home. At the time of home occupancy, the sponsoring agency must notify the local government that the home is licensed by the licensing entity. For purposes of local land use and zoning determinations, this subsection does not affect the legal nonconforming use status of any community residential home lawfully permitted and operating as of July 1, 2016.

(3)

(c) The local government may ~~shall~~ not deny the siting of a community residential home unless the local government establishes that the siting of the home at the site selected:

1. Does not otherwise conform to existing zoning regulations applicable to other multifamily uses in the area.

2. Does not meet applicable licensing criteria established and determined by the licensing entity, including requirements that the home be located to assure the safe care and supervision of all clients in the home.

3. Would result in such a concentration of community residential homes in the area in proximity to the site selected, or would result in a combination of such homes with other residences in the community, such that the nature and character of the area would be substantially altered. A home that is located within a radius of 1,200 feet of another existing

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community residential home in a multifamily zone shall be an overconcentration of such homes that substantially alters the nature and character of the area. A home that is located within a radius of 500 feet of an area of single-family zoning substantially alters the nature and character of the area.

(4) Community residential homes, including homes of six or fewer residents which would otherwise meet the definition of a community residential home, which are licensed by the Department of Children and Families as a residential child-caring agency as defined in s. 409.175(2)(1) or located within a planned residential community are not subject to the proximity requirements of this section and may be contiguous to each other. A planned residential community must comply with the applicable local government's land development code and other local ordinances. A local government may not impose proximity limitations between homes within a planned residential community if such limitations are based solely on the types of residents anticipated to be living in the community. A local government shall exclude a home that has six or fewer residents licensed by the Department of Children and Families as a residential child-caring agency, as defined in s. 409.175(2)(1), when imposing proximity limitations on community residential homes licensed by another licensing entity.

Section 14. Paragraph (c) is added to subsection (20) of section 553.73, Florida Statutes, to read:

553.73 Florida Building Code.—

(20) The Florida Building Commission may not:

(c) Mandate the installation of fire sprinklers or a fire suppression system in a residential child-caring agency licensed

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by the Department of Children and Families under s. 409.175
which operates in a single-family residential property that is
licensed for a capacity of five or fewer children who are
unrelated to the licensee.

Section 15. Subsection (12) is added to section 633.208,
Florida Statutes, to read:

633.208 Minimum firesafety standards.—

(12) Notwithstanding subsection (8), a residential child-
caring agency licensed by the Department of Children and
Families under s. 409.175 which operates in a single-family
residential property that is licensed for a capacity of five or
fewer children who are unrelated to the licensee is not required
to install fire sprinklers or a fire suppression system as long
as the licensee meets the requirements for portable fire
extinguishers, fire alarms, and smoke detectors under this
chapter.

Section 16. Subsection (3) of section 937.0201, Florida
Statutes, is amended to read:

937.0201 Definitions.—As used in this chapter, the term:

(3) “Missing child” means a person younger than 18 years of
age whose temporary or permanent residence is in, or is believed
to be in, this state, whose location has not been determined,
and who has been reported as missing to a law enforcement
agency. The term includes a child who is the subject of a court
order to take the child into the custody of the Department of
Children and Families.

Section 17. Subsection (3) of section 937.021, Florida
Statutes, is amended, and subsection (9) is added to that
section, to read:

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937.021 Missing child and missing adult reports.—

(3) A report that a child or adult is missing must be accepted by and filed with the law enforcement agency having jurisdiction in the county or municipality in which the child or adult was last seen. The filing and acceptance of the report imposes the duties specified in this section upon the law enforcement agency receiving the report. This subsection does not preclude a law enforcement agency from accepting a missing child or missing adult report when agency jurisdiction cannot be determined. If agency jurisdiction cannot be determined for cases in which there is a child who is the subject of a court order to take the child into the custody of the Department of Children and Families, the sheriff's office of the county in which the court order was entered must take jurisdiction.

(9) A law enforcement officer or agency may use reasonable force as necessary to take a missing child who is already in the custody of the Department of Children and Families or who is the subject of a court order to take the child into the custody of the Department of Children and Families.

Section 18. Section 402.30501, Florida Statutes, is amended to read:

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

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

1002.57 Prekindergarten director credential.—

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

(4) The department shall, to the maximum extent practicable, award credit to a person who successfully completes the child care facility director credential under s. 402.305(2)(f) ~~s. 402.305(2)(g)~~ for those requirements of the prekindergarten director credential which are duplicative of requirements for the child care facility director credential.

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

1002.59 Emergent literacy and performance standards training courses.—

(1) The department, in collaboration with the Just Read, Florida! Office, shall adopt minimum standards for courses in emergent literacy for prekindergarten instructors. Each course must consist of 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, vocabulary and comprehension development, and foundational background knowledge designed to correlate with the content that

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students will encounter in grades K-12, consistent with the evidence-based content and strategies grounded in the science of reading identified pursuant to s. 1001.215(7). The course standards must be reviewed as part of any review of subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas conducted pursuant to s. 1012.586. Each course must also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(d)5. ~~ss. 402.305(2)(e)5.,~~ 402.313(6), and 402.3131(5).

Section 21. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

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3/12/2025

Meeting Date

Children Family Elders

Committee

1626

Bill Number or Topic

Amendment Barcode (if applicable)

Name Melissa Marantes

Phone 305 322 4497

Address 1300 N. Semoran Blvd, Ste 120
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Email melissa.marantes@orlandojustice.org

Orlando
City

FL
State

32807
Zip

Speaking: ☐ For ☒ Against ☒ Information

OR

Waive Speaking: ☐ In Support ☐ Against

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S-001 (08/10/2021)

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Meeting Date

1626

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

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☐ For

☒ Against

☒ Information

OR

Waive Speaking:

☐ In Support

☐ Against

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(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/12/2025

Meeting Date

Children & Families

Committee

SB 1626

Bill Number or Topic

Amendment Barcode (if applicable)

Name

John Barry

Phone

407.433.7330

Address

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Email

barry@orlandojustice.org

Street

Kissimmee

FL

34741

City

State

Zip

Speaking:

☐ For

☒ Against

☒ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

SB 1626

Bill Number or Topic

3/12/2025

Meeting Date

CHILDREN, FAMILIES, ELDER AFFAIRS

Committee

Deliver both copies of this form to

Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

THOMAS KENNEDY Thomas Kennedy

Phone

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Address

1351 NW 191 ST

Street

Email

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Miami

City

FL

State

33179

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:☐I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

APPEARANCE RECORD

SB1626

Bill Number or Topic

March 11, 2025

Meeting Date

Children, Families + Elder Affairs

Committee

Deliver both copies of this form to
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Amendment Barcode (if applicable)

Name

Tiffany Hankins

Phone

206 915 7426

Address

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Street

Email

tiffany@flic.org

Miami

City

FL

State

33135

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:☐I am appearing without
compensation or sponsorship.☒I am a registered lobbyist,
representing:

Florida Immigrant Coalition

☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

March 12, 2025

Meeting Date

SB 1626

Bill Number or Topic

Senate Children, Families, & Elder Affairs

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Zimmerman

Amendment Barcode (if applicable)

Name ~~Sam Kerce~~ Stephanie Zimmerman Phone 850.488.9410

Address 2415 North Monroe Street Email Samuel.Kerce@myflfamilies.com

Street

Tallahassee

City

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State

32303

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:
Florida Department of Children + Families

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3.12.25

Meeting Date

C, F, & EA

Committee

1626

Bill Number or Topic

Amendment Barcode (if applicable)

Name

VICTORIA ZEPP

Phone

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Email

VICTORIA@TEAM180.COM

Street

TLH

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

FSS

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



2025 AGENCY LEGISLATIVE BILL ANALYSIS

Department of Children and Families

BILL INFORMATION

BILL NUMBER:	SB 1626
BILL TITLE:	Child Welfare
BILL SPONSOR:	Senator Grall
EFFECTIVE DATE:	July 1, 2025

COMMITTEES OF REFERENCE

1)
2)
3)
4)
5)

CURRENT COMMITTEE

--

SIMILAR BILLS

BILL NUMBER:	
SPONSOR:	

PREVIOUS LEGISLATION

BILL NUMBER:	
SPONSOR:	
YEAR:	
LAST ACTION:	

IDENTICAL BILLS

BILL NUMBER:	HB 1301
SPONSOR:	Representative Yarkosky

Is this bill part of an agency package?

Yes.

BILL ANALYSIS INFORMATION

DATE OF ANALYSIS:	For further information, please contact Sam Kerce at (850) 488-9410.
LEAD AGENCY ANALYST:	Max Kruse
ADDITIONAL ANALYST(S):	
LEGAL ANALYST:	Stephanie Zimmerman, SaVannah Reading
FISCAL ANALYST:	Aman Punwani

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

The bill aims at ensuring the safety and well-being of those vulnerable individuals the Department of Children and Families (Department) serves. The following proposed changes are made to Florida Statute (F.S.):

- Language is added to ensure those seeking special immigrant juvenile visas are not considered dependent solely due to their status as an unaccompanied alien child.
- Unaccompanied Alien Children language is added to require entities and sponsors interacting with these children to report certain information to the Department.
- Children Service Council language is amended to update the board requirements and selection process.
- Language requiring the Department to enter into Memorandums of Understanding (MOUs) with military bases in Florida outlining information sharing of child abuse investigations.
- False reporting language is amended to streamline the process for civil liability claims against those who knowingly make false reports.
- Take into custody orders (TICOs) are amended to ensure law enforcement may utilize reasonable force when effectuating a TICO.
- The definition of missing child is amended to include those children who are the subject of a TICO to ensure that proper resources are utilized to help find children who may be in danger.
- Extended licenses are modified to allow for additional time for corrective measures to be taken.
- Limited exemption language is added to give the Department greater flexibility in balancing a person's right to work with the safety of the populations we serve.
- Provisional domestic violence certifications are created to ensure that a community does not experience a disruption in services.
- Group home board rates are established in collaboration with providers to level out the rising cost of these services.
- Zoning for group homes is amended to remove the 1,000-foot prohibition related to the proximity of one home to another.

2. SUBSTANTIVE BILL ANALYSIS

1. PRESENT SITUATION:

1. Special Immigrant Juvenile (SIJ) Visas

SIJ status, a 1990 amendment to the Immigration and Nationality Act, offers special consideration regarding immigration status for unaccompanied alien children who have suffered parental abuse, abandonment, or neglect. If SIJ classification is granted by U.S. Citizenship and Immigration Services (USCIS), it allows juvenile aliens up to the age of 21 to qualify for lawful permanent residency (obtain a Green Card) even if they would not otherwise be eligible.

The rules promulgated by USCIS for obtaining SIJ status ((8 C.F.R. § 204.11)), provided an alien juvenile is eligible for classification as a special immigrant if he or she:

(a) is under 21 years of age; (b) is unmarried and living in the United States; (c) is the subject of a valid juvenile court order issued by a U.S. state court determining that the juvenile is dependent on the court, or in the custody of a state agency or department or an individual or entity appointed by the court; and (d) cannot be reunified with one or both parents because of either abuse, abandonment, neglect or a similar basis under state law; and has been the subject of judicial proceedings or administrative proceedings authorized or recognized by the juvenile court in which it has been determined that it would not be in the alien's best interest to be returned to the country of nationality or last habitual residence of the beneficiary or his or her parent or parents.

SIJ enables juvenile aliens up to the age of 21, who entered illegally as unaccompanied minors and subsequently obtain dependency orders from state juvenile courts on potentially flimsy, unverifiable, or fraudulent claims of abuse, neglect, or abandonment, to then use such suspect dependency orders as the basis for obtaining for a green card. The public safety danger posed by criminal gang organizations exploiting SIJ status to fill their membership ranks is clear and present. A chilling example is the SIJ to

MS-13 pipeline spotlighted by Operation Matador, a joint ICE/DHS and law enforcement/intelligence anti-gang operation launched in 2017/2018 to combat MS-13 gang activity in Long Island and the New York City metropolitan area. As of April 2018, during Operation Matador, out of 475 MS-13 gang members arrested, 99 were confirmed to have crossed the southern border as unaccompanied minors, and 64 of those (nearly two-thirds) had obtained SIJ status after entering the country.

The number of SIJ petitions filed with USCIS has exploded since 2014. According to the USCIS, 95,901 SIJ petitions were filed from 2015 to 2019, about a 575 percent increase over the previous five-year period from 2010 to 2014 with 16,652 filed. Notably, while the visa name is "special immigrant juvenile", an application can be made up to the age of 21, meaning many recipients are not actually juveniles as most understand the term. According to CIS, there are tens of thousands of UACs in the SIJ pipeline, many of whom would otherwise be ineligible due to a criminal history, gang involvement, or immigration fraud.

Office of Refugee Resettlement (ORR) reports that from October 2021 to September 2022, 13,195 unaccompanied minors were released in Florida to "sponsors" (who can be "relatives or other adults"), a number surpassed only by Texas (19,071) and virtually tied with California (13,730) as the highest in the country. This compares to just 4,059 in the same twelve-month period five years earlier.

Under s. 39.01(15) of F.S., a child who is dependent is one who is found by the court to be: (a) abandoned, abused or neglected by the child's parent or legal custodians; (b) to have been surrendered to the Department, the former Department of Health and Rehabilitative Services (HRS), or a licensed child-placing agency for purpose of adoption; (c) to have been placed with a licensed child-caring or child-licensing agency, adult relative, the Department, or HRS after which placement a case plan expired and the parent(s) or legal custodians have failed to substantially comply with the requirements of the plan; (d) to have been voluntarily placed with a licensed child-placing agency for the purposes of subsequent adoption, and a parent(s) has signed a consent; **(e) to have no parent or legal custodians capable of providing supervision and care;** or (f) to be at substantial risk of imminent abuse, abandonment, or neglect by the parent(s) or legal custodians.

Florida courts have disagreed on the application of s. 39.01(15)(e), F.S., **(bolded above)** in cases where the child has an adult providing for him or her, but the adult is not a parent or legal custodian – such as the sponsor to whom the child has been released by the ORR but is not formally a legal custodian under Florida law. Certain Florida courts read subsection (15)(e), F.S., to include such caregivers, precluding a dependency finding, while others apply its literal language permitting an adjudication of dependency despite the child being cared for by an ORR sponsor. Until fixed legislatively, s. 39.01(15)(e), F.S., will remain a source of fraudulent dependency petitions and exploitation by criminal gangs.

Once the Florida dependency court adjudicates a child dependent and determines that the child is not a U.S. citizen, the next step is proceeding to determine whether it would be in the best interest of the child to apply for SIJ status. This is spelled out in s. 39.5075(4) of F.S., providing *inter alia* that once a child may be "eligible for special immigrant juvenile status, the Department or Community-Based Care (CBC) provider shall petition the court for an order finding that the child meets the criteria for special immigrant juvenile status."

