A bill to be entitled 1 2 An act relating to homelessness; amending s. 420.507, 3 F.S.; conforming a cross-reference; amending s. 420.621, F.S.; conforming a cross-reference; revising, providing, 4 and deleting definitions; amending s. 420.622, F.S.; 5 increasing and revising membership on the Council on 6 7 Homelessness; removing a member from an obsolete 8 organization; correcting the name of a member organization 9 on the council; revising the date of an annual report; creating s. 420.6275, F.S.; creating the Housing First 10 program; providing legislative findings and intent; 11 providing methodology; providing components of the 12 program; creating s. 420.628, F.S.; providing legislative 13 findings and intent; creating a 3-year Youth Housing First 14 Continuum Pilot Program; providing eligibility 15 16 requirements for the pilot program; providing for the design of the pilot program; requiring Connected by 25 in 17 Hillsborough County to provide administrative support; 18 19 providing Connected by 25 with specified duties; providing reporting requirements; amending s. 1003.01, F.S.; 20 revising a definition; amending ss. 1003.21 and 1003.22, 21 F.S.; conforming terminology; providing an appropriation; 22 providing a contingent effective date. 23 24 25 Be It Enacted by the Legislature of the State of Florida: 26 Paragraph (a) of subsection (22) of section 27 Section 1. 420.507, Florida Statutes, is amended to read: 28 Page 1 of 19

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420.507 Powers of the corporation.--The corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers which are in addition to all other powers granted by other provisions of this part:

34 (22) To develop and administer the State Apartment
35 Incentive Loan Program. In developing and administering that
36 program, the corporation may:

37 (a) Make first, second, and other subordinated mortgage loans including variable or fixed rate loans subject to 38 contingent interest for all State Apartment Incentive Loans 39 provided for in this chapter based upon available cash flow of 40 the projects. The corporation shall make loans exceeding 25 41 percent of project cost available only to nonprofit 42 43 organizations and public bodies which are able to secure grants, 44 donations of land, or contributions from other sources and to projects meeting the criteria of subparagraph 1. Mortgage loans 45 shall be made available at the following rates of interest: 46

1. Zero to 3 percent interest for sponsors of projects that set aside at least 80 percent of their total units for residents qualifying as farmworkers as defined in this part, or commercial fishing workers as defined in this part, or the homeless as defined in s. 420.621<u>(6)</u>(4) over the life of the loan.

2. Zero to 3 percent interest based on the pro rata share of units set aside for homeless residents if the total of such units is less than 80 percent of the units in the borrower's project.

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57	3. One to 9 percent interest for sponsors of projects
58	targeted at populations other than farmworkers, commercial
59	fishing workers, and the homeless.
60	Section 2. Section 420.621, Florida Statutes, is amended
61	to read:
62	420.621 Definitions; ss. <u>420.621-420.628</u>
63	420.627 As used in ss. <u>420.621-420.628</u> 420.621 420.627 , the
64	term following terms shall have the following meanings, unless
65	the context otherwise requires:
66	(1) "Children and youths experiencing homelessness," for
67	programs authorized under the McKinney-Vento Education
68	Assistance for Homeless Children and Youths, 42 U.S.C. ss. 11431
69	et seq., means children and youths who lack a fixed, regular,
70	and adequate nighttime residence, and includes:
71	(a) Children and youths who are sharing the housing of
72	other persons due to loss of housing, economic hardship, or a
73	similar reason; are living in motels, hotels, trailer parks, or
74	camping grounds due to the lack of alternative adequate
75	accommodations; are living in emergency or transitional
76	shelters; are abandoned in hospitals; or are awaiting foster
77	care placement.
78	(b) Children and youths who have a primary nighttime
79	residence that is a public or private place not designed for or
80	ordinarily used as a regular sleeping accommodation for human
81	beings.
82	(c) Children and youths who are living in cars, parks,
83	public spaces, abandoned buildings, bus or train stations, or
84	similar settings.

