

By the Committee on Judiciary; and Senators Rich, Storms,  
Lynn, Margolis and Baker

590-2366-07

1                                   A bill to be entitled  
2           An act relating to independent living  
3           transition services; amending s. 322.09, F.S.;  
4           limiting liability of a caseworker who signs an  
5           application for a driver's license for a minor  
6           who is in foster care; requiring a caseworker  
7           to provide notice of intent to sign the  
8           application to specified persons; amending s.  
9           409.1451, F.S.; revising eligibility criteria  
10          for independent living transition services;  
11          exempting foster parents and caregivers from  
12          responsibility for the actions of certain  
13          children engaged in activities specified in a  
14          written plan; requiring certain children  
15          eligible for subsidized independent living  
16          services to be formally evaluated under certain  
17          circumstances; revising eligibility criteria  
18          for the Road-to-Independence Program; amending  
19          s. 409.903, F.S.; increasing the age limit for  
20          eligibility for certain persons to qualify for  
21          medical assistance payments; creating s.  
22          743.044, F.S.; providing for the removal of  
23          disabilities of certain minors for purposes of  
24          securing depository financial services;  
25          providing an effective date.  
26  
27   Be It Enacted by the Legislature of the State of Florida:  
28  
29           Section 1.   Section 322.09, Florida Statutes, is  
30   amended to read:  
31

1           322.09 Application of minors; responsibility for  
2 negligence or misconduct of minor.--

3           (1)(a) The application of any person under the age of  
4 18 years for a driver's license must be signed and verified  
5 before a person authorized to administer oaths by the father,  
6 mother, or guardian; by a secondary guardian if the primary  
7 guardian dies before the minor reaches 18 years of age; or, if  
8 there is no parent or guardian, by another responsible adult  
9 who is willing to assume the obligation imposed under this  
10 chapter upon a person signing the application of a minor. This  
11 section does not apply to a person under the age of 18 years  
12 who is emancipated by marriage.

13           (b) There shall be submitted with each application a  
14 certified copy of a United States birth certificate, a valid  
15 United States passport, an alien registration receipt card  
16 (green card), an employment authorization card issued by the  
17 United States Department of Homeland Security, or proof of  
18 nonimmigrant classification provided by the United States  
19 Department of Homeland Security, for an original license.

20           (2) Any negligence or willful misconduct of a minor  
21 under the age of 18 years when driving a motor vehicle upon a  
22 highway shall be imputed to the person who has signed the  
23 application of such minor for a permit or license, which  
24 person shall be jointly and severally liable with such minor  
25 for any damages caused by such negligence or willful  
26 misconduct.

27           (3) The department may not issue a driver's license or  
28 learner's driver's license to any applicant under the age of  
29 18 years who is not in compliance with the requirements of s.  
30 322.091.  
31

1           (4) Notwithstanding the provisions of subsections (1)  
2 and (2), if a foster parent of a minor who is under the age of  
3 18 years and is in foster care as defined in s. 39.01, ~~or~~ an  
4 authorized representative of a residential group home at which  
5 such a minor resides, or the caseworker at the agency at which  
6 the state has placed the minor signs the minor's application  
7 for a learner's driver's license, that foster parent, ~~or~~ group  
8 home representative, or caseworker does not assume any  
9 obligation or become liable for any damages caused by the  
10 negligence or willful misconduct of the minor, by reason of  
11 having signed the application. Prior to signing the  
12 application, the caseworker shall notify the foster parent or  
13 other responsible party of his or her intent to sign and  
14 verify the application.

15           (5) Notwithstanding the provisions of subsections (1)  
16 and (2), a caseworker at the agency at which the state has  
17 placed a minor in foster care may sign the minor's application  
18 for a driver's license pursuant to a court-approved transition  
19 plan. Before signing the application, the caseworker shall  
20 notify the foster parent or other responsible party of the  
21 intent to sign the application. The caseworker does not assume  
22 any obligation or become liable for any damages caused by the  
23 willful misconduct of the minor by reason of having signed the  
24 application.