Florida courts regularly entertain best interest petitions made by private petitioners, notwithstanding that s. 39.5075(4), F.S., mentions only petitions made by the Department or Community-Based Care providers. As Justice Canady wrote in his dissent in *B.R.C.M. v. Fla. Dep't of Children & Families*, 215 So. 3d 1219, 1227 (Fla. 2017):

. . . it is by no means clear that section 39.5075—which in subsection (4) authorizes Florida courts to issue orders 'finding that [a dependent] child meets the criteria for special immigrant juvenile status' under federal law—applies to private petitions seeking such a finding. Section 39.5075(4) refers specifically to petitions submitted by 'the department or community-based care provider' as distinct from private petitions.

2. **Unaccompanied Alien Children**

The Unaccompanied Children (UAC) Program is managed by the Office of Refugee Resettlement (ORR) within the Administration for Children and Families (ACF), an operational division of the U.S. Department of Health and Human Services (HHS).

By law, HHS has custody and must provide care for each unaccompanied child, defined as a child who has no lawful immigration status in the United States; has not attained 18 years of age; and, with respect to whom, there is no parent or legal guardian in the United States, or no parent or legal guardian in the United States available to provide care and physical custody. See 6 U.S.C. § 279(g)(2).

For Fiscal Year (FY) 2015, a total of 27,340 Unaccompanied Alien Children (UAC) were released into the custody of sponsors in this country. In FY 2022, that number was 127,447, nearly a five-fold increase—and 13,195 of them were released in Florida.

The process of identifying UAC and their sponsors creates multiple perverse incentives and tragic outcomes. The children are put into potentially unsafe situations. Children are placed by the ORR with non-government organizations (NGOs) who operate here in Florida. These NGOs take custody of the child while either ORR or the NGO looks for the child's "sponsor." These sponsors may be family who live here already, but the vetting done of these placements is limited and can lead children to be placed in unsafe situations.

Governor DeSantis filed a petition in June 2022 for the Florida Supreme Court to "impanel a statewide grand jury to examine international human smuggling networks that bring aliens to the southern border, and ultimately to Florida."

The grand jury report has found that some of these children are given to sponsors who may coerce them into prostitution or sexual slavery; some are recycled to be used as human visas by criminal organizations; some are consigned to relatives who funnel them into sweatshops to pay off the debt accumulated by their trek to this country; some flee their sponsors and return to their country of origin; some are abandoned by their so-called families and become wards of the dependency system, the criminal justice system, or disappear altogether.

The state of Florida has no pre-existing knowledge about how UACs are processed, how their sponsors are selected, how they arrive in Florida, and how they are cared for upon arrival. The Department published a survey in July 2022, in which they interviewed 49 UACs (of the more than 13,000 brought in that year) in just two Florida placements. The children interviewed knew very little about the individuals who transported them across the border, and they disclosed that many of the members of their groups were robbed, attacked, decapitated, and raped.

3. **False Report**

Florida takes child abuse and neglect very seriously, devoting considerable resources to ensuring the safety of our children. Over the past 5 years, approximately 1,415 investigations were determined by the Department to be false reports. When a party makes false allegations of child abuse against another party, the impacts are great, putting families and children through unnecessary stress while also diverting valuable resources to investigating these erroneous claims. A person who knowingly and willfully makes a false report is guilty of a third-degree felony and may also be subject to civil liability.

Child Welfare Operating Procedure (CFOP) 170-5 outlines the Department's process for determining whether a report is false. Pursuant to subsection 39.206(9), Florida Statutes, a person who is determined to have filed a false report of abuse, abandonment, or neglect is not entitled to confidentiality. Subsequent to the conclusion of all administrative or other judicial proceedings concerning the filing of a false report, the name of the false reporter and the nature of the false report can be made public.

Subsection 39.206(10) allows the subject of an alleged false report to file a civil action for damages resulting from the false report. If the name of the person who filed the false report or counseled another

to do so has not been disclosed under subsection (9), the department can be named as a party in the suit until the court determines, upon in camera review of the records related to the false report, there is a reasonable basis for believing that the report was false.

Currently, subsection 39.206(10), Florida Statutes, is inefficient and unclear as to the logistics of bringing a civil claim related to false reports. The Department is named as a party for the sole purpose of providing records to the court. This is unnecessary as records can be provided upon issuance of a court order. The current language is also unclear as to where a person should file this civil action as it requires a dependency court to make the determination that there is a reasonable basis to believe the report is false. This is problematic because dependency courts do not hear civil matters unrelated to a dependency case and there is not always a dependency case related to a false report.

4. Take into Custody Order/Missing Children

Section 39.401(1), F. S., establishes the process for taking a child alleged to be dependent into the custody of law enforcement and the Department. One of the ways a child may be taken into custody is by a law enforcement officer or an authorized agent of the Department, if the officer or Department agent has probable cause to support a finding that the child has been abused, neglected, or abandoned, or is suffering from or is in imminent danger of illness or injury as a result of abuse, neglect, or abandonment.

Reasonable Force

Orders can also be issued by a judge to take a child into the custody of the Department upon a demonstration of reasonable cause that a child is abused, abandoned, or neglected. This often happens when the Department conducts an investigation into allegations of abuse or neglect and determines there is reasonable cause to support the allegations, but the parent intentionally impedes the investigation by making the child unavailable to the Department to view the condition of the child or to speak to the child or makes the child unavailable to the Department of Health's Child Protection Team when medical consultation is mandated by s. 39.303. Additionally, a dependency judge will issue an order to take a child into custody when a parent violates an existing custody or visitation court order by removing the child from a placement or visitation setting without authority to do so or by refusing to return the child to the legal custodian when required to do so.

These orders are issued by a court, commonly referred to as Take into Custody Orders (TICOs), and the Department submits the orders to law enforcement to provide assistance in executing upon the ordered relief. However, not all law enforcement agencies will accept and act on these orders. A primary reason is that current law does not provide explicit authority for law enforcement to use reasonable force necessary to effectuate these orders. Some jurisdictions believe that using reasonable force when necessary is inherent in their powers as law enforcement. However, some will not use reasonable force unless it is expressly provided for in a court order. As a result, if a parent refuses to voluntarily permit law enforcement to access their home to gain custody of the child, law enforcement in those areas will not enter the home even if the child's location within the home is confirmed. Below is a list of law enforcement agencies by circuits that require use of force language to be included in the TICO to accept and help execute that order:

- Circuit 1 - All law enforcement agencies
- Circuit 4 - Duval County Sheriff
- Circuit 5 - All law enforcement agencies
- Circuit 7 - Putnam and Flagler Sheriff
- Circuit 10 - Polk County Sheriff & Lakeland PD
- Circuit 12 - Manatee County Sheriff
- Circuit 13 - All law enforcement agencies
- Circuit 15 - Palm Beach County Sheriff
- Circuit 17 - All law enforcement agencies
- Circuit 20 - All law enforcement agencies

Missing Children

Additionally, when a child needs to be taken into custody by the Department, but cannot be located, the Department can make a missing child report to the law enforcement. Law enforcement should accept a report that the child is missing and transmit the report for inclusion within the Florida Crime Information Center, the National Crime Information Center, and the National Missing and Unidentified Persons System databases. Entry into these systems is vital as it alerts other law enforcement entities that may come into contact with the child or family, through a traffic stop for example, that the child is missing.

The Department believes that the current definition of a missing child includes children for whom a take into custody order exist. However, not all law enforcement agencies agree with this and subsequently will not accept these reports from the Department. There have been various instances in which law enforcement has not accepted these as a missing child, often they point to the fact that it is not explicit in statute and that the child(ren) are not missing because they are with their parents. When a TICO is issued, the judge is declaring that the child is likely unsafe and needs to be taken into the custody of the Department. Therefore, a child not in the custody of the Department should be considered missing.

Section 937.021(3), F.S., outlines jurisdictional responsibilities for accepting reports of missing children. Current language in this statute does not specify who has jurisdiction over missing child reports where a TICO also exists, whether the last known location of the child(ren)/family or the location where they have potentially relocated to. Jurisdictional disputes have delayed the acceptance of missing child reports, which leaves children in potentially dangerous situations longer than necessary.

5. Provisional Domestic Violence

The Department is responsible for certifying and funding domestic violence centers. There are currently 41 certified domestic violence centers in the state of Florida. Being certified can allow a shelter to receive state funding and access to trainings. In FY 2023-2024, 12,543 individuals received emergency shelter at a certified domestic violence center in Florida. Additionally, providers operating with certification can utilize victim advocates who have privilege under Florida law. The domestic violence advocate-victim privilege under s. 90.5036, F.S., includes protection of confidential communication between a domestic violence advocate and a victim seeking assistance. A survivor has a privilege to refuse and/or prevent disclosure of confidential communication with a certified domestic violence center to third parties. Under the advocate-victim privilege, survivors are granted expanded confidentiality and control over their situation and service array.

In Florida, a domestic violence shelter must meet specific criteria to be certified by the Department to ensure it provides a safe, supportive, and effective environment for victims. First, the shelter must submit an application for certification to the Department, providing detailed information about its operations and services. It must comply with Florida laws related to domestic violence services, including those outlined in Chapters 39 and 741, F.S. Additionally, the shelter must adhere to operational standards, which may include obtaining accreditation to ensure it meets established guidelines. The Department conducts annual inspections to verify compliance with safety and operational standards, and shelters may need to address any identified deficiencies before certification is granted or renewed. This certification process ensures that domestic violence shelters in Florida provide the necessary care and protection to individuals seeking help.

More specifically, s. 39.905, F.S., requires an entity to operate for 18 months prior to being eligible for certification. This requirement does not allow for more urgent adjustments to service provision in cases where there are emerging issues affecting an existing center's certification or when a center decides to abruptly cease providing services. Without another service provider to immediately take over operations, there may be a gap in service delivery should a center be decertified.

A real life example of the issues that this can cause came in the fall of 2023, when a certified shelter in Marion County closed their doors. This closure had the potential to leave the community without a certified shelter as there was no other provider in the areas who could meet the requirement of 18 months of prior operation. The Department had to work closely with the provider network and shelters

in other counties to ensure services were still available to the community. This process highlighted the need to consider a provisional certification process.

6. Limited Exemption

The Department is responsible for licensing and regulating programs which serve children and vulnerable adults. A key component of this process includes completing a Level 2 background screening in accordance with Ch. 435, F.S. In FY 2023-2024, the Department screened 278,894 individuals for thousands of providers, to include but not limited to childcare facilities, CBC agencies, foster families, group home employees, summer camp employees, substance abuse treatment facilities, and mental health treatment facilities.

If applicants have a disqualifying offense within their criminal history record check, they are notified of their right to seek an exemption. In FY 2023-2024, the Department received 1,544 requests for exemptions from disqualification for individuals seeking employment or licensure with these vulnerable populations. Each population that the Department serves has different qualifications and requirements listed in their respective section of the statute. Some programs allow for flexibility in limiting the exemptions to those specific programs, such as restricting the applicant to working with adult populations only.

Under s. 397.4073, F.S., the Department can limit an individual's exemption from disqualification to working solely in substance use disorder or mental health programs and to further limit the exemption to working with adults only. However, if an individual applies for any other type of program, the Department cannot limit the exemption. For example, suppose a person applies for an exemption for employment as an office assistant at a CBC. In that case, the Secretary only has the option to exempt them from all child welfare programs. That exemption would allow them to work in any setting in which a Department screening is needed, such as being a foster parent, day care employee, domestic violence shelter case manager, etc.

7. Extended License

The Department is responsible for licensure of Florida's child-caring agencies (group homes) and foster homes. In FY 2023-2024, 9,316 child-caring agencies and foster homes were licensed by the Department. Under federal law, the Department is not permitted to issue a provisional license for child-caring agencies, foster homes, or child-placing agencies. Licensed providers are required to maintain a full license to operate. The Department created a one-time 30-day extension process to allow providers to come into compliance with the licensing requirements during their re-licensure period. This 30-day extension is left solely to the discretion of the Department. This ensures the ongoing safety of children placed in the settings and allows the provider to remain in compliance with federal restrictions. In some cases, the 30-day extension is not sufficient when a provider is making a good-faith effort to address outstanding issues.

Currently, providers who violate a licensing standard and are placed on a corrective action plan (CAP) because they demonstrated the ability to change their behavior, could remain licensed throughout the duration of the CAP. If the CAP exceeds the length of the license and the 30-day extension, the Department would be required to relicense the provider for a full year or not relicense.

Another situation could be a house that was damaged in a storm. If the family is working to fix the damage, they would likely not receive a CAP, but would still need to correct the damage before being relicensed.

The choice to utilize this extension is solely at the discretion of the Department. The Department has extended 399 licenses by 30 days during the FY 2023-2024.

8. Group Care

Section 409.175(2)(l), F.S., establishes residential child-caring agencies, which are commonly known as group homes. These group homes are part of the Department's continuum of care and serve children

in out-of-home care, similar to a family foster home, but operated at scale by a person, corporation, or agency, public or private, and provide staffed-care for children 24 hours a day.

Currently, each community-based care lead agency negotiates its own room and board rate with group home providers. This leads to variation in the board rate throughout the state and has resulted in a significant increase in the cost of group homes. In the chart below, you will see the cost of group care has risen significantly while the number of children in group care has decreased.

Group Care Total Cost	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24
Statewide	\$116,808,722	\$118,243,424	\$114,783,908	\$126,063,837	\$157,688,554	\$174,223,084
Group Care Placement	6/30/19	6/30/20	6/30/21	6/30/22	6/30/23	6/30/24
Statewide	1,909	1,620	1,506	1,494	1,608	1,726

Rate setting is currently contemplated for foster parent room and board rates and outlined in s. 409.145(3), F.S. Specifically, it establishes room and board rates to be paid to foster parents by the Department. The section contemplates different levels of payment based on the child's age and also establishes the ability of the Department to provide a higher rate of payment based on an agreement among the Department, the community-based care lead agency, and the foster parent.

9. **Zoning 1000 ft**

Section 419.001, F.S., imposes a radius restriction for "community residential homes" that are licensed by Elder Affairs, the Department, Agency for Health Care Administration, Department of Juvenile Justice, and Agency for Persons with Disabilities. Individuals who reside in these licensed homes are, "...a frail elder as defined in s. 429.65; a person who has a disability as defined in s. 760.22(3)(a); a person who has a developmental disability as defined in s. 393.063; a nondangerous person who has a mental illness as defined in s. 394.455; or a child who is found to be dependent as defined in s. 39.01 or s. 984.03, or a child in need of services as defined in s. 984.03 or s. 985.03." Child-caring agencies, as defined in 409.175, F.S., are considered "community residential homes" and subject to the radius restrictions as described in s. 419.001, F.S. This radius restriction is enforced by local zoning agencies. The Department requires child-caring agencies seeking licensure to notify the local county zoning of the intent to establish a community residential home and requires child-caring agencies to complete the "Community Residential Homes Local Ordinance Certification" form certifying the home meets the state radius requirements of not being within 1,000 or 1,200 feet of another community residential home licensed by the Department or the other state agencies as outlined in statute.

This 1,000-foot law was put into statute over 20 years ago. Today, group homes look vastly different than they did when this law was first enacted. Group homes, especially those zoned as single family residential, as the law states, are typically small in nature and look like a traditional family home.