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85	(d) Migratory children who are living in circumstances
86	described in paragraphs (6)(a)-(c).
87	(2) "Continuum of care" means a community plan to organize
88	and deliver housing and services to meet the specific needs of
89	people who are homeless as they move to stable housing and
90	maximum self-sufficiency. It includes action steps to end
91	homelessness and prevent a return to homelessness.
92	(3) "Council on Homelessness" means the council created in
93	<u>s. 420.622.</u>
94	(1) "AFDC" means Aid to Families with Dependent Children
95	as administered under chapter 409.
96	(4) (2) "Department" means the Department of Children and
97	Family Services.
98	(5)-(3) "District" means a service district of the
99	department of Children and Family Services , as set forth in s.
100	20.19.
101	(6) (4) "Homeless," applied to an individual, or
102	"individual experiencing homelessness" means "Homeless" refers
103	to an individual who lacks a fixed, regular, and adequate
104	nighttime residence <u>and includes</u> or an individual who has a
105	primary nighttime residence that is:
106	(a) Is sharing the housing of other persons due to loss of
107	housing, economic hardship, or a similar reason;
108	(b) Is living in a motel, hotel, or camping ground due to
109	a lack of alternative adequate accommodations;
110	(c) Is living in an emergency or transitional shelter; A
111	supervised publicly or privately operated shelter designed to
112	provide temporary living accommodations, including welfare
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hotels, congregate shelters, and transitional housing for the 113 114 mentally ill; (d) (b) Is living in an institution that provides a 115 116 temporary residence for individuals intended to be 117 institutionalized; or (e) (c) Has a primary nighttime residence that is a public 118 119 or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or 120 Is living in a car, park, public space, abandoned 121 (f) building, bus or train station, or similar setting. 122 123 The terms defined in this subsection do term does not refer to 124 125 any individual imprisoned or otherwise detained pursuant to 126 state or federal law. The terms also do not include individuals 127 or families who are sharing housing due to cultural preferences, 128 voluntary arrangements, and traditional networks of support. The 129 terms include an individual who has been released from jail, prison, the juvenile justice system, the child welfare system, a 130 131 mental health and developmental disability facility, a 132 residential addiction treatment program, or a hospital, for whom 133 no subsequent residence has been identified, and who lacks the resources and support network to obtain housing. 134 135 (7) (5) "Local coalition for the homeless" means a coalition established pursuant to s. 420.623. 136 "New and temporary homeless" means those 137 (8)(6) individuals or families who are homeless due to societal 138 139 external factors, such as unemployment or other loss of income,

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140 personal or family life crises, or the shortage of low income 141 housing.

142 (9) "Societal causes of homelessness" means factors such 143 as lack of housing for individuals and families with low 144 incomes, lack of employment opportunities for those with a high 145 school education or less, and lack of day care, transportation, 146 and other institutional supports.

147 (10) (7) "State Office on Homelessness" means the state
 148 office created in s. 420.622 "Secretary" means the secretary of
 149 the Department of Children and Family Services.

Section 3. Subsections (2) and (9) of section 420.622,Florida Statutes, are amended to read:

420.622 State Office on Homelessness; Council on
Homelessness.--

The Council on Homelessness is created to consist of a 154 (2)155 17-member 15-member council of public and private agency 156 representatives who shall develop policy and advise the State 157 Office on Homelessness. The council members shall be: the 158 Secretary of Children and Family Services, or his or her designee; the Secretary of Community Affairs, or his or her 159 160 designee; the Secretary of Health, or his or her designee; the 161 Executive Director of Veterans' Affairs, or his or her designee; 162 the Secretary of Corrections, or his or her designee; the Secretary of Health Care Administration, or his or her designee; 163 the Commissioner of Education, or his or her designee; the 164 Director of Workforce Florida, Inc., or his or her designee; one 165 representative of the Florida Association of Counties; one 166 representative from the Florida League of Cities; one 167

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168 representative of the Florida Coalition for Supportive Housing 169 Coalition; the Executive Director of the Florida Housing Finance 170 Corporation, or his or her designee; one representative of the 171 Florida Coalition for the Homeless; one representative of the 172 Florida State Rural Development Council; and four members 173 appointed by the Governor. The council members shall be 174 volunteer, nonpaid persons and shall be reimbursed for travel 175 expenses only. The appointed members of the council shall serve 176 staggered 2-year terms, and the council shall meet at least four 177 times per year. The importance of minority, gender, and 178 geographic representation must be considered when appointing 179 members to the council.

