

By Senator Harris

24-453-98

See HB

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

A bill to be entitled  
An act relating to termination of parental  
rights; amending s. 39.464, F.S.; providing an  
additional ground for termination of parental  
rights due to chronic history of abuse of  
drugs, controlled substances, or alcohol;  
defining the term "chronic"; providing an  
effective date.

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

Section 1. Paragraph (g) is added to subsection (1) of  
section 39.464, Florida Statutes, to read:

39.464 Grounds for termination of parental rights.--

(1) The department, the guardian ad litem, a licensed  
child-placing agency, or any person who has knowledge of the  
facts alleged or who is informed of said facts and believes  
that they are true, may petition for the termination of  
parental rights under any of the following circumstances:

(g) When the parent is unable to discharge parental  
responsibilities due to chronic history of abuse or drugs,  
controlled substances, or alcohol, the parent has been offered  
the opportunity to participate in a drug or alcohol treatment  
program and has:

- 1. Failed or refused to do so; or
- 2. Has failed in treatment.

For the purpose of this paragraph, any substance-abuse problem  
that has existed in excess of 1 year is considered to be  
"chronic."

1           Section 2. This act shall take effect October 1 of the  
2 year in which enacted.

3  
4           \*\*\*\*\*

5                           LEGISLATIVE SUMMARY

6           Provides an additional ground for the termination of  
7 parental rights when the parent is unable to discharge  
8 parental responsibilities due to a chronic history of  
9 abuse of drugs, controlled substances, or alcohol, the  
10 parent has been offered the opportunity to participate in  
11 a drug or alcohol treatment program and has failed or  
12 refused to do so or has failed in treatment. Provides  
13 that any substance-abuse problem that has existed in  
14 excess of 1 year is considered to be "chronic."  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31