From a practical standpoint, providers who operate group homes will look to landlords to lease homes or property. Once they find a landlord who is willing to contract with them, that landlord will often have multiple parcels in a neighborhood. Not being able to utilize the multiple homes simply because they are within 1,000 feet can make it difficult for providers to open group homes.

10. **Children's Services Council**

Councils on Children Services are established to serve children and families in the county with the sole purpose to invest in the well-being of children and families. Independent Children Service Councils use property taxes to meet the specific needs of the people living in their community. Children Service Councils may also be referred to as a juvenile welfare board. Based on the regulations of the county the board is comprised of 10 or 33 members. A 10 member board shall contain the superintendent of schools; a local school board member; the district administrator from the appropriate district of the Department or his or her designee who is a member of the Senior Management Service or of the

Selected Exempt Service; one member of the county governing body; and the judge assigned to juvenile cases who shall sit as a voting member of the board, except that said judge shall not vote or participate in the setting of ad valorem taxes, the remaining five members of the board are appointed by the Governor.

Currently, the 5 members appointed by the governor must represent the demographic diversity of the population of the county.

To date, 13 Florida counties have created CSCs that invest taxpayer dollars in the well-being of their community's children and families. While the services offered and age groups served vary depending on the needs of the community, the primary focus of all CSCs is to invest in prevention and early intervention programs that produce measurable results.

In 11 counties, voters have approved "independent" taxing authority for their CSC to ensure that a dedicated funding source is available for children's programs and services. In addition to Palm Beach, the other counties with independent districts are Alachua, Broward, Escambia, Leon, Hillsborough, Martin, Miami-Dade, Okeechobee, Pinellas, and St. Lucie. Duval County (Jacksonville) operates as a "dependent" district, relying on funding from different sources, including county government, to pay for children's programs and services. Manatee County is a hybrid.

11. Department of Defense Memorandum of Understanding (MOU)

Federal law requires the Defense Department to request state reports regarding instances of child abuse and neglect involving military family members. States can assist military Family Advocacy Programs in providing needed support by requiring child protective services to report cases to the military at the onset of their investigations.

The precedence for sharing information is established in Title 10 United States Code Section 1787, which directs the secretary of defense to request state reports of any known or suspected instances of child abuse and neglect in which the victim or suspect is a member of the armed forces (or the spouse of a member).

Currently the MOUs in place with the various military establishments throughout the state, which among other things, outlines information sharing. However, this process is not outlined in state statute.

12. Fire Suppression

The Department is responsible for the licensing and oversight of group homes. According to the state fire marshal's office, DCF group homes zoned for residential use with a capacity of 5 or less are not required to have a fire suppression system. This is outlined by Ch. 69A-41, F.A.C., the Uniform Fire Safety Standards for Residential Child Care Facilities. This rule is meant to serve as a minimum/maximum rule in which counties and local fire inspectors may not require any more or any less than what is outlined in the rule. However, enforcement and understanding of this rule varies by county leading to many fire inspectors not signing off the necessary paperwork without a fire suppression system in place. These fire suppression systems are often cost prohibitive requiring tens of thousands of dollars to install.

2. EFFECT OF THE BILL:

1. Office of the Statewide Prosecutor (Section 1)

Section 16.56, F.S. is amended to add violations of s. 39.5077, F.S., under the jurisdiction of the Office of the Statewide Prosecutor.

2. Legal Custodian (Section 2)

Section 39.01(15), F.S., is amended to clarify that the term "legal custodian" for purposes of the subsection that describes when a child is found to be dependent based upon the abandonment, abuse, or neglect of the child's parent or legal custodian includes a sponsor to whom an unaccompanied alien child as defined by 6 U.S.C. § 279(g)(2) has been released by the ORR of the Department of Health and

Human Services. The statute is further amended to provide an unaccompanied alien child as defined by 6 U.S.C. § 279(g)(2) shall not be found to have been abandoned, abused, or neglected based solely on allegations of abuse, abandonment, or neglect that occurred prior to placement in the state or by a parent who is not in the country.

3. **False Report** (Section 3)

Section. 39.206(10), F.S., amends the process to pursue civil damages regarding false reports by removing the requirement that the Department be made a party to the action in order to obtain the name of a false reporter. Upon the filing of a civil action for damages, the bill will allow a circuit court to issue a written order requiring the department to produce the report and records related to an alleged false report for in-camera inspection. If upon inspection, the court finds there is a reasonable basis for believing the report to be false, the name of the reporter may be disclosed for purposes of the lawsuit. The bill also clarifies the proper venue in a civil action for damages for false reporting is in the circuit court where the petitioner resides.

4. **DoD Memorandum of Understanding (MOU)** (Section 4)

Creates s. 39.3011, F.S.; Subsection (1) provides definition for Military Family Advocacy program while subsection (2) outlines how the Department will enter an agreement with the Military Advocacy Program of each United States military installation located in the state regarding child protective investigations and includes procedures. Procedures surrounding the agreement include identifying the individual alleged to have committed abuse, abandonment or neglect, notification of information sharing when the investigation has been initiated and maintaining confidentiality as required by state and federal law. This statutory change codifies in law current Department practice.

5. **TICO** (Section 5) (Section 16) (Section 17)

Section 39.401(1) F.S., is amended to clearly state that law enforcement has the authority to take a child into custody if the child is the subject of an order to take into custody of the Department.

Section 937.0201(3), F.S., amends the definition of missing child to include a child that is the subject of an order to take into custody of the Department.

This change makes it clear that these children are considered missing children and will require law enforcement to treat them as such and utilize resources to find these children when the Department makes a report of a missing child to law enforcement because it cannot secure the safety of the child with only its own resources.

Section 937.021, F.S., is amended to clarify that when agency jurisdiction cannot be determined, the sheriff's office in which the order was issued will have jurisdiction.

The section is further amended to include language providing law enforcement the reasonable force necessary to effectuate the order and take the child into custody.,

6. **Special Immigration Juvenile (SIJ) Visas** (Section 6)

Section 39.5075(4), F.S. is amended to provide that an order finding that a child meets the criteria for special immigrant juvenile status may be issued only upon a petition filed by the Department or community-based care provider pursuant to the statute. This will eliminate the opportunity for individuals to use Florida's dependency system to secure the necessary state court order to support petitions for fraudulent or coercive SIJ petitions.

7. **Unaccompanied Alien Children (UAC)** (Section 7)

Section 39.5077, F.S., is created to provide a framework for natural persons and entities to report to the Department information related to the transfer and custody of a UAC. A reporting system will be implemented for this purpose and cross checking and referrals to law enforcement will be made when certain steps are not taken by an entity or natural person. Specifically, the bill:

- Subsection (1) provides that any person who obtains such physical custody of an unaccompanied alien child after the effective date of the law, retains custody for 10 or more days, and is not the biological or adoptive parent, legal guardian, or court-appointed custodian must within 30 days (or 90 if custody was had before the effective date of the bill) of obtaining custody report the custody to the Department and proceedings under chapter 63, 744, or 751 to determine legal custody of the child.
- Subsection (2) provides that any person who obtains such physical custody of an unaccompanied alien child after the effective date of the law and is the biological or adoptive parent, legal guardian, or court-appointed custodian must verify within 30 days (or 90 if custody was had before the effective date of the bill) of obtaining custody the relationship with the child with a DNA test or adequate documentation.
- Subsection (3) requires any entity that transfers physical custody or assist in the transfer of the physical custody of an unaccompanied alien child must report that transfer to the Department within 30 days and notify the person obtaining custody of the requirements of the statute.
- Subsection (4) lays forth penalties and fines for any natural person or entity who willfully violates the requirements outlined in this section. Penalties include a 3rd degree felony and fines of \$1,000 and \$10,000 for natural persons and entities, respectively.
- Subsection (5) requires the Department to notify a natural person who has failed to report as required by this section.
- Subsection (6) requires the Department to notify local law enforcement, the ORR, and Immigration and Customs Enforcement when a natural person fails to report 30 days after notification.
- Subsection (7) affords the Department rule-making authority to implement this new section.
- Subsection (8) requires any entity or natural person involved with or interacting with a UAC who suspects child abuse to report to the Department's central abuse hotline.

Reporting of UAC information:

The Department will create an online database where an entity who takes custody of a UAC will report that custody to the Department. Once an entity releases custody of the UAC, they shall report that into the system including who they released custody to. This will leave the Department with a list of names and information pertaining to each UAC who interacted with an entity. Next, a sponsor who takes custody of a UAC will report certain information to the Department. This database will allow the Department to cross check information about the whereabouts of these UACs and report to law enforcement, ORR, and ICE any children who are not accounted for.

The Department recognizes the critical role that ORR plays in ensuring the safety and wellbeing of UACs entering Florida. However, ORR has been shown to fall short in protecting these children. The aim of this legislation is to provide an additional layer of oversight and to outline a process for which concerns will be elevated to law enforcement and ORR while balancing ORR's role and Department resources.

8. Provisional Domestic Violence (Section 8)

The bill amends s. 39.905(1)(h), F.S., to allow the Department to extend a provisional certification to an organization that has not yet met the 18 consecutive months' operation as a domestic violence center, including 12 months' operation of an emergency shelter, but is willing and able to provide domestic violence shelter and supportive services in an area where the existing certified domestic violence center can no longer operate or is in jeopardy of losing, or has already lost its certification.

The bill ensures there will not be a gap in domestic violence services if there is a situation resulting in the closure or decertification of a certified center. Providing a temporary certification ensures victim advocate privilege protections under s. 90.5036(2), F.S. The bill temporarily waives the requirement of entities to provide full services for 18 consecutive months. Instead, a provisional certification allows the Department to monitor and supervise the provider until they meet the timeframes for a full certification at which time they would be eligible for full certification if they meet all requirements under the Department's supervision during that year.

The bill grants the Department rulemaking authority to set minimum standards for increased monitoring of these provisional certifications.

9. **Children's Services Council** (Section 9)

Section 125.901, F.S., is amended to streamline the requirements for the selection and removal of Governor appointees to the Councils of Children's Services.

- The language requiring the Governor to ensure demographic diversity within the county's population through the council members is removed.
- Additionally, the provision limiting the Governor to selecting council members only from candidates nominated by the governing body is eliminated.
- The requirement for the Governor to make selections within 45 days from the list of candidates provided by the governing body is also removed.
- New language is added, stating that the governing body may submit recommendations for individuals to fill each vacancy on the council.
- Furthermore, the language allowing the Governor to remove a council member for cause or upon the written petition of the council is removed.

10. **Limited Exemption** (Section 10) (Section 12)

The bill amends s. 402.305, F.S., and s. 409.175, F.S., to allow the Department to limit exemptions to working in a specified role at a provider such as child care facilities, large family child care homes, family day care homes, child caring agencies, summer camps, child placing agencies, and foster or population type such as adults only. This change will allow the Department more flexibility in granting exemptions and ensure that individuals working with vulnerable populations are fit to do so.

By granting the authority to impose limitations on these exemptions, the Department will enhance flexibility for providers and reduce the administrative burden on the Department. This approach will benefit the providers by increasing the availability of qualified candidates for certain positions, shortening hiring timelines, and expanding the diversity of the applicant pool.

11. **Group Care** (Section 11)

Section 409.145(3), F.S., is amended to include a new subsection that directs the Department to work with providers to establish a daily room and board rate payment schedule for children in out-of-home care placed in a residential child-caring agency pursuant to s. 409.175(2)(l), F.S.

This language provides the Department the ability to determine appropriate room and board rates for group homes based on acuity level and requires the Department to adopt rules to implement this requirement. This has the potential to lead to more equitable rates statewide and predictability in terms of funding necessary to support the group homes.

12. **Extending Licenses** (Section 12)

Section 409.175(7), F.S., is amended to increase the amount of time a license can be extended from 30 days to 90 days at the time of expiration to support a provider coming into compliance with all licensing standards. Extending a license at the time of expiration when there are extenuating circumstances beyond the licensee's control in remedying the issues allows more time for remediation and for the Office of Licensing to complete a thorough assessment prior to the re-issuance of a license.

13. **Zoning 1000 ft** (Section 13)

Section 1: s. 419.001, F.S., Site selection of community residential homes. – s. 419.001, F.S., is amended to remove the requirement for residential homes licensed to serve residents who are clients of the Department to meet the radius requirements of not being within 1,000 feet of another existing such home with six or fewer residents or within a radius of 1,200 feet of another existing community residential home.

14. Fire Suppression – Building Code (Section 14)

Amends s. 553.73(20), F.S., add the new requirement that the Florida Building Commission may not mandate foster homes and child-caring agencies licensed by the Department to install fire sprinklers or a fire suppression system for homes serving six or fewer children.

15. Fire Suppression – State Fire Marshal (Section 12) (Section 15)

Amends s. 409.175(6)(g), F.S., to include but not limit the use of fire extinguishers and smoke detectors as a means of meeting the fire safety standards adopted by the Division of the state Fire Marshal. Amends s. 633.208, F.S., to prohibit the Fire Marshal from requiring the installation of fire sprinklers or fire suppression system for foster homes and child-caring agencies licensed by the Department that serve six or fewer children.

Sections 18, 19 and 20 amend cross references to enact the changes in the bill.

3. DOES THE LEGISLATION DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES?

If yes, explain:	Yes, several sections of the bill give the Department rule making authority. • Section 39.5077, F.S., related to UAC reporting. • Section 39.905, F.S., related to provisional certification of DV shelters. • Section 409.145, F.S., related to group care cost.
What is the expected impact to the agency's core mission?	This proposal makes several changes to ensure increased safety and wellbeing for the children and families in the Department's care.
Rule(s) impacted (provide references to F.A.C., etc.):	

4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

List any known proponents and opponents:	Unknown.
Provide a summary of the proponents' and opponents' positions:	Unknown.

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL?

If yes, provide a description:	No,
Date Due:	N/A.
Bill Section Number(s):	N/A.

6. ARE THERE ANY GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSION, ETC. REQUIRED BY THIS BILL?

Board:	Children Services Councils
Board Purpose:	N/A.
Who Appoints:	N/A.
Appointee Term:	N/A.
Changes:	The bill streamlines the Governor's appointment process.
Bill Section Number(s):	Section 9

FISCAL ANALYSIS

1. WHAT IS THE FISCAL IMPACT TO LOCAL GOVERNMENT?

Revenues:	N/A.
Expenditures:	N/A.
Does the legislation increase local taxes or fees?	N/A.
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	N/A.

2. WHAT IS THE FISCAL IMPACT TO STATE GOVERNMENT?

Revenues:	N/A.
Expenditures:	N/A.
Does the legislation contain a State Government appropriation?	N/A.
If yes, was this appropriated last year?	N/A.

3. WHAT IS THE FISCAL IMPACT TO THE PRIVATE SECTOR?

Revenues:	N/A.
Expenditures:	N/A.
Other:	N/A.

4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES?

Does the bill increase taxes, fees or fines?	N/A.
Does the bill decrease taxes, fees or fines?	N/A.
What is the impact of the increase or decrease?	N/A.
Bill Section Number:	N/A.