25           Section 2. Paragraph (b) of subsection (2), paragraph  
26 (a) of subsection (3), paragraph (c) of subsection (4), and  
27 subsection (5) of section 409.1451, Florida Statutes, are  
28 amended to read:

29           409.1451 Independent living transition services.--

30           (2) ELIGIBILITY.--

31

1           (b) The department shall serve young adults who have  
2 reached 18 years of age but are not yet 23 years of age and  
3 who were in foster care when they turned 18 years of age or,  
4 after reaching 16 years of age were adopted from foster care  
5 or placed with a court-approved dependency guardian and have  
6 spent a minimum of 6 months in foster care within the 12  
7 months immediately preceding such placement or adoption, by  
8 providing services pursuant to subsection (5). Young adults to  
9 be served must meet the eligibility requirements set forth for  
10 specific services in this section.

11           (3) PREPARATION FOR INDEPENDENT LIVING.--

12           (a) It is the intent of the Legislature for the  
13 Department of Children and Family Services to assist older  
14 children in foster care and young adults who exit foster care  
15 at age 18 in making the transition to independent living and  
16 self-sufficiency as adults. The department shall provide such  
17 children and young adults with opportunities to participate in  
18 life skills activities in their foster families and  
19 communities which are reasonable and appropriate for their  
20 respective ages or for any special needs they may have and  
21 shall provide them with services to build life skills and  
22 increase their ability to live independently and become  
23 self-sufficient. To support the provision of opportunities for  
24 participation in age-appropriate life skills activities, the  
25 department shall:

26           1. Develop a list of age-appropriate activities and  
27 responsibilities to be offered to all children involved in  
28 independent living transition services and their foster  
29 parents.

30           2. Provide training for staff and foster parents to  
31 address the issues of older children in foster care in

1 | transitioning to adulthood, which shall include information on  
2 | high school completion, grant applications, vocational school  
3 | opportunities, supporting education and employment  
4 | opportunities, and opportunities to participate in appropriate  
5 | daily activities.

6 |         3. Develop procedures to maximize the authority of  
7 | foster parents or caregivers to approve participation in  
8 | age-appropriate activities of children in their care. The  
9 | age-appropriate activities and the authority of the foster  
10 | parent or caregiver shall be developed into a written plan  
11 | that the foster parent or caregiver, the child, and the case  
12 | manager all develop together, sign, and follow. This plan must  
13 | include specific goals and objectives and be reviewed and  
14 | updated no less than quarterly. Foster parents or caregivers  
15 | who have developed a written plan as described in this  
16 | subparagraph shall not be held responsible under  
17 | administrative rules or laws pertaining to state licensure or  
18 | have their licensure status in any manner jeopardized as a  
19 | result of the actions of a child engaged in the approved  
20 | age-appropriate activities specified in the written plan.

21 |         4. Provide opportunities for older children in foster  
22 | care to interact with mentors.

23 |         5. Develop and implement procedures for older children  
24 | to directly access and manage the personal allowance they  
25 | receive from the department in order to learn responsibility  
26 | and participate in age-appropriate life skills activities to  
27 | the extent feasible.

28 |         6. Make a good faith effort to fully explain, prior to  
29 | execution of any signature, if required, any document, report,  
30 | form, or other record, whether written or electronic,  
31 | presented to a child or young adult pursuant to this chapter

1 and allow for the recipient to ask any appropriate questions  
2 necessary to fully understand the document. It shall be the  
3 responsibility of the person presenting the document to the  
4 child or young adult to comply with this subparagraph.

5 (4) SERVICES FOR CHILDREN IN FOSTER CARE.--The  
6 department shall provide the following transition to  
7 independence services to children in foster care who meet  
8 prescribed conditions and are determined eligible by the  
9 department. The service categories available to children in  
10 foster care which facilitate successful transition into  
11 adulthood are:

12 (c) Subsidized independent living services.--

13 1. Subsidized independent living services are living  
14 arrangements that allow the child to live independently of the  
15 daily care and supervision of an adult in a setting that is  
16 not required to be licensed under s. 409.175.

