Florida Senate - 2007

By Senator Posey

24-1688-07 1 A bill to be entitled 2 An act relating to dependent minors; amending s. 39.01, F.S.; providing that a child who has 3 been previously adjudicated as delinquent for 4 5 posing a threat to the safety of others and who б is no longer welcome in his or her home is 7 considered dependent; amending s. 39.507, F.S.; 8 prohibiting the court from imposing sanctions against the parent or guardian of a child who 9 10 is found to be dependent and is no longer welcome in his or her home; providing an 11 12 effective date. 13 Be It Enacted by the Legislature of the State of Florida: 14 15 Section 1. Subsection (14) of section 39.01, Florida 16 17 Statutes, is amended to read: 39.01 Definitions.--When used in this chapter, unless 18 the context otherwise requires: 19 (14) "Child who is found to be dependent" means a 20 21 child who, pursuant to this chapter, is found by the court: 22 (a) To have been abandoned, abused, or neglected by 23 the child's parent or parents or legal custodians; (b) To have been surrendered to the department, the 2.4 former Department of Health and Rehabilitative Services, or a 25 licensed child-placing agency for purpose of adoption; 26 27 (c) To have been voluntarily placed with a licensed 28 child-caring agency, a licensed child-placing agency, an adult relative, the department, or the former Department of Health 29 and Rehabilitative Services, after which placement, under the 30 requirements of this chapter, a case plan has expired and the 31 1

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1 parent or parents or legal custodians have failed to 2 substantially comply with the requirements of the plan; 3 (d) To have been voluntarily placed with a licensed 4 child-placing agency for the purposes of subsequent adoption, and a parent or parents have signed a consent pursuant to the 5 6 Florida Rules of Juvenile Procedure; 7 (e) To have no parent or legal custodians capable of 8 providing supervision and care; or 9 (f) To be at substantial risk of imminent abuse, 10 abandonment, or neglect by the parent or parents or legal 11 custodians; or. 12 (q) To have been previously adjudicated as delinquent 13 for posing a threat to the safety of his or her parent, family, or quardian and who, upon release, is unwelcome to 14 15 return to his or her home. Section 2. Subsection (11) is added to section 39.507, 16 17 Florida Statutes, to read: 18 39.507 Adjudicatory hearings; orders of adjudication. --19 (11) If a child is found to be dependent under s. 20 21 <u>39.01(14)(q), the court may not impose sanctions for</u> 2.2 noncompliance upon the person who had custody of the child. 23 Section 3. This act shall take effect upon becoming a 2.4 law. 25 26 27 SENATE SUMMARY 28 Provides that a child who has been previously adjudicated as a delinquent for posing a threat to the safety of others and is no longer welcome in his or her home is 29 considered dependent. Provides for withholding of adjudication of a minor found dependent who poses a 30 threat to the safety of others. 31

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