

Bill No. CS for SB 1910

Amendment No.

Senate

CHAMBER ACTION

House

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Senator Cowin moved the following amendment:

Senate Amendment (with title amendment)

On page 8, lines 1 and 2, delete those lines

and insert:

(12)(a) If the child protective investigator determines that the child can be maintained safely in the child's own home only after injunctive relief has been granted pursuant to s. 39.504, the investigator must file a request for injunction and shall determine whether a parent or legal custodian is available, willing, and capable of removing the child from the home temporarily while the injunctive relief is sought.

(a) If a parent or legal custodian is available, willing, and capable of removing the child from the home temporarily while injunctive relief is sought and the parent or legal custodian provides the child protective investigator with a safety plan developed with the assistance of the child protective investigator, the child shall be left in the custody of the parent or legal custodian as long as the safety

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1 plan is followed. In cases in which domestic violence is
2 occurring in the household, the protective investigator shall
3 request assistance from the local certified domestic violence
4 center in developing the safety plan.

5 (b) If a parent or legal custodian is not available,
6 willing, and capable of removing the child from the home
7 temporarily while injunctive relief is sought, if the parent
8 or legal custodian is unable or unwilling to provide the child
9 protective investigator with a safety plan, if the child
10 protective investigator is unwilling to approve the safety
11 plan provided by the parent or legal custodian, or if the
12 parent or legal custodian fails to follow the approved safety
13 plan, the child shall be taken into protective custody while
14 injunctive relief is sought pursuant to s. 39.504.

15 (c) If the department or its agent determines that a
16 child requires immediate or long-term protection through:

- 17 1. Medical or other health care; or
18 2. Homemaker care, day care, protective supervision,
19 or other services to stabilize the home environment, including
20 intensive family preservation services through the Family
21 Builders Program or the Intensive Crisis Counseling Program,
22 or both,

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24 such services shall first be offered for voluntary acceptance
25 unless there are high-risk factors that may impact the ability
26 of the parents or legal custodians to exercise judgment. Such
27 factors may include the parents' or legal custodians' young
28 age or history of substance abuse or domestic violence.

29 (d)~~(b)~~ The parents or legal custodians shall be
30 informed of the right to refuse services, as well as the
31 responsibility of the department to protect the child

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1 regardless of the acceptance or refusal of services. If the
 2 services are refused and the department deems that the child's
 3 need for protection so requires, the department shall take the
 4 child into protective custody or petition the court as
 5 provided in this chapter.

6 (e)~~(c)~~ The department, in consultation with the
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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 1, line 22, after the semicolon,
 12

13 insert:

14 providing circumstances under which an
 15 injunction must be sought; providing
 16 procedures;
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