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 an 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> 420.621-
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, travel trailer
74	parks, or camping grounds due to the lack of alternative
75	adequate 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 (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	<u>"individual experiencing homelessness" means</u>
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, travel trailer park, or
109	camping ground due to a lack of alternative adequate
110	accommodations;
111	(c) Is living in an emergency or transitional shelter; A
112	supervised publicly or privately operated shelter designed to
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provide temporary living accommodations, including welfare 113 114 hotels, congregate shelters, and transitional housing for the mentally ill; 115 116 (b) An institution that provides a temporary residence for 117 individuals intended to be institutionalized; or 118 (d) (e) Has a primary nighttime residence that is a public 119 or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; 120 (e) Is living in a car, park, public space, abandoned 121 building, bus or train station, or similar setting; or 122 123 (f) Is a migratory individual who qualifies as homeless because he or she is living in circumstances described in 124 125 paragraphs (a)-(e). 126 The terms defined in this subsection do term does not refer to 127 128 any individual imprisoned or otherwise detained pursuant to 129 state or federal law. The terms also do not include individuals 130 or families who are sharing housing due to cultural preferences, 131 voluntary arrangements, and traditional networks of support. The 132 terms include an individual who has been released from jail, 133 prison, the juvenile justice system, the child welfare system, a 134 mental health and developmental disability facility, a residential addiction treatment program, or a hospital, for whom 135 no subsequent residence has been identified, and who lacks the 136 resources and support network to obtain housing. 137 138 (7) "Local coalition for the homeless" means a 139 coalition established pursuant to s. 420.623.

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140 (8) (6) "New and temporary homeless" means those 141 individuals or families who are homeless due to societal external factors, such as unemployment or other loss of income, 142 personal or family life crises, or the shortage of low income 143 144 housing. 145 "Societal causes of homelessness" means factors such (9) 146 as lack of housing for individuals and families with low 147 incomes, lack of employment opportunities for those with a high school education or less, and lack of day care, transportation, 148 149 and other institutional supports. 150 (10) (7) "State Office on Homelessness" means the state 151 office created in s. 420.622 "Secretary" means the secretary of the Department of Children and Family Services. 152 153 Section 3. Subsections (2) and (9) of section 420.622, Florida Statutes, are amended to read: 154 420.622 State Office on Homelessness; Council on 155 156 Homelessness. --157 (2)The Council on Homelessness is created to consist of a 158 17-member 15-member council of public and private agency representatives who shall develop policy and advise the State 159 160 Office on Homelessness. The council members shall be: the 161 Secretary of Children and Family Services, or his or her 162 designee; the Secretary of Community Affairs, or his or her designee; the Secretary of Health, or his or her designee; the 163 Executive Director of Veterans' Affairs, or his or her designee; 164 the Secretary of Corrections, or his or her designee; the 165 Secretary of Health Care Administration, or his or her designee; 166 167 the Commissioner of Education, or his or her designee; the Page 6 of 19

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168 Director of Workforce Florida, Inc., or his or her designee; one 169 representative of the Florida Association of Counties; one 170 representative from the Florida League of Cities; one 171 representative of the Florida Coalition for Supportive Housing 172 Coalition; the Executive Director of the Florida Housing Finance 173 Corporation, or his or her designee; one representative of the 174 Florida Coalition for the Homeless; one representative of the Florida State Rural Development Council; and four members 175 176 appointed by the Governor. The council members shall be 177 volunteer, nonpaid persons and shall be reimbursed for travel 178 expenses only. The appointed members of the council shall serve staggered 2-year terms, and the council shall meet at least four 179 180 times per year. The importance of minority, gender, and geographic representation must be considered when appointing 181 members to the council. 182

The council shall, by June 30 December 31 of each 183 (9) year, beginning in 2008, issue to the Governor, the President of 184 185 the Senate, the Speaker of the House of Representatives, and the 186 Secretary of Children and Family Services an evaluation of the 187 executive director's performance in fulfilling the statutory 188 duties of the office, a report summarizing the council's 189 recommendations to the office and the corresponding actions 190 taken by the office, and any recommendations to the Legislature for proposals to reduce homelessness in this state. 191