TECHNOLOGY IMPACT

Does the legislation impact the agency's technology systems (i.e., IT support, licensing software, data storage, etc.)?	Yes, the Department will need to create an internal tracking and submission system to implement the reporting provisions outlined in newly created s. 39.5077, F.S., related to Unaccompanied Alien Children. Creation of this system will be done in house with existing resources.
If yes, describe the anticipated impact to the agency including any fiscal impact.	N/A.

FEDERAL IMPACT

Does the legislation have a federal impact (i.e. federal compliance, federal funding, federal agency involvement, etc.)?	N/A.
If yes, describe the anticipated impact including any fiscal impact.	N/A.

ADDITIONAL COMMENTS

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Issues/concerns/comments and recommended action:	
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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: CS/SB 1626

INTRODUCER: Children, Families, and Elder Affairs Committee and Senator Grall

SUBJECT: Child Welfare

DATE: March 13, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rao	Tuszynski	CF	Fav/CS
2.			AHS	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1626 amends multiple sections of law relating to Unaccompanied Alien Children (UAC) and Special Immigrant Juvenile (SIJ) status. Specifically, the bill:

- Includes sponsors that obtain custody of a UAC in the term legal custodian, to allow for the Department of Children and Families (DCF) to find sponsors as having abused, abandoned, or neglected a UAC.
- Prohibits the finding of a UAC as having been abused, abandoned, or neglected based solely on allegations that occurred before placement in Florida, or by a parent who is not in the U.S.
- Provides a definition of a UAC.
- Requires an individual who has custody of a UAC to notify the DCF and initiate proceedings relating to the adoption (ch. 63), guardianship (ch. 744), or temporary custody by extended family (ch. 751), or, verify his or her relationship to the child, if the individual is the child's biological or adoptive parent, legal guardian, or court-appointed custodian.
- Requires a natural person or entity that suspects abuse, abandonment, or neglect of a UAC to immediately submit a report to the central abuse hotline.
- Restricts circumstances in which an order finding a child meets the criteria for special immigrant juvenile (SIJ) status can be issued.

The bill creates a new section of law to require the DCF to enter into agreements with the Family Advocacy Program to conduct child protective investigations at military institutions located in Florida.

The bill amends current law to include children that are the subject of a court order to take the child into the custody of the DCF in the definition of “missing child,” allowing the Florida Department of Law Enforcement to deploy additional resources to locate the child. The bill also assigns agency jurisdictions in situations in which a child is the subject of a court order to take the child into custody of the DCF.

The bill allows the DCF to administer provisional licenses for new domestic violence centers and waive operational experience requirements if there is an emergency need for a new domestic violence center and no other viable option is available.

The bill revises the requirements for Governor’s appointees to councils on children services.

The bill provides the DCF the ability to grant limited exemptions to disqualification from background screenings due to certain disqualifying offenses, and limits individuals who receive the exemption to working with specific populations.

The bill increases the licensure extension period for certain child care facilities from 30 days to 90 days.

The bill requires the DCF to establish a fee schedule for daily room and board rates for residential child-caring agencies.

The bill exempts a subcontractor of a Community-Based Care (CBC) lead agency that is a direct provider of foster care and related services from liability due to the acts or omissions of the lead agency; DCF; or the officers of the lead agency or DCF. The bill deems any conflicting provision in a contract between a subcontractor and lead agency is void and unenforceable.

The bill clarifies fire suppression requirements for child-caring agencies.

The bill is not expected to have a fiscal impact on the government or private sector. *See* Section V. Fiscal Impact Statement.

The bill provides an effective date of July 1, 2025, except otherwise stated in the bill.

II. Present Situation:

The present situation is presented in Section III under the Effect of Proposed Changes.

III. Effect of Proposed Changes:

Unaccompanied Alien Children and Special Immigration Juvenile (SIJ) Visas

Present Situation

Federal Immigration Policy

The federal government has several agencies that carry out federal immigration law, including the regulation of minors that come into the U.S. without lawful immigration status. The

responsibility for enforcing immigration laws rests with the Department of Homeland Security's (DHS) U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services (USCIS).¹

The federal government defines an unaccompanied alien child (UAC) as a child who²:

- Has no lawful immigration status in the United States.
- Is under 18 years of age.
- Has no parent or legal guardian in the United States or no parent or legal guardian in the United States available to provide care and physical custody.

The Department of Health and Human Services is required to provide care to and have physical custody of an unaccompanied alien child.³ There are a myriad of reasons why a UAC enters the United States, such as escaping violent conditions or family in their home country or rejoining family already in the United States. Additionally, some UAC may come to the United States to find better employment opportunities to support their families.⁴ Furthermore, UAC may be especially vulnerable to human trafficking or exploitation due to their age, isolation from loved ones, and dangers of entering the United States.⁵

Office of Refugee Resettlement

The Office of Refugee Resettlement (ORR) within the U.S. Department of Health and Human Services is responsible for the care and custody of UAC.⁶ The ORR is typically made aware of UAC after apprehension by Border Patrol agents after attempting to enter the United States without legal authorization.⁷ The ORR collects background information on the child to assess if the child is a danger to themselves or others, if there are any known medical and/or mental health issues, and if the child has specific individualized needs.⁸ Upon collecting this background information, the ORR places the child in the least restrictive setting appropriate for the child, such as⁹:

- A shelter facility;
- Transitional or long-term foster care;
- Heightened supervision facility or secure facility;

¹ U.S. Department of Homeland Security Office of Homeland Security Statistics, *Immigration Enforcement*, available at: <https://ohss.dhs.gov/topics/immigration/immigration-enforcement> (last visited 3/8/25).

² U.S. Department of Health & Human Services Office of Refugee Resettlement, *About the Program*, available at: <https://acf.gov/orr/programs/ucs/about> (last visited 3/8/25).

³ 6 U.S.C. § 279(g)(2)

⁴ *Id.*

⁵ *Id.*

⁶ U.S. Department of Health & Human Services Office of Refugee Resettlement, *Unaccompanied Alien Children*, available at: <https://acf.gov/orr/programs/uac> (last visited 3/8/25).

⁷ U.S. Department of Health & Human Services Office of Refugee Resettlement, *ORR Unaccompanied Alien Children Bureau Policy Guide: Section 1*, available at: <https://acf.gov/orr/policy-guidance/unaccompanied-children-bureau-policy-guide> (last visited 3/8/25).

⁸ U.S. Department of Health & Human Services Office of Refugee Resettlement, *ORR Unaccompanied Alien Children Bureau Policy Guide: Section 1*, available at: <https://acf.gov/orr/policy-guidance/unaccompanied-children-bureau-policy-guide> (last visited 3/8/25).

⁹ U.S. Department of Health & Human Services Office of Refugee Resettlement, *ORR Unaccompanied Alien Children Bureau Policy Guide: Section 1*, available at: <https://acf.gov/orr/policy-guidance/unaccompanied-children-bureau-policy-guide> (last visited 3/8/25).

- Other care facility that can provide for the child’s specific needs.

The ORR can release a UAC to the child’s parents, guardians, relatives, or sponsor, which refers to an individual that is designated by the child’s parents to obtain custody of the child.¹⁰ The ORR has a process for releasing the child to a sponsor that includes¹¹:

- The identification of sponsors;
- Sponsor application;
- Interviews;
- The assessment of sponsor suitability including verification of the sponsor’s identity and relationship to the child (if any), background checks, and in some cases, home studies; and
- Post-release planning.

In Fiscal Year 2015, a total of 27,340 UAC were released into the custody of sponsors in the U.S.¹² In Fiscal Year 2022, 127,447 UAC were released to sponsors, nearly five times the amount of UAC released in FY 2015.¹³

Florida’s Response to Unaccompanied Alien Children

In FY 2022, of the 127,447 total UAC released into the custody of sponsors nationwide, 13,195 UAC were released into the custody of their sponsors in Florida.¹⁴ Despite the ORR’s process for releasing a child to a sponsor, children may be placed in potentially unsafe situations.¹⁵

In 2022, Governor DeSantis filed a petition for the Florida Supreme Court to “impanel a statewide grand jury to investigate criminal or wrongful activity in Florida relating to the smuggling or endangerment of unaccompanied alien children brought into the state.”¹⁶ The grand jury report found that some children are given to sponsors who do not have the child’s best interests in mind and may expose them to sexual exploitation or labor exploitation.¹⁷ Additionally, some UAC ultimately flee their sponsors or are abandoned by their sponsors and become involved in the dependency or criminal justice system.¹⁸

¹⁰ U.S. Department of Health & Human Services Office of Refugee Resettlement, *ORR Unaccompanied Alien Children Bureau Policy Guide: Section 2*, available at: <https://acf.gov/orr/policy-guidance/unaccompanied-children-program-policy-guide-section-2#2.1> (last visited 3/9/25).

¹¹ *Id.*

¹² Florida Department of Children and Families, *2025 Agency Analysis*, pg. 4, on file with the Senate Committee on Children, Families, and Elder Affairs.

¹³ *Id.*

¹⁴ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 4, on file with the Senate Committee on Children, Families, and Elder Affairs.

¹⁵ *Id.*

¹⁶ Case No.: SC22-796, Petition for Order to Impanel a Statewide Grand Jury, available at: <https://flgov.com/eog/sites/default/files/press/Petition-for-Order-to-Impanel-a-Statewide-Grand-Jury.pdf> (last visited 3/9/25).

¹⁷ Case No.: SC22-796, Third Presentment of the Twenty-First Statewide Grand Jury Regarding Unaccompanied Alien Children (UAC), available at: <https://acis-api.flcourts.gov/courts/68f021c4-6a44-4735-9a76-5360b2e8af13/cms/case/651d8f68-f322-4cd0-831f-74dc9b0d77a8/docketentrydocuments/8437d6e2-1c46-4575-bd21-47de83302c61> (last visited 3/9/25).

¹⁸ *Id.*

The Dependency System Process – Generally

Chapter 39, F.S., creates Florida’s dependency system charged with protecting children who have been abused, abandoned, or neglected. Florida’s child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations. The Department of Children and Families (DCF) and community-based care lead agencies (CBCs) work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for these children.¹⁹

Central Abuse Hotline

The DCF is required to operate and maintain a central abuse hotline (hotline)²⁰ to receive reports of known or suspected instances of child abuse²¹, abandonment²², or neglect²³, or instances when a child does not have a parent, legal custodian, or adult relative available to provide supervision and care.²⁴ The hotline must operate 24 hours a day, 7 days a week, and accept reports through a single statewide toll-free telephone number or through electronic reporting.²⁵

If the hotline determines a report meets the statutory criteria for child abuse, abandonment, or neglect, a DCF child protective investigator (CPI) must complete a child protective investigation.²⁶ Through face-to-face interviews with the child and family members, and assessments of the immediate safety of the children in the home, the CPI determines further actions.

The CPI must either implement a safety plan for the child, which allows the child to remain in the home with in-home services or take the child into custody. If the child cannot safely remain

¹⁹ See, Chapter 39, F.S.

²⁰ Hereinafter cited as “hotline.” The “Florida Abuse Hotline” is the DCF’s central abuse reporting intake assessment center, which receives and processes reports of known or suspected child abuse, neglect or abandonment 24 hours a day, seven days a week. Chapter 65C-30.001, F.A.C. and Section 39.101, F.S.

²¹ Section 39.01(2), F.S. defines “abuse” as any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child’s physical, mental, or emotional health to be significantly impaired.

²² Section 39.01(1), F.S. defines “abandoned” or “abandonment” as a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child’s care and maintenance or has made no significant contribution to the child’s care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. “Establish or maintain a substantial and positive relationship” means, in part, frequent and regular contact with the child, and the exercise of parental rights and responsibilities.

²³ Section 39.01(53), F.S. states “neglect” occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child’s physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired, except when such circumstances are caused primarily by financial inability unless services have been offered and rejected by such person.

²⁴ Section 39.201(1), F.S.

²⁵ Section 39.101(1), F.S.

²⁶ Prior to July 1, 2023, seven counties allowed the local sheriff’s office to perform child protective investigations. The 2023 legislative session transitioned this responsibility fully back to the Department after changes in Florida’s child welfare system aimed to integrate child protective investigations within existing crisis-oriented systems the DCF maintains. *See generally*: Laws of Fla. 2023-77.

in the home with a safety plan, the DCF must file a shelter petition and remove the child from his or her current home and temporarily place them in out-of-home care.²⁷

When child welfare necessitates that the DCF remove a child from the home to ensure his or her safety, a series of dependency court proceedings must occur to place that child in an out-of-home placement, adjudicate the child dependent, and if necessary, terminate parental rights and free the child for adoption. Steps in the dependency process usually include:

- A report to the Florida Abuse Hotline.
- A child protective investigation to determine the safety of the child.
- The court finding the child dependent.
- Case planning for the parents to address the problems resulting in the child's dependency.
- Placement in out-of-home care, if necessary.
- Reunification with the child's parent or another option to establish permanency, such as adoption after termination of parental rights.²⁸

Dependency Proceeding	Description of Process	Controlling Statute(s)
Removal	The DCF may remove a child from his or her home if there is probable cause to believe the child has been abused, neglected, or abandoned, or that the parent or legal custodian of the child is unable or unavailable to care for the child.	s. 39.401, F.S.
Shelter Hearing	The court must hold a shelter hearing within 24 hours after removal. At this hearing, the judge determines whether the child can return to his or her home upon receiving DCF services, or keep the child in out-of-home care if services do not eliminate the need for removal.	s. 39.401, F.S. s. 39.402, F.S.
Petition for Dependency	The DCF must file a petition for dependency within 21 days of the shelter hearing. This petition seeks to find the child dependent, generally meaning the child has been abandoned, abused, or neglected by his or her parent's or legal custodians, or has no parent or legal custodian that can provide supervision or care.	s. 39.501, F.S. s. 39.01, F.S.
Arraignment Hearing and Shelter Review	The court must hold an arraignment and shelter review within 28 days of the shelter hearing. The hearing allows the parent to admit, deny, or consent to the allegations within the petition for dependency and allows the court to review any previous shelter placement.	s. 39.506, F.S.
Adjudicatory Trial	If the parent or legal custodian denies any allegations of the petition during the arraignment hearing, the court must hold an adjudicatory trial within 30 days of arraignment. The judge determines whether a child is dependent during this trial.	s. 39.507, F.S.

²⁷ Section 39.301, F.S.

²⁸ The state has a compelling interest in providing stable and permanent homes for adoptive children in a prompt manner, in preventing the disruption of adoptive placements, and in holding parents accountable for meeting the needs of children. See Section 63.022, F.S.