The council shall, by June 30 December 31 of each 180 (9) 181 year, beginning in 2008, issue to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the 182 183 Secretary of Children and Family Services an evaluation of the 184 executive director's performance in fulfilling the statutory 185 duties of the office, a report summarizing the council's 186 recommendations to the office and the corresponding actions 187 taken by the office, and any recommendations to the Legislature 188 for proposals to reduce homelessness in this state.

Section 4. Section 420.6275, Florida Statutes, is created to read:

191	4
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420.6275 Housing First.--

2 (1) LEGISLATIVE FINDINGS AND INTENT.--

193(a) The Legislature finds that many communities plan to194manage homelessness rather than plan to end it.

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195 The Legislature also finds that for most of the past (b) 196 two decades, public and private solutions to homelessness have 197 focused on providing individuals and families who are 198 experiencing homelessness with emergency shelter, transitional 199 housing, or a combination of both. While emergency shelter programs may provide critical access to services for individuals 200 201 and families in crisis, they often fail to address the long-term 202 needs of those who are homeless. 203 (C) The Legislature further finds that Housing First is an 204 alternative approach to the current system of emergency shelter 205 or transitional housing which tends to reduce the length of time of homelessness and has proven to be cost-effective to homeless 206 207 programs. It is therefore the intent of the Legislature to 208 (d) encourage local coalitions for the homeless, established 209 210 pursuant to s. 420.623, to adopt the Housing First approach to 211 ending homelessness for individuals and families. 212 HOUSING FIRST METHODOLOGY .--(2) (a) 213 The Housing First approach to homelessness differs 214 from traditional approaches by providing housing assistance, 215 case management, and support services responsive to individual 216 or family needs after housing is obtained. By using the Housing 217 First approach when appropriate, communities can significantly reduce the amount of time that individuals and families are 218 homeless and prevent further episodes of homelessness. Housing 219 220 First emphasizes that social services provided to enhance individual and family well-being can be more effective when 221 people are in their own home, and: 222

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223	1. The housing is not time-limited.
224	2. The housing is not contingent on compliance with
225	services. Instead, participants must comply with a standard
226	lease agreement and are provided with the services and support
227	that are necessary to help them do so successfully.
228	(b) The Housing First approach addresses the societal
229	causes of homelessness and advocates for the immediate return of
230	individuals and families back into housing and communities.
231	Housing First provides a critical link between the emergency and
232	transitional housing system and community-based social service,
233	educational, and health care organizations and consists of four
234	components:
235	1. Crisis intervention and short-term stabilization.
236	2. Screening, intake, and needs assessment.
237	3. Provision of housing resources.
238	4. Provision of case management.
239	Section 5. Section 420.628, Florida Statutes, is created
240	to read:
241	420.628 Children and young adults leaving foster care
242	(1) LEGISLATIVE FINDINGS AND INTENT
243	(a) The Legislature finds that the transition from
244	childhood to adulthood is filled with opportunity and risk. Most
245	young people who receive adequate support make this transition
246	successfully and will become healthy adults who will be prepared
247	for work and be able to become responsible, fulfilled members of
248	their families and communities.
249	(b) The Legislature finds that there are also many young
250	people who will enter adulthood without the knowledge, skills,
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251	attitudes, habits, and relationships that will enable them to be
252	productive members of society. Those young people, who through
253	no fault of their own, live in foster families, group homes, and
254	institutions are among those at greatest risk.
255	(c) The Legislature finds that these young people face
256	numerous barriers to a successful transition to adulthood. Those
257	barriers include changes in foster care placements and schools,
258	limited opportunities for participation in age-appropriate
259	normal activities, and the inability to achieve economic
260	stability, make connections with permanent supportive adults or
261	family, and access housing. The main barriers to safe and
262	affordable housing for youth aging out of the foster care system
263	are cost, lack of availability, the unwillingness of many
264	landlords to rent to them, and their own lack of knowledge about
265	how to be good tenants.
266	(d) The Legislature also finds that young adults who
267	emancipate from the child welfare system are at risk of becoming
268	homeless and those who were formerly in foster care are
269	disproportionately represented in the homeless population. Only
270	about two-fifths of eligible young people receive independent
271	living services and, of those who do, few receive adequate
272	housing assistance. Without the stability of safe housing all
273	other services, training, and opportunities may not be
274	effective.
275	(e) The Legislature further finds that research on young
276	people who emancipate from foster care suggests a nexus between
277	foster care involvement and later episodes of homelessness and
278	that interventions in the foster care system might help to
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279 prevent homelessness. Responding to the needs of young people leaving the foster care system with developmentally appropriate 280 281 supportive housing models organized in a continuum of decreasing supervision may increase their ability to live independently in 282 283 the future. 284 (f) It is therefore the intent of the Legislature to 285 encourage the Department of Children and Family Services, its 286 agents, and community-based care providers operating pursuant to 287 s. 409.1671, to develop and implement procedures designed to reduce the number of young adults who become homeless after 288 289 leaving the child welfare system. 290 YOUTH HOUSING FIRST CONTINUUM PILOT PROGRAM. -- Housing (2) 291 for young people is by nature transitional. Most young people in 292 their late teens through mid-twenties are housed in college dormitories or shared or studio apartments or continue to live 293 294 at home. Commonly, young people move through a number of such 295 interim housing situations as they grow into adulthood. Many 296 older teens and young adults who leave foster care at the age of 297 18 do not have the opportunity for those usual transitions and