17 2. A child who has reached 16 years of age but is not  
18 yet 18 years of age is eligible for such services and shall be  
19 formally evaluated for placement in a subsidized independent  
20 living arrangement, if he or she:

21 a. Is adjudicated dependent under chapter 39; has been  
22 placed in licensed out-of-home care for at least 6 months  
23 prior to entering subsidized independent living; and has a  
24 permanency goal of adoption, independent living, or long-term  
25 licensed care; and

26 b. Is able to demonstrate independent living skills,  
27 as determined by the department, using established procedures  
28 and assessments.

29 3. Independent living arrangements established for a  
30 child must be part of an overall plan leading to the total  
31 independence of the child from the department's supervision.

1 The plan must include, but need not be limited to, a  
2 description of the skills of the child and a plan for learning  
3 additional identified skills; the behavior that the child has  
4 exhibited which indicates an ability to be responsible and a  
5 plan for developing additional responsibilities, as  
6 appropriate; a plan for future educational, vocational, and  
7 training skills; present financial and budgeting capabilities  
8 and a plan for improving resources and ability; a description  
9 of the proposed residence; documentation that the child  
10 understands the specific consequences of his or her conduct in  
11 the independent living program; documentation of proposed  
12 services to be provided by the department and other agencies,  
13 including the type of service and the nature and frequency of  
14 contact; and a plan for maintaining or developing  
15 relationships with the family, other adults, friends, and the  
16 community, as appropriate.

17 4. Subsidy payments in an amount established by the  
18 department may be made directly to a child under the direct  
19 supervision of a caseworker or other responsible adult  
20 approved by the department.

21 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER  
22 CARE.--Based on the availability of funds, the department  
23 shall provide or arrange for the following services to young  
24 adults formerly in foster care who meet the prescribed  
25 conditions and are determined eligible by the department. The  
26 department, or a community-based care lead agency when the  
27 agency is under contract with the department to provide the  
28 services described under this subsection, shall develop a plan  
29 to implement those services. A plan shall be developed for  
30 each community-based care service area in the state. Each plan  
31 that is developed by a community-based care lead agency shall

1 | be submitted to the department. Each plan shall include the  
2 | number of young adults to be served each month of the fiscal  
3 | year and specify the number of young adults who will reach 18  
4 | years of age who will be eligible for the plan and the number  
5 | of young adults who will reach 23 years of age and will be  
6 | ineligible for the plan or who are otherwise ineligible during  
7 | each month of the fiscal year; staffing requirements and all  
8 | related costs to administer the services and program;  
9 | expenditures to or on behalf of the eligible recipients; costs  
10 | of services provided to young adults through an approved plan  
11 | for housing, transportation, and employment; reconciliation of  
12 | these expenses and any additional related costs with the funds  
13 | allocated for these services; and an explanation of and a plan  
14 | to resolve any shortages or surpluses in order to end the  
15 | fiscal year with a balanced budget. The categories of services  
16 | available to assist a young adult formerly in foster care to  
17 | achieve independence are:

18 |         (a) Aftercare support services.--

19 |             1. Aftercare support services are available to assist  
20 | young adults who were formerly in foster care in their efforts  
21 | to continue to develop the skills and abilities necessary for  
22 | independent living. The aftercare support services available  
23 | include, but are not limited to, the following:

24 |                 a. Mentoring and tutoring.

25 |                 b. Mental health services and substance abuse  
26 | counseling.

27 |                 c. Life skills classes, including credit management  
28 | and preventive health activities.

29 |                 d. Parenting classes.

30 |                 e. Job and career skills training.

31 |                 f. Counselor consultations.



1 g. Temporary financial assistance.

2 h. Financial literacy skills training.

3

4 The specific services to be provided under this subparagraph  
5 shall be determined by an aftercare services assessment and  
6 may be provided by the department or through referrals in the  
7 community.

8 2. Temporary assistance provided to prevent  
9 homelessness shall be provided as expeditiously as possible  
10 and within the limitations defined by the department.

11 3. A young adult who has reached 18 years of age but  
12 is not yet 23 years of age who leaves foster care at 18 years  
13 of age but who requests services prior to reaching 23 years of  
14 age is eligible for such services.