192 Section 4. Section 420.6275, Florida Statutes, is created 193 to read:

194

195

420.6275 Housing First.--

(1) LEGISLATIVE FINDINGS AND INTENT.--

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196	(a) The Legislature finds that many communities plan to
197	manage homelessness rather than plan to end it.
198	(b) The Legislature also finds that for most of the past
199	two decades, public and private solutions to homelessness have
200	focused on providing individuals and families who are
201	experiencing homelessness with emergency shelter, transitional
202	housing, or a combination of both. While emergency shelter
203	programs may provide critical access to services for individuals
204	and families in crisis, they often fail to address the long-term
205	needs of those who are homeless.
206	(c) The Legislature further finds that Housing First is an
207	alternative approach to the current system of emergency shelter
208	or transitional housing which tends to reduce the length of time
209	of homelessness and has proven to be cost-effective to homeless
210	programs.
211	(d) It is therefore the intent of the Legislature to
212	encourage local coalitions for the homeless, established
213	pursuant to s. 420.623, to adopt the Housing First approach to
214	ending homelessness for individuals and families.
215	(2) HOUSING FIRST METHODOLOGY
216	(a) The Housing First approach to homelessness differs
217	from traditional approaches by providing housing assistance,
218	case management, and support services responsive to individual
219	or family needs after housing is obtained. By using the Housing
220	First approach when appropriate, communities can significantly
221	reduce the amount of time that individuals and families are
222	homeless and prevent further episodes of homelessness. Housing
223	First emphasizes that social services provided to enhance
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224	individual and family well-being can be more effective when
225	people are in their own home, and:
226	1. The housing is not time-limited.
227	2. The housing is not contingent on compliance with
228	services. Instead, participants must comply with a standard
229	lease agreement and are provided with the services and support
230	that are necessary to help them do so successfully.
231	(b) The Housing First approach addresses the societal
232	causes of homelessness and advocates for the immediate return of
233	individuals and families back into housing and communities.
234	Housing First provides a critical link between the emergency and
235	transitional housing system and community-based social service,
236	educational, and health care organizations and consists of four
237	components:
238	1. Crisis intervention and short-term stabilization.
239	2. Screening, intake, and needs assessment.
240	3. Provision of housing resources.
241	4. Provision of case management.
242	Section 5. Section 420.628, Florida Statutes, is created
243	to read:
244	420.628 Children and young adults leaving foster care
245	(1) LEGISLATIVE FINDINGS AND INTENT
246	(a) The Legislature finds that the transition from
247	childhood to adulthood is filled with opportunity and risk. Most
248	young people who receive adequate support make this transition
249	successfully and will become healthy adults who will be prepared
250	for work and be able to become responsible, fulfilled members of
251	their families and communities.
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252	(b) The Legislature finds that there are also many young
253	people who will enter adulthood without the knowledge, skills,
254	attitudes, habits, and relationships that will enable them to be
255	productive members of society. Those young people, who through
256	no fault of their own, live in foster families, group homes, and
257	institutions are among those at greatest risk.
258	(c) The Legislature finds that these young people face
259	numerous barriers to a successful transition to adulthood. Those
260	barriers include changes in foster care placements and schools,
261	limited opportunities for participation in age-appropriate
262	normal activities, and the inability to achieve economic
263	stability, make connections with permanent supportive adults or
264	family, and access housing. The main barriers to safe and
265	affordable housing for youth aging out of the foster care system
266	are cost, lack of availability, the unwillingness of many
267	landlords to rent to them, and their own lack of knowledge about
268	how to be good tenants.
269	(d) The Legislature also finds that young adults who
270	emancipate from the child welfare system are at risk of becoming
271	homeless and those who were formerly in foster care are
272	disproportionately represented in the homeless population. Only
273	about two-fifths of eligible young people receive independent
274	living services and, of those who do, few receive adequate
275	housing assistance. Without the stability of safe housing all
276	other services, training, and opportunities may not be
277	effective.
278	(e) The Legislature further finds that research on young
279	people who emancipate from foster care suggests a nexus between
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280	foster care involvement and later episodes of homelessness and
281	that interventions in the foster care system might help to
282	prevent homelessness. Responding to the needs of young people
283	leaving the foster care system with developmentally appropriate
284	supportive housing models organized in a continuum of decreasing
285	supervision may increase their ability to live independently in
286	the future.
287	(f) It is therefore the intent of the Legislature to
288	encourage the Department of Children and Family Services, its
289	agents, and community-based care providers operating pursuant to
290	s. 409.1671, to develop and implement procedures designed to
291	reduce the number of young adults who become homeless after
292	leaving the child welfare system.
293	(2) YOUTH HOUSING FIRST CONTINUUM PILOT PROGRAM Housing
294	for young people is by nature transitional. Most young people in
295	their late teens through mid-twenties are housed in college
296	dormitories or shared or studio apartments or continue to live
297	at home. Commonly, young people move through a number of such
298	interim housing situations as they grow into adulthood. Many
299	older teens and young adults who leave foster care at the age of
300	18 do not have the opportunity for those usual transitions and
301	as a result are at risk for becoming homeless.
302	(a) Creation of pilot program; eligibilityThere is
303	created a 3-year Youth Housing First Continuum Pilot Program in
304	Hillsborough County. The purpose of the program is to support
305	the development and implementation of a transitional living or
306	subsidized independent living housing experience for those young
307	people aging out of foster care who will not have the option of
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308 remaining in a foster care family home or in a group home, to 309 facilitate a smooth transition from foster home or group home 310 living to independent living. The pilot program shall serve at least 100 young adults, and eligibility requirements shall 311 312 include: 313 1. Young adults who turn 18 years of age while in licensed 314 foster care and have been in foster care for at least 12 months prior to turning 18 years of age. The <u>12-month requirement shall</u> 315 316 be waived in circumstances where the requirements of s. 39.701(6)(a)8. have not been met, no subsequent residence has 317 been identified, and the young person lacks the resources and 318 319 support network to obtain housing. 2. Priority shall be given to those young persons who are 320 321 attending high school and can demonstrate either through documentation of school attendance or engagement in 322 323 extracurricular activities that a displacement from school would 324 have an adverse effect on their ability to achieve their 325 educational goals. 326 3. Other participants shall be chosen based on their 327 eligibility pursuant to s. 409.1451(2) and documented enrollment 328 in a full-time adult educational or postsecondary educational or 329 vocational program or a combination of employment and part-time 330 enrollment in an educational program. 331 (b) Pilot program design. -- There shall be a youth housing continuum that incorporates various types of housing without 332 predetermined time limits to allow young adults to transition 333 from one housing program to another according to their 334 335 individual developmental capacities. Based upon the needs and