Dependency Proceeding	Description of Process	Controlling Statute(s)
Disposition Hearing	If, at the arraignment hearing, the parent or legal custodian consents to any allegations of the dependency petition, the court must hold a disposition hearing within 15 days of arraignment. If, at the adjudicatory trial, the court finds the child dependent, the disposition hearing must be held within 30 days after the adjudicatory hearing. At the disposition hearing, the judge reviews the case plan and placement of the child and orders if the current case plan and placement should continue or be changed.	s. 39.506, F.S. s. 39.521, F.S.
Postdisposition Change of Custody Hearing	The court may change the temporary out-of-home placement of a child at a postdisposition hearing any time after disposition but before the child is residing in the permanent placement approved at a permanency hearing. The DCF or the current caregiver can file for this postdisposition change of custody.	s. 39.522, F.S.
Judicial Review Hearings	After the initial judicial review hearing held within 90 days of the disposition hearing or approval of the case plan, the court must hold additional hearings to review the child's case plan and placement at least every 6 months, or upon motion of a party.	s. 39.701, F.S.
Permanency Hearings	The courts are required to conduct a permanency hearing within 12 months after a child is removed from his or her home. At this hearing, the judge will evaluate the progress of achieving the permanency goal, and determine if another permanency option needs to be pursued.	s. 39.621, F.S.
Petition for Termination of Parental Rights	If the DCF determines that reunification is no longer a viable goal and termination of parental rights is in the best interest of the child, and other requirements are met, a petition for termination of parental rights is filed. The DCF, the child's Guardian ad Litem, and any person knowledgeable about the facts of the case is able to file this petition.	s. 39.802, F.S. s. 39.8055, F.S. s. 39.806, F.S. s. 39.810, F.S.
Advisory Hearing	The court must hold an advisory hearing as soon as possible after all parties have been served with the petition for termination of parental rights. The hearing allows the parent to admit, deny, or consent to the allegations within the petition for termination of parental rights.	s. 39.808, F.S.
Adjudicatory Hearing	The court must hold an adjudicatory trial within 45 days after the advisory hearing. The judge determines whether to terminate parental rights to the child at this trial.	s. 39.809, F.S.

A child is found to be dependent if he or she is found by the court to:²⁹

- Have been abandoned, abused, or neglected by the child's parent or parents or legal custodians;
- Have been surrendered to the DCF, the former Department of Health and Rehabilitative Services, or a licensed child-placing agency for purpose of adoption;

²⁹ Section 39.01(15), F.S.

- Have voluntarily placed with a licensed child-caring agency, a licensed child-placing agency, an adult relative, the DCF, or the former Department of Health and Rehabilitative Services, after which placement, under the requirements of this chapter, a case plan has expired and the parent or parents or legal custodians have failed to substantially comply with the requirements of the plan;
- Have no parent or legal custodians capable of providing supervision and care;
- Be at substantial risk of imminent abuse, abandonment, or neglect by the parent or parents or legal custodians; or
- Have been sexually exploited and to have no parent, legal custodian, or responsible adult relative currently known and capable of providing the necessary and appropriate supervision and care.

A petition for dependency may be filed by an attorney for the DCF or another person who has knowledge of the facts alleged or is informed of them and believes they are true.³⁰ At an adjudicatory hearing, a judge will determine whether or not the facts support the allegations stated in the petition for dependency.³¹ A preponderance of evidence in the petition for dependency is required to establish the child as dependent.³²

UAC are not considered dependent children under state law and their whereabouts are not tracked or monitored by the DCF.

Special Immigration Juvenile (SIJ) Visas

If a noncitizen child is the subject of abuse, abandonment, or neglect at the hands of their parent, they may be eligible for a Special Immigration Juvenile (SIJ) classification at the national level.³³ Upon SIJ classification, the child may qualify for lawful permanent residency (also known as obtaining a Green Card).³⁴ A child is eligible for SIJ classification if they meet all of the following requirements³⁵:

- Is under 21 years of age at the time of filing the petition;
- Is unmarried at the time of filing and adjudication;
- Is physically present in the United States;
- Has a valid juvenile court order issued by a state court in the U.S. which finds that:
 - The child is dependent on the court, or in the custody of a state agency or department or an individual or entity appointed by the court;
 - The child cannot be reunified with one or both of their parents due to abuse, abandonment, neglect, or a similar basis under state law and it is not in the child's best interest to return to the child's country of nationality.

³⁰ Section 39.501, F.S.

³¹ Section 39.01(4), F.S.

³² Section 39.507, F.S.

³³ U.S. Citizenship and Immigration Services, *Special Immigrant Juveniles*, available at: <https://www.uscis.gov/working-in-US/eb4/SIJ> (last visited 3/9/25).

³⁴ *Id.*

³⁵ 8 C.F.R. §204.11, See also U.S. Citizenship and Immigration Services, *Special Immigrant Juveniles Eligibility*, available at: <https://www.uscis.gov/working-in-US/eb4/SIJ> (last visited 3/9/25).

- Is eligible for U.S. Citizenship and Immigration Services (USCIS) consent, meaning they have sought the juvenile court order to obtain relief from abuse, neglect, abandonment, or a similar basis under state law and not primarily to obtain an immigration benefit.
- Has written consent from the Department of Health and Human Services/Office of Refugee Resettlement to the court's jurisdiction if:
 - The child is currently in the custody of the Department of Health and Human Services, and
 - The juvenile court order also changes the child's custody status or placement.

In the current fiscal year, 143,712 individuals filed the I-360 form.³⁶ Of these forms, 86,023 petitions were approved.³⁷ There are still 89,627 petitions pending.³⁸ In recent years, there has been concern that individuals may be exploiting SIJ visas and could potentially pose a danger to the security and safety of Florida.³⁹

Effect of Proposed Changes

Section 1 of the bill allows the Office of Statewide Prosecution within the Department of Legal Affairs to investigate and prosecute violations of s. 39.5077, which is a new section of law created in section 7 of the bill.

Section 2 of the bill amends s. 39.01, F.S. to further define what a legal custodian is for use within the definition of a “child who is found to be dependent.” The bill includes sponsors who have obtained custody of an unaccompanied alien child after the child was released to them by the Office of Refugee Resettlement of the U.S. Department of Health and Human Services in the term “legal custodian.” This change provides that sponsors of an unaccompanied alien child can be found to have abused, abandoned, or neglected the child, thereby meeting the criteria of a child who is found to be dependent.

The bill also prohibits the finding of an unaccompanied alien child as having been abandoned, abused, or neglected based solely on allegations that occurred before placement in Florida, or by a parent who is not in the United States.

Section 6 of the bill creates s. 39.5077, F.S. to create a process for the DCF to be notified of the transfer and custody of an unaccompanied alien child (UAC) in Florida.

The bill defines an unaccompanied alien child as a child who has no lawful immigration status in the United States, has not attained 18 years of age, and with respect to whom:

³⁶ The U.S. Citizenship and Immigration Services utilizes form I-360 for several groups of individuals petitioning for immigration. There are 15 classifications included in this form. Thus, not every I-360 petition that was filed in the current fiscal year was regarding a SIJ classification. See U.S. Department of Homeland Security, *Petition for Amerasian, Widow(er), or Special Immigrant Form I-360*, available at: <https://www.uscis.gov/sites/default/files/document/forms/i-360.pdf> (last visited 3/9/25).

³⁷ U.S. Citizenship and Immigration Services, *All USCIS Application and Petition Form Types (Fiscal Year 2024)*, available at: https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data?topic_id%5B%5D=33649&ddt_mon=&ddt_yr=&query=&items_per_page=10 (last visited 3/9/25).

³⁸ *Id.*

³⁹ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 3, on file with the Senate Committee on Children, Families, and Elder Affairs.

- There is no parent or legal guardian in the United States; or
- No parent or legal guardian in the United States is available to provide care and physical custody.

The bill provides notification requirements for a natural person that obtains custody of a UAC through a corporation, public or private agency other than the DCF, or person other than the child's biological or adoptive parent, legal guardian, or court-appointed custodian. A natural person must notify the DCF of such custody of the child if they retain custody for 10 or more consecutive days. The bill establishes different notification requirements depending on the relationship between a UAC and the natural person who has custody of the child, detailed below:

- **If the natural person with custody of the child is not the biological or adoptive parent, legal guardian, or court-appointed custodian of the child:**
 - The bill requires the natural person to report such custody to the DCF and initiate proceedings under chapter 63 (regulating adoptions), chapter 744 (establishing guardianship), or chapter 751 (providing temporary custody of minor children by extended family).
 - If the natural person obtained custody of the child on or after January 1, 2026: they must report such custody and initiate proceedings within 30 days after obtaining physical custody of the child.
 - If the natural person obtained custody of the child before January 1, 2026: they must report such custody and initiate proceedings within 90 days after January 1, 2026.
- **If the natural person with custody of the child is the biological or adoptive parent, legal guardian, or court-appointed custodian of the child:**
 - The bill requires the natural person to verify his or her relationship to the child by submitting a DNA test or other adequate documentation to the DCF, at the expense of the natural person verifying his or her relationship to the child.
 - If the natural person obtained custody of the child on or after January 1, 2026: they must verify their relationship to the child within 30 days after obtaining physical custody of the child.
 - If the natural person obtained custody of the child before January 1, 2026: they must verify their relationship to the child within 90 days after obtaining physical custody of the child.

The bill requires an entity that transfers physical custody or assists in the transfer of the physical custody of a UAC to report the transfer to the DCF within 30 days and notify the natural person obtaining custody of the child of the requirements of the statute.

The bill establishes that a natural person or entity that willfully violates these requirements to report custody of a UAC to the DCF and/or verify their relationship to the child commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, F.S. The bill requires the court to impose a fine of \$1,000 on the natural person or a fine of \$10,000 on an entity if the natural person or entity is convicted.

The bill requires the DCF to notify in writing a natural person or entity of their obligations under this statute if the DCF believes a natural person or entity has failed to report their custody or

relationship to an unaccompanied alien child. If the natural person or entity fails to report the required information within 30 days of the written notification, the DCF is required to notify the Department of Law Enforcement, the Office of Refugee Resettlement, and Immigrations and Customs Enforcement.

The bill provides rulemaking ability to the DCF to implement this section, including rules relating to:

- The specific information that must be reported to the DCF.
- Verifying biological or adoptive parentage, legal guardianship, or court-appointed custody.
- The creation of forms for all reports required under this section.

The bill requires a natural person or entity that suspects abuse, abandonment, or neglect of a UAC to immediately submit a report to the DCF's central abuse hotline.

Section 5 of the bill amends s. 39.5075, F.S. to restrict circumstances in which an order finding that a child meets the criteria for special immigrant juvenile (SIJ) status can be issued. The bill requires an order finding a child meets the criteria for SIJ status may be issued only upon a petition filed by the DCF or CBC provider.

Child Protective Investigations on Military Installations

Present Situation

Federal Consultations with States

Federal law requires the states to report information regarding the abuse of a child at the hands of a family member that is in the U.S. military.⁴⁰ The states have memorandums of understanding (MOUs) to create precedence of information sharing.⁴¹

Family Advocacy Programs

Family Advocacy Programs (FAP) are congressionally mandated programs that aim to prevent and respond to reports of child abuse in military families.⁴² They are located at every military installation that houses families, both within and outside the United States.⁴³

⁴⁰ 10 U.S.C. Ch. 88

⁴¹ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 9, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁴² U.S. Department of Defense, *Family Advocacy Program: Addressing Domestic Abuse*, available at: <https://dacowits.defense.gov/Portals/48/Documents/General%20Documents/RFI%20Docs/Sept2019/FAP%20RFI%208.pdf> (last visited 3/9/25).

⁴³ U.S. Department of Defense, *Family Advocacy Program: Addressing Domestic Abuse*, available at: <https://dacowits.defense.gov/Portals/48/Documents/General%20Documents/RFI%20Docs/Sept2019/FAP%20RFI%208.pdf> (last visited 3/9/25).

In Fiscal Year 2023, FAP received 11,854 reports of suspected child abuse and neglect.⁴⁴ Of the total reports, 5,812 reports met the criteria for child abuse and neglect.⁴⁵ Upon a substantiated claim of child abuse in a military family, FAP staff will ensure the child's safety and well-being as well as notify the necessary law enforcement and child welfare services.⁴⁶

Effect of the Proposed Changes

Section 3 of the bill creates s. 39.3011, F.S. to require the DCF to enter into an agreement for child protective investigations within U.S. military installations. This change codifies current practice in Florida. The bill requires the DCF to enter into an agreement with the Family Advocacy Program, or any successor program, for each military institution located in Florida.

The bill requires each agreement to include procedures for all of the following:

- Identifying the military personnel alleged to have committed the child abuse, abandonment, neglect, or domestic abuse.
- Notifying and sharing information with the military installation when a child protective investigation implicating military personnel has been initiated.
- Maintaining confidentiality as required under state and federal law.

Taking a Child Alleged to be Dependent Into Custody

Present Situation

A law enforcement officer or authorized agent of the DCF may take a child alleged to be dependent into custody if the officer or authorized agent has probable cause to support a finding⁴⁷:

- That the child has been abused, neglected, or abandoned, or is suffering from, or is in imminent danger of, illness or injury as a result of abuse, neglect, or abandonment;
- That the parent or legal custodian of the child has materially violated a condition of placement imposed by the court; or
- That the child has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care.

The court may also issue an order to take a child into custody of the DCF upon a demonstration of reasonable cause that a child is abused, abandoned, or neglected.⁴⁸ This may happen upon the

⁴⁴ U.S. Department of Defense, *Report to the Committees on Armed Services of the Senate and the House of Representatives, Report on Child Abuse and Neglect and Domestic Abuse in the Military for Fiscal Year 2023*, available at: <https://download.militaryonesource.mil/12038/MOS/Reports/DOD-Child-Abuse-and-Neglect-and-Domestic-Abuse-Report-FY2023.pdf> (last visited 3/9/25).

⁴⁵ *Id.*

⁴⁶ U.S. Department of Defense Military One Source, *How to Report Child Abuse or Neglect in the Military*, available at: <https://www.militaryonesource.mil/relationships/prevent-violence-abuse/how-to-report-child-abuse-as-a-member-of-the-military/> (last visited 3/9/25).

⁴⁷ Section 39.401, F.S.

⁴⁸ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 5, on file with the Senate Committee on Children, Families, and Elder Affairs.

DCF's determination that an investigation into the allegations of abuse or neglect are founded, but the parent makes the child unavailable to the DCF.⁴⁹

A dependency judge may also issue an order for a law enforcement officer or authorized agent to take the child into the custody of the DCF if a parent violates an existing custody or visitation court order.⁵⁰ These orders are often referred to as Take Into Custody Orders (TICO) and allow law enforcement to assist the DCF in executing the court order.

Effect of Proposed Changes

Section 4 of the bill amends s. 39.401, F.S. to clarify when a law enforcement officer or authorized agent of the DCF can take a child into custody of the DCF. The bill allows the officer or authorized agent to take a child into DCF custody if there is probable cause to support a finding that the child is the subject of a court order to take the child into custody of the DCF.

Section 15 of the bill amends s. 937.0201, F.S. to include children that are the subject of a court order to take the child into custody of the DCF in the definition of "missing child." This change expands the resources available to find a child that the DCF cannot locate, by requiring the Florida Department of Law Enforcement to deploy its resources to locate the child, such as an Amber Alert.

Section 16 of the bill amends s. 937.021, F.S. to assign agency jurisdiction in situations in which a child is the subject of a court order to take the child into the custody of the DCF and jurisdiction cannot be determined. The bill requires the sheriff's office of the county in which the court order was entered to take jurisdiction.