298 as a result are at risk for becoming homeless. 299 Creation of pilot program; eligibility.--There is (a) 300 created a 3-year Youth Housing First Continuum Pilot Program in Hillsborough County. The purpose of the program is to support 301 the development and implementation of a transitional living or 302 subsidized independent living housing experience for those young 303 people aging out of foster care who will not have the option of 304 remaining in a foster care family home or in a group home, to 305 306 facilitate a smooth transition from foster home or group home

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307 living to independent living. The pilot program shall serve at least 100 young adults, and eligibility requirements shall 308 309 include: 310 1. Young adults who turn 18 years of age while in licensed 311 foster care and have been in foster care for at least 12 months 312 prior to turning 18 years of age. The 12-month requirement shall 313 be waived in circumstances where the requirements of s. 39.701(6)(a)8. have not been met, no subsequent residence has 314 been identified, and the young person lacks the resources and 315 316 support network to obtain housing. 317 2. Priority shall be given to those young persons who are 318 attending high school and can demonstrate either through documentation of school attendance or engagement in 319 320 extracurricular activities that a displacement from school would have an adverse effect on their ability to achieve their 321 322 educational goals. 323 3. Other participants shall be chosen based on their 324 eligibility pursuant to s. 409.1451(2) and documented enrollment 325 in a full-time adult educational or postsecondary educational or 326 vocational program or a combination of employment and part-time 327 enrollment in an educational program. 328 (b) Pilot program design. -- There shall be a youth housing 329 continuum that incorporates various types of housing without 330 predetermined time limits to allow young adults to transition from one housing program to another according to their 331 individual developmental capacities. Based upon the needs and 332 preferences of a given young adult, such housing could take any 333 334 number of forms from shared homes to scattered-site, independent Page 12 of 19