15 (b) Road-to-Independence Program.--

16 1. The Road-to-Independence Program is intended to  
17 help eligible students who are former foster children in this  
18 state to receive the educational and vocational training  
19 needed to achieve independence. The amount of the award shall  
20 be based on the living and educational needs of the young  
21 adult and may be up to, but may not exceed, the amount of  
22 earnings that the student would have been eligible to earn  
23 working a 40-hour-a-week federal minimum wage job.

24 2. A young adult who has earned a standard high school  
25 diploma or its equivalent as described in s. 1003.43 or s.  
26 1003.435, has earned a special diploma or special certificate  
27 of completion as described in s. 1003.438, or has reached 18  
28 years of age but is not yet 21 years of age is eligible for  
29 the initial award, and a young adult under 23 years of age is  
30 eligible for renewal awards, if he or she:

31

1           a. Was a dependent child, under chapter 39, and was  
2 living in licensed foster care or in subsidized independent  
3 living at the time of his or her 18th birthday or is currently  
4 living in licensed foster care or subsidized independent  
5 living, or, after reaching the age of 16 was adopted from  
6 foster care or placed with a court-approved dependency  
7 guardian and has spent a minimum of 6 months in foster care  
8 immediately preceding such placement or adoption;

9           b. Spent at least 6 months living in foster care  
10 before reaching his or her 18th birthday;

11           c. Is a resident of this state as defined in s.  
12 1009.40; and

13           d. Meets one of the following qualifications:

14           (I) Has earned a standard high school diploma or its  
15 equivalent as described in s. 1003.43 or s. 1003.435, or has  
16 earned a special diploma or special certificate of completion  
17 as described in s. 1003.438, and has been admitted for  
18 full-time enrollment in an eligible postsecondary education  
19 institution as defined in s. 1009.533;

20           (II) Is enrolled full time in an accredited high  
21 school; or

22           (III) Is enrolled full time in an accredited adult  
23 education program designed to provide the student with a high  
24 school diploma or its equivalent.

25           3. A young adult applying for the Road-to-Independence  
26 Program must apply for any other grants and scholarships for  
27 which he or she may qualify. The department shall assist the  
28 young adult in the application process and may use the federal  
29 financial aid grant process to determine the funding needs of  
30 the young adult.

31

1           4. An award shall be available to a young adult who is  
2 considered a full-time student or its equivalent by the  
3 educational institution in which he or she is enrolled, unless  
4 that young adult has a recognized disability preventing  
5 full-time attendance. The amount of the award, whether it is  
6 being used by a young adult working toward completion of a  
7 high school diploma or its equivalent or working toward  
8 completion of a postsecondary education program, shall be  
9 determined based on an assessment of the funding needs of the  
10 young adult. This assessment must consider the young adult's  
11 living and educational costs and other grants, scholarships,  
12 waivers, earnings, and other income to be received by the  
13 young adult. An award shall be available only to the extent  
14 that other grants and scholarships are not sufficient to meet  
15 the living and educational needs of the young adult, but an  
16 award may not be less than \$25 in order to maintain Medicaid  
17 eligibility for the young adult as provided in s. 409.903.

18           5. The amount of the award may be disregarded for  
19 purposes of determining the eligibility for, or the amount of,  
20 any other federal or federally supported assistance.

21           6.a. The department must advertise the criteria,  
22 application procedures, and availability of the program to:

23           (I) Children and young adults in, leaving, or formerly  
24 in foster care.

25           (II) Case managers.

26           (III) Guidance and family services counselors.

27           (IV) Principals or other relevant school  
28 administrators.

29           (V) Guardians ad litem.

30           (VI) Foster parents.

31

1           b. The department shall issue awards from the program  
2 for each young adult who meets all the requirements of the  
3 program to the extent funding is available.

4           c. An award shall be issued at the time the eligible  
5 student reaches 18 years of age.

6           d. A young adult who is eligible for the  
7 Road-to-Independence Program, transitional support services,  
8 or aftercare services and who so desires shall be allowed to  
9 reside with the licensed foster family or group care provider  
10 with whom he or she was residing at the time of attaining his  
11 or her 18th birthday or to reside in another licensed foster  
12 home or with a group care provider arranged by the department.