Domestic Violence Centers

Present Situation

Florida law recognizes the importance of providing victims of domestic violence and their dependents access to safe emergency shelters, advocacy, and crisis intervention services.⁵¹ The DCF is responsible for operating the state's domestic violence program, which includes the certification of domestic violence centers and promoting the involvement of domestic violence centers in the coordination, development, and planning of domestic violence programming throughout the state.⁵²

Domestic violence centers must provide minimum services that include, but are not limited to⁵³:

- Information and referral services.
- Counseling and case management services.
- Temporary emergency shelter for more than 24 hours.
- A 24 hour hotline.
- Nonresidential outreach services.

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ Section 39.901, F.S.

⁵² Section 39.903, F.S.

⁵³ Section 39.905, F.S.

- Training for law enforcement personnel.
- Assessment and appropriate referral of resident children.
- Educational services for community awareness relating to the prevention of domestic violence, and the services available to victims of domestic violence.

The DCF sets certification standards for domestic violence shelters in administrative rule. A domestic violence center must⁵⁴:

- Be a not-for-profit corporation created for the purpose of operating a domestic violence center with a primary mission of the provision of services to victims of domestic violence.
- Demonstrate the unmet need in a service area when seeking certification within the service area of an existing certified center.
- Must have 18 consecutive months of operational experience, with 12 months operation as an emergency shelter.
- Must demonstrate an ability to operate, garner community support, and maintain solvency by providing proof of required safety and financial standards.

There are currently 41 certified domestic violence centers throughout Florida.⁵⁵ Certification allows a domestic violence shelter to receive state funds⁵⁶, if applicable, and utilize victim advocates who can provide advice, counseling, or assistance to victims of domestic violence under the confidential communication protections of current law.⁵⁷

In Fiscal Year 2023-24, there were 12,543 individuals that received emergency shelter at a certified domestic violence center.⁵⁸ However, individuals may experience a disruption in service delivery if a domestic violence center abruptly shuts down or loses certification and there is no other domestic violence center in that service area. Current law would restrict the ability of a new domestic violence center to open in that area, due to the required 18 months of operational experience.

Effect of Proposed Changes

Section 7 of the bill amends s. 39.905, F.S. to allow the DCF to waive operational experience requirements and issue a provisional certification for a new domestic violence center to ensure the provision of services. The bill allows the DCF to issue a provisional certification if there is an emergency need for a new domestic violence center, and there are no other viable options to ensure continuity of services.

The domestic violence center that receives a provisional certification under this section must meet all other criteria, except operational experience, that are required by law.

⁵⁴ 65H-1.012, F.A.C.

⁵⁵ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 6, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁵⁶ Section 39.903, F.S.

⁵⁷ Section 90.5036, F.S.

⁵⁸ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 6, on file with the Senate Committee on Children, Families, and Elder Affairs.

The bill gives the DCF rulemaking authority to provide minimum standards for a provisional certificate, including increased monitoring and site visits, and the length of time a provisional certificate is valid.

Council on Children Services

Present Situation

Counties can create independent special districts that provide funding for children's services throughout the county.⁵⁹ These councils may use property taxes to meet the needs of the children and families living in their community.⁶⁰ The number of members of the council is either 10 or 33, depending on the county's regulations.⁶¹

The Governor is responsible for appointing either 5 members of the council (in a 10 person council) or 7 members of the council (in a 33 person council).⁶² Current law requires the Governor's appointees to represent the geographic and demographic diversity of the county's population, to the extent possible.⁶³

Currently, the following counties have created councils on children services⁶⁴:

- Alachua;
- Broward;
- Escambia;
- Duval;
- Leon;
- Hillsborough;
- Manatee;
- Martin;
- Miami-Dade;
- Okeechobee;
- Palm Beach;
- Pinellas; and
- St. Lucie.

All the councils on children services, except for Duval and Manatee, have an "independent" taxing authority to ensure that a dedicated funding source is available for children's programs and services.⁶⁵ Duval county is a dependent district and relies on funding from different sources, and Manatee County has a hybrid system.⁶⁶

⁵⁹ Section 125.901, F.S.

⁶⁰ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 8, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁶¹ Section 125.901, F.S., and Section 125.011, F.S.

⁶² Section 125.901, F.S.

⁶³ *Id.*

⁶⁴ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 8, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁶⁵ *Id.*

⁶⁶ *Id.*

Effect of Proposed Changes

Section 8 of the bill amends s. 125.901, F.S. to revise the requirements for the selection and removal of the Governor's appointees to the Councils on Children's Services. Specifically, the bill:

- Changes the DCF employee who is responsible for being on the Council on Children's Services from the district administrator to a representative of the DCF.
- Revises the requirement for the Governor's appointees to represent the demographic makeup of the county's population.
- Allows the county governing body to submit recommendations to the Governor for vacant positions on the council.
- Allows the governing body to select an interim appointment for each vacant position from the list of recommendations submitted to the Governor if the Governor fails to make an appointment within the required 45-day period.
- Requires all members recommended by the county governing body and appointed by the Governor to have been residents of the county for the previous 24-month period.

Background Screening and Limited Exemptions

Present Situation

The DCF is responsible for the licensing and regulation of programs for children and vulnerable adults.⁶⁷ A Level II background screening is included in the regulation process. This background screening includes, but is not limited to⁶⁸:

- Fingerprinting for statewide criminal history records checks through the Department of Law Enforcement.
- National criminal history records checks through the Federal Bureau of Investigation.
- Local criminal history records checks may be included through local law enforcement agencies.

In Fiscal Year 2023-24, the DCF screened 278,894 individuals for employment in child care facilities, CBC agencies, foster families, group homes, summer camps, substance abuse treatment facilities, and mental health treatment facilities.⁶⁹

Level II background screenings ensure an individual does not have any disqualifying offenses on his or her record, such as burglary or the fraudulent sale of controlled substances.⁷⁰ A full list of disqualifying offenses is included in statute.⁷¹

⁶⁷ Florida Department of Children and Families, *Background Screening*, available at: <https://www.myflfamilies.com/services/background-screening> (last visited 3/9/25).

⁶⁸ Section 435.04, F.S.

⁶⁹ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 7, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁷⁰ Section 435.04(2), F.S.

⁷¹ *Id.*

An individual that has a disqualifying offense may apply for an exemption from disqualification depending on their disqualifying offense.⁷² The applicant must provide evidence of rehabilitation from the circumstances of the disqualifying offense when seeking an exemption.⁷³ Florida law lists certain offenses that may not be exempted from disqualification for individuals seeking to be child care personnel.⁷⁴

In Fiscal Year 2023-24, the DCF received 1,544 requests for exemptions from disqualification for individuals seeking employment with vulnerable populations.⁷⁵ There are different qualifications for working with every population the DCF serves.

There is limited flexibility in granting exemptions from disqualification. Current law phrases exemptions as all-or-nothing; meaning, the DCF Secretary must either reject the exemption all together or allow the individual to work in all roles that work with a vulnerable population.⁷⁶ Current law does not allow the DCF Secretary to make exemptions with restrictions, such as restricting an applicant to working with adult populations only.⁷⁷

Effect of Proposed Changes

Section 9 of the bill amends s. 402.305, F.S. to provide the DCF with more oversight of instances in which an individual seeking employment as child care personnel can receive an exemption from a background screening despite a disqualifying offense.

The bill allows the DCF to grant limited exemptions that authorize a person seeking employment to work in a specified role or with a specified population, if the individual has a disqualifying offense in his or her background screening.

Section 11 of the bill amends s. 409.175, F.S. to grant limited exemptions authorizing a person who wishes to work in a family foster home, residential child-caring agency, and child-placing agency.

License Extensions

Present Situation

The DCF provides licensure for family foster homes, residential child-caring agencies, and child-placing agencies.⁷⁸ There are different licensure requirements based on the levels of licensed care associated with family foster homes, residential child-caring agencies, and child placing agencies housed in administrative rule.⁷⁹ In Fiscal Year 2023-2024, the DCF licensed 9,316 child-caring

⁷² Section 435.07, F.S.

⁷³ Florida Department of Children and Families, *Apply for Exemption from Disqualification*, available at: <https://www.myflfamilies.com/services/background-screening/apply-exemption-disqualification> (last visited 3/9/25).

⁷⁴ Section 435.07(2)(c), F.S.

⁷⁵ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 7, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁷⁶ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 7, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁷⁷ *Id.*

⁷⁸ Section 409.175, F.S.

⁷⁹ Section 409.175(5), F.S.

agencies and foster homes.⁸⁰ The DCF is not allowed to issue provisional licenses under federal law for providers that fall into noncompliance.⁸¹ To allow providers to come into compliance and follow federal standards, the DCF has the ability to provide a one-time 30-day extension to the provider.⁸² The 30-day extension may not give the provider the adequate time needed to correct a licensure violation regardless of the provider's steps to correct the violation.⁸³

Effect of the Proposed Changes

Section 11 of the bill amends s. 409.175, F.S. to extend the length of time the DCF can extend a license expiration date for family foster homes, residential child-caring agencies, and child-placing agencies from 30 days to 90 days. This change is intended to allow the provider enough time to implement corrective measures that may be out of the provider's control.

Community-Based Care Lead Agencies

Present Situation

The DCF contracts with Community-Based Care (CBC) lead agencies to administer a system of care⁸⁴ to children and families that must focus on:

- Prevention of separation of children from their families;
- Intervention to allow children to remain safely in their own homes;
- Reunification of families who have had their children removed their care;
- Safety for children who are separated from their families;
- Promoting the well-being of children through emphasis on educational stability and timely health care;
- Permanency, including providing adoption and postadoption services; and
- Transition to independence and self-sufficiency.⁸⁵

The CBCs must give priority to services that are evidence-based and trauma informed.⁸⁶ The CBCs contract with a number of subcontractors for case management and direct care services to children and their families. There are 16 CBCs statewide, which together serve the state's 20 judicial circuits.⁸⁷

Effect of Proposed Changes

Section 12 of the bill amends s. 409.993, F.S. to exempt subcontractors of CBC lead agencies that are a direct provider of foster care and related services from liability for the actions or omissions of the lead agency; the DCF or the officers, agents, or employees of the CBC lead

⁸⁰ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 7, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*

⁸⁴ Section 409.145(1), F.S.

⁸⁵ *Id.* Also see generally s. 409.988, F.S.

⁸⁶ Section 409.988(3), F.S.

⁸⁷ The DCF, Lead Agency Information, available at: <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/community-based-care/lead-agency-information> (last visited 3/11/25).

agency or DCF. This change will reduce subcontractor's hesitancy to enter contracts with CBC lead agencies, as they will not be held liable for the actions and omissions of the lead agency.

Group Care

Present Situation

Group homes are a part of the DCF's licensed placement array for children in out-of-home care and provide staffed 24-hour care for children under the licensure of the DCF.⁸⁸ Group homes place a child in a single family or multi-family community with no greater than 14 children to meet the physical, emotional, and social needs of the child.⁸⁹

The CBC lead agencies contract group home providers and negotiate room and board rates in the regions the CBC lead agencies serve.⁹⁰ This has led to a significant increase in the cost of group homes and a variation in the room and board rates throughout the state. The following chart shows that the cost of group care has risen in recent years, while the number of children in group care has decreased.⁹¹

Group Care Cost versus Group Care Placement						
Total Cost	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24
Statewide	\$116,808,722	\$118,243,424	\$114,783,908	\$126,063,837	\$157,688,554	\$174,223,084
Placement	6/30/19	6/30/20	6/30/21	6/30/22	6/30/23	6/30/24
Statewide	1,909	1,620	1,506	1,494	1,608	1,726

Effect of the Proposed Changes

Section 10 of the bill amends s. 409.145, F.S. to require the DCF to establish a fee schedule for daily room and board rates for children in out-of-home care who are placed in a residential child-caring agency. The bill requires the DCF to coordinate with its providers to develop a fee schedule, which may include different payment rates based on factors including, but not limited to the acuity level of the child being placed and the geographic location of the residential child-caring agency.

The bill provides the DCF rulemaking authority to implement this fee schedule.

Building Code Regulation for Child-Caring Agencies

Present Situation

⁸⁸ Section 409.175, F.S.

⁸⁹ 65C-14.001, F.A.C.

⁹⁰ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 8, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁹¹ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 8, on file with the Senate Committee on Children, Families, and Elder Affairs.

Fire Prevention and Control

State law requires all municipalities, counties, and special districts with fire safety responsibilities to enforce the Fire Code as the minimum fire prevention code to operate uniformly among local governments and in conjunction with the Building Code. Each county, municipality, and special district with fire safety enforcement responsibilities must employ or contract with a fire safety inspector (certified by the State Fire Marshal) to conduct all fire safety inspections required by law.⁹²

A “fire protection system” is a system individually designed to protect the interior or exterior of a specific building or buildings, structure, or other special hazard from fire. A fire protection system includes, but is not limited to:⁹³

- Water sprinkler systems;
- Water spray systems;
- Foam-water sprinkler systems;
- Foam-water spray systems;
- Carbon dioxide systems;
- Foam extinguishing systems;
- Dry chemical systems; and
- Halon and other chemical systems used for fire protection use.

Fire protection systems also include any tanks and pumps connected to fire sprinkler systems, overhead and underground fire mains, fire hydrants and hydrant mains, standpipes and hoses connected to sprinkler systems, sprinkler tank heaters, air lines, and thermal systems used in connection with fire sprinkler systems.⁹⁴

Fire protection systems must be installed in accordance with the Fire Code and the Building Code. Current law requires local governments to enforce the Fire Code and the Building Code including the permitting, inspecting, and approving the installation of a fire protection system.⁹⁵ Owners of fire protection systems must contract with a certified fire protection system contractor to regularly inspect such systems.⁹⁶

The Division of the State Fire Marshal follows the standards of the National Fire Protection Association to create fire safety standards with respect to residential child care facilities that provide full-time residence to five or fewer children.⁹⁷ The DCF has reported there to be disagreement in the intended purpose of this rule, which has caused some group homes to purchase costly fire suppression systems when one was not required.⁹⁸

⁹² Section 633.202, F.S.

⁹³ Section 633.102(11), F.S.

⁹⁴ *Id.*

⁹⁵ See generally chs. 553 and 633, F.S.; Florida Fire Prevention Code 8th Edition (NFPA Standard 1), available at [florida-fire-prevention-code-8th-edition-nfpa-101-fl-sp.pdf](https://www.floridafireprevention.com/florida-fire-prevention-code-8th-edition-nfpa-101-fl-sp.pdf) (last visited Mar. 4, 2025).

⁹⁶ Section 633.312, F.S.

⁹⁷ 69A-41.007, F.A.C. and 69A-41.101, F.A.C.

⁹⁸ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 9, on file with the Senate Committee on Children, Families, and Elder Affairs.

Effect of the Proposed Changes

Section 13 of the bill amends s. 553.73, F.S. to prohibit the Florida Building Commission from mandating the installation of fire sprinklers or a fire suppression system in a residential child-caring agency licensed by the DCF which operates in a single-family residential property that is licensed for a capacity of five or fewer children who are unrelated to the licensee.