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apartments with or without roommates. Young adults should have
the flexibility to move among housing programs as they gain
independent living skills and economic stability, including the
ability to reenter housing programs and move back along the
continuum if their current needs or abilities change. The
continuum in the pilot program will consist of the following
three levels of decreasing supervision:
1. Supervised living for young adults who have reached 18
years of age, but are not yet 24 years of age, who cannot
adequately manage their affairs and need constant, consistent
adult supervision, training, and support. Each participant shall
have his or her own bedroom and bathroom and share a common
living area.
2. Monitored living for young adults who have reached 18
years of age, but are not yet 24 years of age, who can typically
manage their own affairs but need regular adult monitoring.
Housing will be provided in scattered sites throughout the
community with support staff working regularly with participants
to address their educational, employment, and financial
stability goals. Each participant shall have his or her own
bedroom and bathroom and share an apartment with one to three
roommates.
3. Independent living for young adults who have the
ability to live on their own with access to support services as
needed.
(c) Pilot program administration; duties;
reportConnected by 25 in Hillsborough County shall provide
administrative support for and shall be responsible for the
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363 <u>operation for the Youth Housing First Continuum Pilot Program.</u> 364 Connected by 25 shall:

1. Create and implement a transitional housing continuum 365 366 in which young persons who meet the eligibility criteria of this 367 subsection will receive support while participating in an 368 educational or training program, or any activity consistent with 369 their independent living transitional services case plan. The 370 housing continuum should be based on the Housing First approach, which is premised on accessing adequate, stable housing and 371 372 receiving the services necessary to maintain such housing.

2. Provide each program participant with a transition and
aftercare specialist to provide transitional support services.
Each participant, in partnership with the transition and
aftercare specialist, shall develop a transition plan that is
specific to his or her efforts to achieve self-sufficiency.

378 <u>3. Require that each participant complete a comprehensive</u> 379 <u>financial literacy and asset development training program and be</u> 380 <u>enrolled in the Connected by 25 match savings program that</u> 381 <u>utilizes private dollars to match, on a one-to-one basis, the</u> 382 <u>savings of each participant up to \$1,000 each year. This</u> 383 <u>requirement will prepare program participants for economic</u> 384 success as they age out of the foster care system.

385 (d) Annual reports.--Beginning January 1, 2008, and
 386 continuing for the duration of the pilot program, Connected by
 387 25 shall submit to the Governor, the Speaker of the House of
 388 Representatives, the President of the Senate, and the Secretary
 389 of Children and Family Services an annual report outlining the
 390 progress made in the development and implementation of the pilot

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391 program, including documentation of the outcomes for the participants in the areas identified by the Independent Living 392 393 Services Advisory Council pursuant to s. 409.1451, and recommendations for pilot program improvement and expansion. 394 395 Section 6. Subsection (12) of section 1003.01, Florida 396 Statutes, is amended to read: 397 1003.01 Definitions.--As used in this chapter, the term: (12) "Children and youths who are experiencing 398 homelessness," for programs authorized under subtitle B, 399 Education for Homeless Children and Youths, of title VII of the 400 McKinney-Vento Homeless Assistance Act, 42 U.S.C. ss. 11431 et 401 402 seq., means children and youths who lack a fixed, regular, and adequate nighttime residence; and includes: 403 404 (a) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a 405 406 similar reason; are living in motels, hotels, trailer parks, or 407 camping grounds due to the lack of alternative adequate 408 accommodations; are living in emergency or transitional 409 shelters; are abandoned in hospitals; or are awaiting foster care placement. 410 411 Children and youths who have a primary nighttime (b) 412 residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human 413 414 beings. (C) Children and youths who are living in cars, parks, 415 public spaces, substandard housing, bus or train stations, or 416 417 similar settings.

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418	(d) Migratory children who are living in circumstances
419	described in paragraphs (a)-(c).
420	(12) "Homeless child" means:
421	(a) One who lacks a fixed, regular nighttime residence;
422	(b) One who has a primary nighttime residence that is:
423	1. A supervised publicly or privately operated shelter
424	designed to provide temporary living accommodations, including
425	welfare hotels, congregate shelters, and transitional housing
426	for the mentally ill;
427	2. An institution that provides a temporary residence for
428	individuals intended to be institutionalized; or
429	3. A public or private place not designed for, or
430	ordinarily used as, a regular sleeping accommodation for human
431	beings; or
432	(c) One who temporarily resides with an adult other than
433	his or her parent because the parent is suffering financial
434	hardship.
435	
436	A child who is imprisoned, detained, or in the custody of the
437	state pursuant to a state or federal law is not a homeless
438	child.
439	Section 7. Paragraph (f) of subsection (1) and paragraph
440	(g) of subsection (4) and of section 1003.21, Florida Statutes,
441	are amended to read:
442	1003.21 School attendance
443	(1)
444	(f) Children and youths who are experiencing homelessness
445	Homeless children, as defined in s. 1003.01, must have access to
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446 a free public education and must be admitted to school in the 447 school district in which they or their families live. School 448 districts shall assist <u>such</u> homeless children to meet the 449 requirements of subsection (4) and s. 1003.22, as well as local 450 requirements for documentation.