13           e. If the award recipient transfers from one eligible  
14 institution to another and continues to meet eligibility  
15 requirements, the award must be transferred with the  
16 recipient.

17           f. Funds awarded to any eligible young adult under  
18 this program are in addition to any other services or funds  
19 provided to the young adult by the department through  
20 transitional support services or aftercare services.

21           g. The department shall provide information concerning  
22 young adults receiving funding through the  
23 Road-to-Independence Program to the Department of Education  
24 for inclusion in the student financial assistance database, as  
25 provided in s. 1009.94.

26           h. Funds are intended to help eligible young adults  
27 who are former foster children in this state to receive the  
28 educational and vocational training needed to become  
29 independent and self-supporting. The funds shall be terminated  
30 when the young adult has attained one of four postsecondary  
31 goals under subsection (3) or reaches 23 years of age,

1 | whichever occurs earlier. In order to initiate postsecondary  
2 | education, to allow for a change in career goal, or to obtain  
3 | additional skills in the same educational or vocational area,  
4 | a young adult may earn no more than two diplomas,  
5 | certificates, or credentials. A young adult attaining an  
6 | associate of arts or associate of science degree shall be  
7 | permitted to work toward completion of a bachelor of arts or a  
8 | bachelor of science degree or an equivalent undergraduate  
9 | degree. Road-to-Independence Program funds may not be used for  
10 | education or training after a young adult has attained a  
11 | bachelor of arts or a bachelor of science degree or an  
12 | equivalent undergraduate degree.

13 |         i. The department shall evaluate and renew each award  
14 | annually during the 90-day period before the young adult's  
15 | birthday. In order to be eligible for a renewal award for the  
16 | subsequent year, the young adult must:

17 |             (I) Complete the number of hours, or the equivalent  
18 | considered full time by the educational institution, unless  
19 | that young adult has a recognized disability preventing  
20 | full-time attendance, in the last academic year in which the  
21 | young adult earned an award, except for a young adult who  
22 | meets the requirements of s. 1009.41.

23 |             (II) Maintain appropriate progress as required by the  
24 | educational institution, except that, if the young adult's  
25 | progress is insufficient to renew the award at any time during  
26 | the eligibility period, the young adult may restore  
27 | eligibility by improving his or her progress to the required  
28 | level.

29 |         j. Funds may be terminated during the interim between  
30 | an award and the evaluation for a renewal award if the  
31 | department determines that the award recipient is no longer

1 enrolled in an educational institution as defined in  
2 sub-subparagraph 2.d., or is no longer a state resident. The  
3 department shall notify a recipient who is terminated and  
4 inform the recipient of his or her right to appeal.

5 k. An award recipient who does not qualify for a  
6 renewal award or who chooses not to renew the award may  
7 subsequently apply for reinstatement. An application for  
8 reinstatement must be made before the young adult reaches 23  
9 years of age, and a student may not apply for reinstatement  
10 more than once. In order to be eligible for reinstatement, the  
11 young adult must meet the eligibility criteria and the  
12 criteria for award renewal for the program.

13 (c) Transitional support services.--

14 1. In addition to any services provided through  
15 aftercare support or the Road-to-Independence Program, a young  
16 adult formerly in foster care may receive other appropriate  
17 short-term funding and services, which may include financial,  
18 housing, counseling, employment, education, mental health,  
19 disability, and other services, if the young adult  
20 demonstrates that the services are critical to the young  
21 adult's own efforts to achieve self-sufficiency and to develop  
22 a personal support system. The department or community-based  
23 care provider shall work with the young adult in developing a  
24 joint transition plan that is consistent with a needs  
25 assessment identifying the specific need for transitional  
26 services to support the young adult's own efforts. The young  
27 adult must have specific tasks to complete or maintain  
28 included in the plan and be accountable for the completion of  
29 or making progress towards the completion of these tasks. If  
30 the young adult and the department or community-based care  
31 provider cannot come to agreement regarding any part of the

1 plan, the young adult may access a grievance process to its  
2 full extent in an effort to resolve the disagreement.

