

1 2. Use by the mother of alcohol during pregnancy when
2 the child, at birth, is demonstrably adversely affected by
3 such usage; or

4 ~~3.2.~~ Continued chronic and severe use of a controlled
5 substance or alcohol by a parent when the child is
6 demonstrably adversely affected by such usage.

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8 As used in this paragraph, the term "controlled substance"
9 means prescription drugs not prescribed for the parent or not
10 administered as prescribed and controlled substances as
11 outlined in Schedule I or Schedule II of s. 893.03.

12 Section 2. For the purpose of incorporating the
13 amendments made by this act to section 39.01, Florida
14 Statutes, in a reference thereto, paragraph (b) of subsection
15 (3) of section 39.0015, Florida Statutes, is reenacted to
16 read:

17 39.0015 Child abuse prevention training in the
18 district school system.--

19 (3) DEFINITIONS.--As used in this section:

20 (b) "Child abuse" means those acts as defined in ss.
21 39.01(1), (2), (31), (41), (43), (55), and (66), 827.04, and
22 984.03(1), (2), and (37).

23 Section 3. For the purpose of incorporating the
24 amendments made by this act to section 39.01, Florida
25 Statutes, in a reference thereto, of subsection (1) of section
26 39.828, Florida Statutes, is reenacted to read:

27 39.828 Grounds for appointment of a guardian
28 advocate.--

29 (1) The court shall appoint the person named in the
30 petition as a guardian advocate with all the powers and duties
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1 specified in s. 39.829 for an initial term of 1 year upon a
2 finding that:

3 (a) The child named in the petition is or was a drug
4 dependent newborn as described in s. 39.01(31)(g);

5 (b) The parent or parents of the child have
6 voluntarily relinquished temporary custody of the child to a
7 relative or other responsible adult;

8 (c) The person named in the petition to be appointed
9 the guardian advocate is capable of carrying out the duties as
10 provided in s. 39.829; and

11 (d) A petition to adjudicate the child dependent under
12 this chapter has not been filed.

13 Section 4. This act shall take effect July 1, 2007.

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16 SENATE SUMMARY

17 Revises the definition of the term "harm" to provide that
18 a mother harms her child's health or welfare by using a
19 controlled substance during pregnancy without regard to
20 the effect using the controlled substance has on the
21 child.
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