

1 A bill to be entitled
 2 An act relating to community residential homes; amending
 3 s. 419.001, F.S.; revising definitions; requiring the
 4 sponsoring agency of a community residential home to
 5 provide certain information to a local government under
 6 certain circumstances; providing an effective date.

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

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 10 Section 1. Subsections (1) and (2) of section 419.001,
 11 Florida Statutes, are amended to read:

12 419.001 Site selection of community residential homes.--

13 (1) For the purposes of this section, the following
 14 definitions shall apply:

15 (a) "Community residential home" means a dwelling unit
 16 licensed to serve residents, as defined in paragraph (c), who
 17 are clients of the Department of Elderly Affairs, the Agency for
 18 Persons with Disabilities, the Department of Juvenile Justice,
 19 or the Department of Children and Family Services or a dwelling
 20 unit licensed by the Agency for Health Care Administration,

21 which provides a living environment for 7 to 14 unrelated
 22 residents who operate as the functional equivalent of a family,
 23 including such supervision and care by supportive staff as may
 24 be necessary to meet the physical, emotional, and social needs
 25 of the residents.

26 ~~(b) "Department" means the Department of Children and~~
 27 ~~Family Services.~~

28 ~~(b)(e)~~ "Local government" means a county as set forth in
 29 chapter 7 or a municipality incorporated under the provisions of
 30 chapter 165.

31 ~~(c)(d)~~ "Resident" means any of the following: a frail
 32 elder as defined in s. 400.618; a physically disabled or
 33 handicapped person as defined in s. 760.22(7)(a); a
 34 developmentally disabled person as defined in s. 393.063; a
 35 nondangerous mentally ill person as defined in s. 394.455(18);
 36 or a child as defined in s. 39.01(14), s. 984.03(9) or (12), or
 37 s. 985.03(8).

38 ~~(d)(e)~~ "Sponsoring agency" means an agency or unit of
 39 government, a profit or nonprofit agency, or any other person or
 40 organization which intends to establish or operate a community
 41 residential home.

42 (2) Homes of six or fewer residents which otherwise meet
 43 the definition of a community residential home shall be deemed a
 44 single-family unit and a noncommercial, residential use for the
 45 purpose of local laws and ordinances. Homes of six or fewer
 46 residents which otherwise meet the definition of a community
 47 residential home shall be allowed in single-family or
 48 multifamily zoning without approval by the local government,
 49 provided that such homes shall not be located within a radius of
 50 1,000 feet of another existing such home with six or fewer
 51 residents. Such homes with six or fewer residents shall not be
 52 required to comply with the notification provisions of this
 53 section; ~~provided, however,~~ that, prior to occupancy, the
 54 sponsoring agency provides the local government with the most
 55 recently published data compiled that identifies all community

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56 residential homes in the district in which the proposed site is
57 to be located in order to show that no other community
58 residential home is within a radius of 1,000 feet of the
59 proposed home with six or fewer residents. At the time of home
60 occupancy, the sponsoring agency or the Department of Children
61 and Family Services must notify ~~or the department notifies~~ the
62 local government ~~at the time of home occupancy~~ that the home is
63 licensed by the department.

64 Section 2. This act shall take effect July 1, 2006.