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336	preferences of a given young adult, such housing could take any
337	number of forms from shared homes to scattered-site, independent
338	apartments with or without roommates. Young adults should have
339	the flexibility to move among housing programs as they gain
340	independent living skills and economic stability, including the
341	ability to reenter housing programs and move back along the
342	continuum if their current needs or abilities change. The
343	continuum in the pilot program will consist of the following
344	three levels of decreasing supervision:
345	1. Supervised living for young adults who have reached 18
346	years of age, but are not yet 24 years of age, who cannot
347	adequately manage their affairs and need constant, consistent
348	adult supervision, training, and support. Each participant shall
349	have his or her own bedroom and bathroom and share a common
350	living area.
351	2. Monitored living for young adults who have reached 18
352	years of age, but are not yet 24 years of age, who can typically
353	manage their own affairs but need regular adult monitoring.
354	Housing will be provided in scattered sites throughout the
355	community with support staff working regularly with participants
356	to address their educational, employment, and financial
357	stability goals. Each participant shall have his or her own
358	bedroom and bathroom and share an apartment with one to three
359	roommates.
360	3. Independent living for young adults who have the
361	ability to live on their own with access to support services as
362	needed.

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363 (c) Pilot program administration; duties; 364 report. -- Connected by 25 in Hillsborough County shall provide 365 administrative support for and shall be responsible for the 366 operation for the Youth Housing First Continuum Pilot Program. 367 Connected by 25 shall: 368 1. Create and implement a transitional housing continuum 369 in which young persons who meet the eligibility criteria of this 370 subsection will receive support while participating in an educational or training program, or any activity consistent with 371 372 their independent living transitional services case plan. The 373 housing continuum should be based on the Housing First approach, 374 which is premised on accessing adequate, stable housing and 375 receiving the services necessary to maintain such housing. 376 2. Provide each program participant with a transition and aftercare specialist to provide transitional support services. 377 378 Each participant, in partnership with the transition and 379 aftercare specialist, shall develop a transition plan that is 380 specific to his or her efforts to achieve self-sufficiency. 381 3. Require that each participant complete a comprehensive 382 financial literacy and asset development training program and be 383 enrolled in the Connected by 25 match savings program that 384 utilizes private dollars to match, on a one-to-one basis, the 385 savings of each participant up to \$1,000 each year. This 386 requirement will prepare program participants for economic success as they age out of the foster care system. 387 (d) Annual reports. -- Beginning January 1, 2008, and 388 continuing for the duration of the pilot program, Connected by 389 390 25 shall submit to the Governor, the Speaker of the House of