451 Before admitting a child to kindergarten, the (4)452 principal shall require evidence that the child has attained the age at which he or she should be admitted in accordance with the 453 454 provisions of subparagraph (1)(a)2. The district school superintendent may require evidence of the age of any child whom 455 456 he or she believes to be within the limits of compulsory 457 attendance as provided for by law. If the first prescribed evidence is not available, the next evidence obtainable in the 458 459 order set forth below shall be accepted:

460 If none of these evidences can be produced, an (q) 461 affidavit of age sworn to by the parent, accompanied by a certificate of age signed by a public health officer or by a 462 463 public school physician, or, if neither of these is available in 464 the county, by a licensed practicing physician designated by the 465 district school board, which certificate states that the health 466 officer or physician has examined the child and believes that 467 the age as stated in the affidavit is substantially correct. 468 Children and youths who are experiencing homelessness A homeless child, as defined in s. 1003.01, shall be given temporary 469 exemption from this section for 30 school days. 470

471 Section 8. Subsection (1) and paragraph (e) of subsection472 (5) of section 1003.22, Florida Statutes, are amended to read:

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473 1003.22 School-entry health examinations; immunization
474 against communicable diseases; exemptions; duties of Department
475 of Health.--

476 (1)Each district school board and the governing authority 477 of each private school shall require that each child who is entitled to admittance to kindergarten, or is entitled to any 478 479 other initial entrance into a public or private school in this state, present a certification of a school-entry health 480 481 examination performed within 1 year prior to enrollment in school. Each district school board, and the governing authority 482 483 of each private school, may establish a policy that permits a student up to 30 school days to present a certification of a 484 school-entry health examination. Children and youths who are 485 486 experiencing homelessness A homeless child, as defined in s. 487 1003.01, shall be given a temporary exemption for 30 school 488 days. Any district school board that establishes such a policy 489 shall include provisions in its local school health services 490 plan to assist students in obtaining the health examinations. 491 However, any child shall be exempt from the requirement of a health examination upon written request of the parent of the 492 493 child stating objections to the examination on religious 494 grounds.

(5) The provisions of this section shall not apply if:
(e) An authorized school official issues a temporary
exemption, for a period not to exceed 30 school days, to permit
a student who transfers into a new county to attend class until
his or her records can be obtained. <u>Children and youths who are</u>
<u>experiencing homelessness</u> A homeless child, as defined in s.

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501 1003.01, shall be given a temporary exemption for 30 school 502 days. The public school health nurse or authorized private 503 school official is responsible for followup of each such student 504 until proper documentation or immunizations are obtained. An 505 exemption for 30 days may be issued for a student who enters a 506 juvenile justice program to permit the student to attend class 507 until his or her records can be obtained or until the 508 immunizations can be obtained. An authorized juvenile justice 509 official is responsible for followup of each student who enters a juvenile justice program until proper documentation or 510 immunizations are obtained. 511

512 Section 9. <u>The sum of \$250,000 in nonrecurring funds is</u> 513 <u>appropriated from the General Revenue Fund to the Department of</u> 514 <u>Children and Family Services for the purposes of implementing</u> 515 <u>section 420.628, Florida Statutes, during the 2007-2008 fiscal</u> 516 year.

517 Section 10. This act shall take effect July 1, 2007, 518 except that s. 420.628(2), Florida Statutes, as created by this 519 act, shall take effect only if a specific appropriation to fund 520 the Youth Housing First Continuum Pilot Program created in that 521 subsection is made in the General Appropriations Act for fiscal 522 year 2007-2008.

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