

CHAMBER ACTION

1 The Future of Florida's Families Committee recommends the  
2 following:

3  
4 **Council/Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to community residential homes; amending  
8 s. 419.001, F.S.; revising definitions; requiring the  
9 sponsoring agency of a community residential home to  
10 provide certain information to a local government under  
11 certain circumstances; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Subsections (1) and (2) of section 419.001,  
16 Florida Statutes, are amended to read:

17 419.001 Site selection of community residential homes.--

18 (1) For the purposes of this section, the following  
19 definitions shall apply:

20 (a) "Community residential home" means a dwelling unit  
21 licensed to serve residents, as defined in paragraph (c), who  
22 are clients of the Department of Elderly Affairs, the Agency for  
23 Persons with Disabilities, the Department of Juvenile Justice,

24 or the Department of Children and Family Services or a dwelling  
 25 unit licensed by the Agency for Health Care Administration,  
 26 which provides a living environment for 7 to 14 unrelated  
 27 residents who operate as the functional equivalent of a family,  
 28 including such supervision and care by supportive staff as may  
 29 be necessary to meet the physical, emotional, and social needs  
 30 of the residents.

31 ~~(b) "Department" means the Department of Children and~~  
 32 ~~Family Services.~~

33 (b)(e) "Local government" means a county as set forth in  
 34 chapter 7 or a municipality incorporated under the provisions of  
 35 chapter 165.

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

43 (d)(e) "Sponsoring agency" means an agency or unit of  
 44 government, a profit or nonprofit agency, or any other person or  
 45 organization which intends to establish or operate a community  
 46 residential home.

47 (2) Homes of six or fewer residents which otherwise meet  
 48 the definition of a community residential home shall be deemed a  
 49 single-family unit and a noncommercial, residential use for the  
 50 purpose of local laws and ordinances. Homes of six or fewer  
 51 residents which otherwise meet the definition of a community

HB 351

2006  
CS

52 residential home shall be allowed in single-family or  
53 multifamily zoning without approval by the local government,  
54 provided that such homes shall not be located within a radius of  
55 1,000 feet of another existing such home with six or fewer  
56 residents. Such homes with six or fewer residents shall not be  
57 required to comply with the notification provisions of this  
58 section; ~~provided, however,~~ that, prior to occupancy, the  
59 sponsoring agency provides the local government with the most  
60 recently published data compiled that identifies all community  
61 residential homes in the district in which the proposed site is  
62 to be located in order to show that no other community  
63 residential home is within a radius of 1,000 feet of the  
64 proposed home with six or fewer residents. At the time of home  
65 occupancy, the sponsoring agency or the licensing entity must  
66 notify ~~or the department notifies~~ the local government ~~at the~~  
67 ~~time of home occupancy~~ that the home is licensed by the  
68 department.

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