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

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          (c) Children and youths who are living in cars, parks,
     public spaces, abandoned buildings, bus or train stations, or
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     similar settings.
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          (d) Migratory children who are living in circumstances
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     described in paragraphs (a)-(c).
          (12) "Homeless child" means:
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424
          (a) One who lacks a fixed, regular nighttime residence;
          (b) One who has a primary nighttime residence that is:
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          1. A supervised publicly or privately operated shelter
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     designed to provide temporary living accommodations, including
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     welfare hotels, congregate shelters, and transitional housing
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     for the mentally ill;
          2. An institution that provides a temporary residence for
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     individuals intended to be institutionalized; or
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          3. A public or private place not designed for, or
     ordinarily used as, a regular sleeping accommodation for human
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     beings; or
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          (c) One who temporarily resides with an adult other than
     his or her parent because the parent is suffering financial
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     hardship.
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     A child who is imprisoned, detained, or in the custody of the
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     state pursuant to a state or federal law is not a homeless
     child.
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          Section 7. Paragraph (f) of subsection (1) and paragraph
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     (g) of subsection (4) of section 1003.21, Florida Statutes, are
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     amended to read:
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          1003.21 School attendance.--
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(f) <u>Children and youths who are experiencing homelessness</u> Homeless children, as defined in s. 1003.01, must have access to a free public education and must be admitted to school in the school district in which they or their families live. School districts shall assist <u>such homeless</u> children to meet the requirements of subsection (4) and s. 1003.22, as well as local requirements for documentation.

454 (4) Before admitting a child to kindergarten, the principal shall require evidence that the child has attained the 455 456 age at which he or she should be admitted in accordance with the 457 provisions of subparagraph (1) (a)2. The district school superintendent may require evidence of the age of any child whom 458 459 he or she believes to be within the limits of compulsory 460 attendance as provided for by law. If the first prescribed 461 evidence is not available, the next evidence obtainable in the 462 order set forth below shall be accepted:

463 If none of these evidences can be produced, an (q) 464 affidavit of age sworn to by the parent, accompanied by a 465 certificate of age signed by a public health officer or by a 466 public school physician, or, if neither of these is available in 467 the county, by a licensed practicing physician designated by the 468 district school board, which certificate states that the health officer or physician has examined the child and believes that 469 the age as stated in the affidavit is substantially correct. 470 471 Children and youths who are experiencing homelessness A homeless child, as defined in s. 1003.01, shall be given temporary 472 exemption from this section for 30 school days. 473

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474Section 8. Subsection (1) and paragraph (e) of subsection475(5) of section 1003.22, Florida Statutes, are amended to read:

476 1003.22 School-entry health examinations; immunization
477 against communicable diseases; exemptions; duties of Department
478 of Health.--

479 (1)Each district school board and the governing authority 480 of each private school shall require that each child who is entitled to admittance to kindergarten, or is entitled to any 481 482 other initial entrance into a public or private school in this state, present a certification of a school-entry health 483 examination performed within 1 year prior to enrollment in 484 school. Each district school board, and the governing authority 485 of each private school, may establish a policy that permits a 486 487 student up to 30 school days to present a certification of a school-entry health examination. Children and youths who are 488 489 experiencing homelessness A homeless child, as defined in s. 490 1003.01, shall be given a temporary exemption for 30 school 491 days. Any district school board that establishes such a policy 492 shall include provisions in its local school health services plan to assist students in obtaining the health examinations. 493 494 However, any child shall be exempt from the requirement of a 495 health examination upon written request of the parent of the child stating objections to the examination on religious 496 497 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
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502 his or her records can be obtained. Children and youths who are 503 experiencing homelessness A homeless child, as defined in s. 504 1003.01, shall be given a temporary exemption for 30 school 505 days. The public school health nurse or authorized private 506 school official is responsible for followup of each such student 507 until proper documentation or immunizations are obtained. An 508 exemption for 30 days may be issued for a student who enters a 509 juvenile justice program to permit the student to attend class 510 until his or her records can be obtained or until the 511 immunizations can be obtained. An authorized juvenile justice 512 official is responsible for followup of each student who enters 513 a juvenile justice program until proper documentation or immunizations are obtained. 514

515 Section 9. <u>The sum of \$250,000 in nonrecurring funds is</u> 516 <u>appropriated from the General Revenue Fund to the Department of</u> 517 <u>Children and Family Services for the purposes of implementing</u> 518 <u>section 420.628, Florida Statutes, during the 2007-2008 fiscal</u> 519 <u>year.</u>

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Section 10. This act shall take effect July 1, 2007.

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