Section 14 of the bill amends s. 633.208, F.S. to prohibit the fire marshal from requiring a residential child-caring agency licensed by the DCF which operates in a single-family residential property that is licensed for a capacity of five or fewer children who are unrelated to the licensee from installing fire sprinklers or a fire suppression system. This prohibition is contingent upon the licensee meeting the requirements for portable fire extinguishers, fire alarms, and smoke detectors.

Other

Sections 17, 18, and 19 of the bill makes conforming and cross reference changes to align statute with the substantive changes in the bill.

Section 20 provides an effective date of July 1, 2025, notwithstanding sections 1 and 6, which provide an effective date of January 1, 2026.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 16.56, 39.01, 39.401, 39.5075, 39.905, 125.901, 402.305, 402.30501, 409.145, 409.175, 553.73, 633.208, 937.0201, 937.021, 1002.57, 1002.59

This bill creates the following sections of the Florida Statutes: 39.3011, 39.5077,

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Children, Families, and Elder Affairs on March 12, 2025:

- Removes section of the original bill language related to the false reporting of child abuse, abandonment, and neglect, and the civil lawsuit a person who had a false report filed against them may file against the false reporter.
- Updates language surrounding the appointments to Councils on Children's Services including:
 - Changes the DCF employee who is responsible for being on the Council on Children's Services from the district administrator to a representative of the DCF.
 - Allows the governing body to select an interim appointment for each vacant position from the list of recommendations submitted to the Governor if the Governor fails to make an appointment within the required 45-day period.
 - Requires all members recommended by the county governing body and appointed by the Governor to have been residents of the county for the previous 24-month period.

- Provides that a subcontractor of a CBC lead agency is not liable for the acts or omissions of a lead agency; the DCF; or the officers, agents, employees of a lead agency or the DCF. Provides that any contractual provision in conflict with this requirement is void and unenforceable.
- Removes section of the original bill related to zoning requirements for community residential homes.
- Revises the changes made to take into custody orders by removing the provision related to “reasonable force.”

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/13/2025	.	
	.	
	.	
	.	

The Committee on Children, Families, and Elder Affairs (Grall) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective January 1, 2026, paragraph (a) of
subsection (1) of section 16.56, Florida Statutes, is amended to
read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an
Office of Statewide Prosecution. The office shall be a separate



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“budget entity” as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

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

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

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

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

8. Any violation of chapter 815;

9. Any violation of chapter 825;



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10. Any criminal violation of part I of chapter 499;
11. Any violation of the Florida Motor Fuel Tax Relief Act
of 2004;
12. Any criminal violation of s. 409.920 or s. 409.9201;
13. Any criminal violation of the Florida Money Laundering
Act;
14. Any criminal violation of the Florida Securities and
Investor Protection Act;
15. Any violation of chapter 787, as well as any and all
offenses related to a violation of chapter 787; ~~or~~
16. Any criminal violation of chapter 24, part II of
chapter 285, chapter 546, chapter 550, chapter 551, or chapter
849; or
17. Any violation of s. 39.5077;

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

Section 2. Subsection (15) of section 39.01, Florida
Statutes, is amended to read:



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

(15) “Child who is found to be dependent” means a child who, pursuant to this chapter, is found by the court:

(a) To have been abandoned, abused, or neglected by the child’s parent or parents or legal custodians;

(b) To have been surrendered to the department, the former Department of Health and Rehabilitative Services, or a licensed child-placing agency for purpose of adoption;

(c) To have been voluntarily placed with a licensed child-caring agency, a licensed child-placing agency, an adult relative, the department, or the former Department of Health and Rehabilitative Services, after which placement, under the requirements of this chapter, a case plan has expired and the parent or parents or legal custodians have failed to substantially comply with the requirements of the plan;

(d) To have been voluntarily placed with a licensed child-placing agency for the purposes of subsequent adoption, and a parent or parents have signed a consent pursuant to the Florida Rules of Juvenile Procedure;

(e) To have no parent or legal custodians capable of providing supervision and care;

(f) To be at substantial risk of imminent abuse, abandonment, or neglect by the parent or parents or legal custodians; or

(g) To have been sexually exploited and to have no parent, legal custodian, or responsible adult relative currently known and capable of providing the necessary and appropriate supervision and care.



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For purposes of this subsection, the term "legal custodian" includes a sponsor to whom an unaccompanied alien child, as defined in s. 39.5077(1), has been released by the Office of Refugee Resettlement of the Department of Health and Human Services. Notwithstanding any other provision of law, an unaccompanied alien child may not be found to have been abandoned, abused, or neglected based solely on allegations of abandonment, abuse, or neglect that occurred before placement in this state or by a parent who is not in the United States.

Section 3. Section 39.3011, Florida Statutes, is created to read:

39.3011 Protective investigations involving military families.—

(1) For purposes of this section, the term "Family Advocacy Program" means the program established by the United States Department of Defense to address child abuse, abandonment, and neglect in military families.

(2) The department shall enter into an agreement for child protective investigations involving military families with the Family Advocacy Program, or any successor program, of each United States military installation located in this state. Such agreement must include procedures for all of the following:

(a) Identifying the military personnel alleged to have committed the child abuse, neglect, or domestic abuse.

(b) Notifying and sharing information with the military installation when a child protective investigation implicating military personnel has been initiated.

(c) Maintaining confidentiality as required under state and



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federal law.

Section 4. Paragraph (b) of subsection (1) of section 39.401, Florida Statutes, is amended to read:

39.401 Taking a child alleged to be dependent into custody; law enforcement officers and authorized agents of the department.—

(1) A child may only be taken into custody:

(b) By a law enforcement officer, or an authorized agent of the department, if the officer or authorized agent has probable cause to support a finding that the:

1. ~~That the~~ Child has been abused, neglected, or abandoned, or is suffering from or is in imminent danger of illness or injury as a result of abuse, neglect, or abandonment;

2. Child is the subject of a court order to take the child into the custody of the department;

3.2. ~~That the~~ Parent or legal custodian of the child has materially violated a condition of placement imposed by the court; or

4.3. ~~That the~~ Child has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care.

Section 5. Subsection (4) of section 39.5075, Florida Statutes, is amended to read:

39.5075 Citizenship or residency status for immigrant children who are dependents.—

(4) If the child may be eligible for special immigrant juvenile status, the department or community-based care provider may ~~shall~~ petition the court for an order finding that the child meets the criteria for special immigrant juvenile status. The



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ruling of the court on this petition must include findings as to the express wishes of the child, if the child is able to express such wishes, and any other circumstances that would affect whether the best interests of the child would be served by applying for special immigrant juvenile status. An order finding that a child meets the criteria for special immigrant juvenile status may be issued only upon a petition filed by the department or a community-based care provider under this section.

Section 6. Effective January 1, 2026, section 39.5077, Florida Statutes, is created to read:

39.5077 Unaccompanied alien children.—

(1) For purposes of this section, the term “unaccompanied alien child” means a child who has no lawful immigration status in the United States, has not attained 18 years of age, and with respect to whom:

(a) There is no parent or legal guardian in the United States; or

(b) No parent or legal guardian in the United States is available to provide care and physical custody.

(2) (a) Any natural person who obtains or has obtained physical custody of an unaccompanied alien child through a corporation, public or private agency other than the department, or person other than the child’s biological or adoptive parent, legal guardian, or court-appointed custodian; who retains such physical custody of the child for 10 or more consecutive days; and who is not the biological or adoptive parent, legal guardian, or court-appointed custodian of the child, must report such physical custody to the department and initiate proceedings



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under chapter 63, chapter 744, or chapter 751 to determine legal custody of the child.

(b)1. A person who obtains custody of an unaccompanied alien child on or after January 1, 2026, must comply with this subsection within 30 days after obtaining physical custody of such child.

2. A person who obtains custody of an unaccompanied alien child before January 1, 2026, must comply with this subsection within 90 days after January 1, 2026.

(3)(a) Any natural person who obtains or has obtained physical custody of an unaccompanied alien child through a corporation, a public or private agency other than the department, or any other person and who is the biological or adoptive parent, legal guardian, or court-appointed custodian of the child must verify his or her relationship to the child by submitting to the department a DNA test or other adequate documentation as determined by the department. The cost of DNA testing is borne by the person verifying his or her relationship to the child.

(b)1. A person who obtains custody of an unaccompanied alien child on or after January 1, 2026, must comply with this subsection within 30 days after obtaining physical custody of such child.

2. A person who obtains custody of an unaccompanied alien child before January 1, 2026, must comply with this subsection within 90 days after January 1, 2026.

(4) An entity that takes placement of or transfers, or assists in the transfer of, physical custody of an unaccompanied alien child to any natural person or entity must report to the



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department within 30 days after such placement or transfer all identifying information of the unaccompanied alien child and the natural person or entity that received such placement or transfer of physical custody of the child. An entity that takes placement of or transfers, or assists in the transfer of, physical custody of an unaccompanied alien child must attest to notifying the natural person or entity obtaining physical custody of the child of all applicable requirements of this section.

(5) A natural person or an entity that willfully violates subsections (2) and (3) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the natural person or entity is convicted, the court shall impose a fine of \$1,000 on the natural person or a fine of \$10,000 on an entity.

(6) If the department believes that a natural person or an entity has failed to report as required by this section, the department must notify in writing such person or entity of the obligation to report and the requirements of this section.

(7) The department shall notify local law enforcement, the Office of Refugee Resettlement, and Immigration and Customs Enforcement if a natural person or an entity fails to report information required under this section within 30 days after receipt of the written notification required in subsection (6).

(8) The department may adopt rules to implement this section, including rules relating to:

(a) The specific information that must be reported to the department.

(b) Verifying biological or adoptive parentage, legal



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guardianship, or court-appointed custody as required under subsections (2) and (3).

(c) The creation of forms for all reports required under this section.

(9) A natural person or an entity that is involved with or interacts with an unaccompanied alien child and suspects abuse, abandonment, or neglect of such child must immediately submit a report to the central abuse hotline.

Section 7. Paragraph (h) of subsection (1) of section 39.905, Florida Statutes, is amended to read:

39.905 Domestic violence centers.—

(1) Domestic violence centers certified under this part must:

(h) Demonstrate local need and ability to sustain operations through a history of 18 consecutive months' operation as a domestic violence center, including 12 months' operation of an emergency shelter as provided in paragraph (c), and a business plan which addresses future operations and funding of future operations. The department may waive this requirement if there is an emergency need for a new domestic violence center to provide services in an area, and no other viable options exist to ensure continuity of services. If there is an emergency need, the department may issue a provisional certification to the domestic violence center as long as the center meets all other criteria in this subsection. The department may adopt rules to provide minimum standards for a provisional certificate, including increased monitoring and site visits and the time period such certificate is valid.

Section 8. Paragraphs (a) and (b) of subsection (1) of



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section 125.901, Florida Statutes, are amended to read:

125.901 Children's services; independent special district;
council; powers, duties, and functions; public records
exemption.—

(1) Each county may by ordinance create an independent
special district, as defined in ss. 189.012 and 200.001(8)(e),
to provide funding for children's services throughout the county
in accordance with this section. The boundaries of such district
shall be coterminous with the boundaries of the county. The
county governing body shall obtain approval at a general
election, as defined in s. 97.021, by a majority vote of those
electors voting on the question, to annually levy ad valorem
taxes which shall not exceed the maximum millage rate authorized
by this section. Any district created pursuant to the provisions
of this subsection shall be required to levy and fix millage
subject to the provisions of s. 200.065. Once such millage is
approved by the electorate, the district shall not be required
to seek approval of the electorate in future years to levy the
previously approved millage. However, a referendum to increase
the millage rate previously approved by the electors must be
held at a general election, and the referendum may be held only
once during the 48-month period preceding the effective date of
the increased millage.

(a) The governing body of the district shall be a council
on children's services, which may also be known as a juvenile
welfare board or similar name as established in the ordinance by
the county governing body. Such council shall consist of 10
members, including the superintendent of schools; a local school
board member; a representative ~~the district administrator~~ from



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the appropriate district of the Department of Children and Families, or his or her designee who is a member of the Senior Management Service or of the Selected Exempt Service; one member of the county governing body; and the judge assigned to juvenile cases who shall sit as a voting member of the board, except that said judge shall not vote or participate in the setting of ad valorem taxes under this section. If there is more than one judge assigned to juvenile cases in a county, the chief judge shall designate one of said juvenile judges to serve on the board. The remaining five members shall be appointed by the Governor, and shall, to the extent possible, represent the demographic make up diversity of the population of the county. After soliciting recommendations from the public, The county governing body shall submit to the Governor recommendations ~~the names of at least three persons~~ for each vacancy occurring among the five members appointed by the Governor, and the Governor may ~~shall~~ appoint members to the council from the candidates nominated by the county governing body. The Governor shall make a selection within a 45-day period, if the governor fails to make an appointment within the 45-day period the county governing body may select an interim appointment for each vacancy from the recommendations submitted to the governor or request a new list of candidates. All members recommended by the county governing body and appointed by the Governor must ~~shall~~ have been residents of the county for the previous 24-month period. Such members shall be appointed for 4-year terms, except that the length of the terms of the initial appointees shall be adjusted to stagger the terms. The Governor may remove a member for cause or upon the written petition of the county governing



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body. If any of the members of the council required to be appointed by the Governor under ~~the provisions of this subsection~~ resigns, dies, or is removed from office ~~shall resign, die, or be removed from office~~, the vacancy thereby created shall, as soon as practicable, be filled by appointment by the Governor, using the same method as the original appointment, and such appointment to fill a vacancy shall be for the unexpired term of the person who resigns, dies, or is removed from office.

(b) However, any county as defined in s. 125.011(1) may instead have a governing body consisting of 33 members, including the superintendent of schools, or his or her designee; two representatives of public postsecondary education institutions located in the county; the county manager or the equivalent county officer; the district administrator from the appropriate district of the Department of Children and Families, or the administrator's designee who is a member of the Senior Management Service or the Selected Exempt Service; the director of the county health department or the director's designee; the state attorney for the county or the state attorney's designee; the chief judge assigned to juvenile cases, or another juvenile judge who is the chief judge's designee and who shall sit as a voting member of the board, except that the judge may not vote or participate in setting ad valorem taxes under this section; an individual who is selected by the board of the local United Way or its equivalent; a member of a locally recognized faith-based coalition, selected by that coalition; a member of the local chamber of commerce, selected by that chamber or, if more than one chamber exists within the county, a person selected by



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a coalition of the local chambers; a member of the early learning coalition, selected by that coalition; a representative of a labor organization or union active in the county; a member of a local alliance or coalition engaged in cross-system planning for health and social service delivery in the county, selected by that alliance or coalition; a member of the local Parent-Teachers Association/Parent-Teacher-Student Association, selected by that association; a youth representative selected by the local school system's student government; a local school board member appointed by the chair of the school board; the mayor of the county or the mayor's designee; one member of the county governing body, appointed by the chair of that body; a member of the state Legislature who represents residents of the county, selected by the chair of the local legislative delegation; an elected official representing the residents of a municipality in the county, selected by the county municipal league; and 4 members-at-large, appointed to the council by the majority of sitting council members. The remaining seven members shall be appointed by the Governor in accordance with procedures set forth in paragraph (a), except that the Governor may remove a member for cause or upon the written petition of the council. Appointments by the Governor must, to the extent reasonably possible, represent the geographic and demographic make up ~~diversity~~ of the population of the county. Members who are appointed to the council by reason of their position are not subject to the length of terms and limits on consecutive terms as provided in this section. The remaining appointed members of the governing body shall be appointed to serve 2-year terms, except that those members appointed by the Governor shall be



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appointed to serve 4-year terms, and the youth representative and the legislative delegate shall be appointed to serve 1-year terms. A member may be reappointed; however, a member may not serve for more than three consecutive terms. A member is eligible to be appointed again after a 2-year hiatus from the council.

Section 9. Subsection (2) of section 402.305, Florida Statutes, is amended to read:

402.305 Licensing standards; child care facilities.—

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

(a) Good moral character based upon screening as defined in s. 402.302(15). This screening shall be conducted as provided in chapter 435, using the level 2 standards for screening set forth in that chapter, and include employment history checks, a search of criminal history records, sexual predator and sexual offender registries, and child abuse and neglect registry of any state in which the current or prospective child care personnel resided during the preceding 5 years.

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

~~(c) The department may grant exemptions from disqualification from working with children or the developmentally disabled as provided in s. 435.07.~~

(c) ~~(d)~~ Minimum age requirements. Such minimum standards shall prohibit a person under the age of 21 from being the operator of a child care facility and a person under the age of 16 from being employed at such facility unless such person is under direct supervision and is not counted for the purposes of



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computing the personnel-to-child ratio.

(d)~~(e)~~ Minimum training requirements for child care personnel.

1. Such minimum standards for training shall ensure that all child care personnel take an approved 40-clock-hour introductory course in child care, which course covers at least the following topic areas:

a. State and local rules and regulations which govern child care.

b. Health, safety, and nutrition.

c. Identifying and reporting child abuse and neglect.

d. Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development.

e. Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.

f. Specialized areas, including computer technology for professional and classroom use and early literacy and language development of children from birth to 5 years of age, as determined by the department, for owner-operators and child care personnel of a child care facility.

g. Developmental disabilities, including autism spectrum disorder and Down syndrome, and early identification, use of available state and local resources, classroom integration, and positive behavioral supports for children with developmental disabilities.

Within 90 days after employment, child care personnel shall



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begin training to meet the training requirements. Child care personnel shall successfully complete such training within 1 year after the date on which the training began, as evidenced by passage of a competency examination. Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, pursuant to ss. 1007.24 and 1007.25. Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood development or child growth and development, or a child development associate credential or an equivalent state-approved child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.

2. The introductory course in child care shall stress, to the extent possible, an interdisciplinary approach to the study of children.

3. The introductory course shall cover recognition and prevention of shaken baby syndrome; prevention of sudden infant death syndrome; recognition and care of infants and toddlers with developmental disabilities, including autism spectrum disorder and Down syndrome; and early childhood brain development within the topic areas identified in this paragraph.

4. On an annual basis in order to further their child care skills and, if appropriate, administrative skills, child care personnel who have fulfilled the requirements for the child care



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training shall be required to take an additional 1 continuing education unit of approved inservice training, or 10 clock hours of equivalent training, as determined by the department.

5. Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours of equivalent training, as determined by the department, in early literacy and language development of children from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subparagraph 4.

6. Procedures for ensuring the training of qualified child care professionals to provide training of child care personnel, including onsite training, shall be included in the minimum standards. It is recommended that the state community child care coordination agencies (central agencies) be contracted by the department to coordinate such training when possible. Other district educational resources, such as community colleges and career programs, can be designated in such areas where central agencies may not exist or are determined not to have the capability to meet the coordination requirements set forth by the department.

7. Training requirements shall not apply to certain occasional or part-time support staff, including, but not limited to, swimming instructors, piano teachers, dance instructors, and gymnastics instructors.

8. The child care operator shall be required to take basic training in serving children with disabilities within 5 years after employment, either as a part of the introductory training or the annual 8 hours of inservice training.



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(e)~~(f)~~ Periodic health examinations.

(f)~~(g)~~ A credential for child care facility directors. The credential shall be a required minimum standard for licensing.

The department may grant limited exemptions authorizing a person to work in a specified role or with a specified population.

Section 10. Paragraph (e) is added to subsection (3) of section 409.145, Florida Statutes, to read:

409.145 Care of children; "reasonable and prudent parent" standard.—The child welfare system of the department shall operate as a coordinated community-based system of care which empowers all caregivers for children in foster care to provide quality parenting, including approving or disapproving a child's participation in activities based on the caregiver's assessment using the "reasonable and prudent parent" standard.

(3) ROOM AND BOARD RATES.—

(e) By July 1, 2026, the department shall, in coordination with its providers, establish a fee schedule for daily room and board rates for children in out-of-home care who are placed in a residential child-caring agency as defined in s. 409.175(2)(1).
The fee schedule may include different payment rates based on factors including, but not limited to, the acuity level of the child being placed and the geographic location of the residential child-caring agency. The department shall adopt rules to implement this paragraph.

Section 11. Paragraph (b) of subsection (5), subsection (7), and paragraph (e) of subsection (14) of section 409.175, Florida Statutes, are amended to read:

409.175 Licensure of family foster homes, residential



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

(5) The department shall adopt and amend rules for the levels of licensed care associated with the licensure of family foster homes, residential child-caring agencies, and child-placing agencies. The rules may include criteria to approve waivers to licensing requirements when applying for a child-specific license.

(b) The requirements for licensure and operation of family foster homes, residential child-caring agencies, and child-placing agencies shall include:

1. The operation, conduct, and maintenance of these homes and agencies and the responsibility which they assume for children served and the evidence of need for that service.

2. The provision of food, clothing, educational opportunities, services, equipment, and individual supplies to assure the healthy physical, emotional, and mental development of the children served.

3. The appropriateness, safety, cleanliness, and general adequacy of the premises, including fire prevention and health standards, to provide for the physical comfort, care, and well-being of the children served.

4. The ratio of staff to children required to provide adequate care and supervision of the children served and, in the case of family foster homes, the maximum number of children in the home.

5. The good moral character based upon screening, education, training, and experience requirements for personnel and family foster homes.



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~~6. The department may grant exemptions from
disqualification from working with children or the
developmentally disabled as provided in s. 435.07.~~

~~6.7.~~ The provision of preservice and inservice training for
all foster parents and agency staff.

~~7.8.~~ Satisfactory evidence of financial ability to provide
care for the children in compliance with licensing requirements.

~~8.9.~~ The maintenance by the agency of records pertaining to
admission, progress, health, and discharge of children served,
including written case plans and reports to the department.

~~9.10.~~ The provision for parental involvement to encourage
preservation and strengthening of a child's relationship with
the family.

~~10.11.~~ The transportation safety of children served.

~~11.12.~~ The provisions for safeguarding the cultural,
religious, and ethnic values of a child.

~~12.13.~~ Provisions to safeguard the legal rights of children
served.

~~13.14.~~ Requiring signs to be conspicuously placed on the
premises of facilities maintained by child-caring agencies to
warn children of the dangers of human trafficking and to
encourage the reporting of individuals observed attempting to
engage in human trafficking activity. The signs must advise
children to report concerns to the local law enforcement agency
or the Department of Law Enforcement, specifying the appropriate
telephone numbers used for such reports. The department shall
specify, at a minimum, the content of the signs by rule.

The department may grant limited exemptions authorizing a person



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to work in a specified role or with a specified population.

(7) The department may extend a license expiration date once for a period of up to 90 ~~30~~ days to allow for the implementation of corrective measures. However, the department may not extend a license expiration date more than once during a licensure period.

(14)

(e)1. In addition to any other preservice training required by law, foster parents, as a condition of licensure, and agency staff must successfully complete preservice training related to human trafficking which must be uniform statewide and must include, but need not be limited to, all of the following:

a. Basic information on human trafficking, such as an understanding of relevant terminology, and the differences between sex trafficking and labor trafficking.~~+~~

b. Factors and knowledge on identifying children at risk of human trafficking.~~+~~~~and~~

c. Steps that should be taken to prevent at-risk youths from becoming victims of human trafficking.

2. Foster parents, before licensure renewal, and agency staff, during each full year of employment, must complete inservice training related to human trafficking to satisfy the training requirement under subparagraph (5)(b)6 ~~(5)(b)7~~.

Section 12. Paragraph (b) of subsection (3) of section 409.993, Florida Statutes, is redesignated as paragraph (c), and paragraph (b) is added to that subsection, to read:

409.993 Lead agencies and subcontractor liability.—

(3) SUBCONTRACTOR LIABILITY.—

(b) A subcontractor of a lead agency that is a direct



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provider of foster care and related services is not liable for the acts or omissions of the lead agency; the department; or the officers, agents, or employees of the lead agency or the department. Any provision in a contract between a subcontractor and a lead agency which is in conflict with this paragraph is void and unenforceable.

Section 13. Paragraph (c) is added to subsection (20) of section 553.73, Florida Statutes, to read:

553.73 Florida Building Code.—

(20) The Florida Building Commission may not:

(c) Mandate the installation of fire sprinklers or a fire suppression system in a residential child-caring agency licensed by the Department of Children and Families under s. 409.175 which operates in a single-family residential property that is licensed for a capacity of five or fewer children who are unrelated to the licensee.

Section 14. Subsection (12) is added to section 633.208, Florida Statutes, to read:

633.208 Minimum firesafety standards.—

(12) Notwithstanding subsection (8), a residential child-caring agency licensed by the Department of Children and Families under s. 409.175 which operates in a single-family residential property that is licensed for a capacity of five or fewer children who are unrelated to the licensee is not required to install fire sprinklers or a fire suppression system as long as the licensee meets the requirements for portable fire extinguishers, fire alarms, and smoke detectors under this chapter.

Section 15. Subsection (3) of section 937.0201, Florida



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Statutes, is amended to read:

937.0201 Definitions.—As used in this chapter, the term:

(3) “Missing child” means a person younger than 18 years of age whose temporary or permanent residence is in, or is believed to be in, this state, whose location has not been determined, and who has been reported as missing to a law enforcement agency. The term includes a child who is the subject of a court order to take the child into the custody of the Department of Children and Families.

Section 16. Subsection (3) of section 937.021, Florida Statutes, is amended, and subsection (9) is added to that section, to read:

937.021 Missing child and missing adult reports.—

(3) A report that a child or adult is missing must be accepted by and filed with the law enforcement agency having jurisdiction in the county or municipality in which the child or adult was last seen. The filing and acceptance of the report imposes the duties specified in this section upon the law enforcement agency receiving the report. This subsection does not preclude a law enforcement agency from accepting a missing child or missing adult report when agency jurisdiction cannot be determined. If agency jurisdiction cannot be determined for cases in which there is a child who is the subject of a court order to take the child into the custody of the Department of Children and Families, the sheriff’s office of the county in which the court order was entered must take jurisdiction.

Section 17. Section 402.30501, Florida Statutes, is amended to read:

402.30501 Modification of introductory child care course



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

Section 18. Subsections (3) and (4) of section 1002.57, Florida Statutes, are amended to read:

1002.57 Prekindergarten director credential.—

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

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

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

Section 19. Subsection (1) of section 1002.59, Florida Statutes, is amended to read:

1002.59 Emergent literacy and performance standards training courses.—

(1) The department, in collaboration with the Just Read, Florida! Office, shall adopt minimum standards for courses in emergent literacy for prekindergarten instructors. Each course



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must consist of 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, vocabulary and comprehension development, and foundational background knowledge designed to correlate with the content that students will encounter in grades K-12, consistent with the evidence-based content and strategies grounded in the science of reading identified pursuant to s. 1001.215(7). The course standards must be reviewed as part of any review of subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas conducted pursuant to s. 1012.586. Each course must also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(d)5. ~~ss. 402.305(2)(e)5.,~~ 402.313(6), and 402.3131(5).

Section 20. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2025.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled



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An act relating to child welfare; amending s. 16.56, F.S.; authorizing the Office of Statewide Prosecution in the Department of Legal Affairs to investigate and prosecute specified violations; amending s. 39.01, F.S.; revising the definition of the term "child who is found to be dependent"; defining the term "legal custodian"; creating s. 39.3011, F.S.; defining the term "Family Advocacy Program"; requiring the department to enter into agreements with certain military installations for child protective investigations involving military families; providing requirements for such agreements; amending s. 39.401, F.S.; authorizing a law enforcement officer or an authorized agent of the department to take a child into custody who is the subject of a specified court order; amending s. 39.5075, F.S.; authorizing, rather than requiring, the department or a community-based care provider to petition the court for a specified order; providing that a certain order may be issued only if a certain petition is filed by specified entities; creating s. 39.5077, F.S.; defining the term "unaccompanied alien child"; requiring any natural person who meets certain criteria to submit a specified report with the department; requiring such report be submitted within a specified time period; requiring any natural person who meets certain criteria to verify his or her relationship with an unaccompanied alien child in certain ways; requiring the person verifying his or her relationship with such



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child to pay for DNA testing; requiring such person to verify his or her relationship within a specified time period; requiring certain entities to submit a specified report to the department within a specified time period; requiring a specified attestation; providing criminal penalties and civil fines; requiring the department to notify certain persons or entities of certain requirements; requiring the department to notify law enforcement, the Office of Refugee Resettlement, and Immigration and Customs Enforcement under certain circumstances; authorizing the department to adopt certain rules; requiring certain persons or entities to submit a report to the central abuse hotline under certain circumstances; amending s. 39.905, F.S.; authorizing the department to waive a specified requirement if there is an emergency need for a new domestic violence center, to issue a provisional certification to such center under certain circumstances, and to adopt rules relating to provisional certifications; amending s. 125.901, F.S.; revising membership requirements for certain independent special districts; amending s. 402.305, F.S.; authorizing the department to grant certain exemptions from disqualification for certain persons; amending s. 409.145, F.S.; requiring the department to establish a fee schedule for daily room and board rates for certain children by a date certain, which may include different rates based on a child's acuity level or the geographic location of the residential



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child-caring agency; requiring the department to adopt rules; amending s. 409.175, F.S.; authorizing the department to grant certain exemptions from disqualification for certain persons; authorizing the department to extend the expiration date of a license by a specified amount of time for a certain purpose; amending s. 409.993, F.S.; specifying that subcontractors of lead agencies that are direct providers of foster care and related services are not liable for the acts or omissions of the lead agency and related persons or the Department of Children and Families and related persons amending s. 553.73, F.S.; prohibiting the Florida Building Commission from mandating the installation of fire sprinklers or a fire suppression system in certain agencies licensed by the department; amending s. 633.208, F.S.; providing that certain residential child-caring agencies are not required to install fire sprinklers or a fire suppression system under certain circumstances; amending s. 937.0201, F.S.; revising the definition of the term "missing child"; amending s. 937.021, F.S.; specifying the entity with jurisdiction for accepting missing child reports under certain circumstances; amending ss. 402.30501, 1002.57, and 1002.59, F.S.; conforming cross-references; providing effective dates.