3           2. A young adult formerly in foster care is eligible  
4 to apply for transitional support services if he or she has  
5 reached 18 years of age but is not yet 23 years of age, was a  
6 dependent child pursuant to chapter 39, was living in licensed  
7 foster care or in subsidized independent living at the time of  
8 his or her 18th birthday, and had spent at least 6 months  
9 living in foster care before that date.

10           3. If at any time the services are no longer critical  
11 to the young adult's own efforts to achieve self-sufficiency  
12 and to develop a personal support system, they shall be  
13 terminated.

14           (d) Payment of aftercare, Road-to-Independence  
15 Program, or transitional support funds.--

16           1. Payment of aftercare, Road-to-Independence Program,  
17 or transitional support funds shall be made directly to the  
18 recipient unless the recipient requests in writing to the  
19 community-based care lead agency, or the department, that the  
20 payments or a portion of the payments be made directly on the  
21 recipient's behalf in order to secure services such as  
22 housing, counseling, education, or employment training as part  
23 of the young adult's own efforts to achieve self-sufficiency.

24           2. After the completion of aftercare support services  
25 that satisfy the requirements of sub-subparagraph (a)1.h.,  
26 payment of awards under the Road-to-Independence Program shall  
27 be made by direct deposit to the recipient, unless the  
28 recipient requests in writing to the community-based care lead  
29 agency or the department that:

30           a. The payments be made directly to the recipient by  
31 check or warrant;

1           b. The payments or a portion of the payments be made  
2 directly on the recipient's behalf to institutions the  
3 recipient is attending to maintain eligibility under this  
4 section; or

5           c. The payments be made on a two-party check to a  
6 business or landlord for a legitimate expense, whether  
7 reimbursed or not. A legitimate expense for the purposes of  
8 this sub-subparagraph shall include automobile repair or  
9 maintenance expenses; educational, job, or training expenses;  
10 and costs incurred, except legal costs, fines, or penalties,  
11 when applying for or executing a rental agreement for the  
12 purposes of securing a home or residence.

13           3. The community-based care lead agency may purchase  
14 housing, transportation, or employment services to ensure the  
15 availability and affordability of specific transitional  
16 services thereby allowing an eligible young adult to utilize  
17 these services in lieu of receiving a direct payment. Prior to  
18 purchasing such services, the community-based care lead agency  
19 must have a plan approved by the department describing the  
20 services to be purchased, the rationale for purchasing the  
21 services, and a specific range of expenses for each service  
22 that is less than the cost of purchasing the service by an  
23 individual young adult. The plan must include a description of  
24 the transition of a young adult using these services into  
25 independence and a timeframe for achievement of independence.  
26 An eligible young adult who prefers a direct payment shall  
27 receive such payment. The plan must be reviewed annually and  
28 evaluated for cost-efficiency and for effectiveness in  
29 assisting young adults in achieving independence, preventing  
30 homelessness among young adults, and enabling young adults to  
31 earn a livable wage in a permanent employment situation.



1           4. The young adult who resides with a foster family  
2 may not be included as a child in calculating any licensing  
3 restriction on the number of children in the foster home.

4           (e) Appeals process.--

5           1. The Department of Children and Family Services  
6 shall adopt by rule a procedure by which a young adult may  
7 appeal an eligibility determination or the department's  
8 failure to provide aftercare, Road-to-Independence Program, or  
9 transitional support services, or the termination of such  
10 services, if such funds are available.

11           2. The procedure developed by the department must be  
12 readily available to young adults, must provide timely  
13 decisions, and must provide for an appeal to the Secretary of  
14 Children and Family Services. The decision of the secretary  
15 constitutes final agency action and is reviewable by the court  
16 as provided in s. 120.68.

17           Section 3. Subsection (4) of section 409.903, Florida  
18 Statutes, is amended to read:

19           409.903 Mandatory payments for eligible persons.--The  
20 agency shall make payments for medical assistance and related  
21 services on behalf of the following persons who the  
22 department, or the Social Security Administration by contract  
23 with the Department of Children and Family Services,  
24 determines to be eligible, subject to the income, assets, and  
25 categorical eligibility tests set forth in federal and state  
26 law. Payment on behalf of these Medicaid eligible persons is  
27 subject to the availability of moneys and any limitations  
28 established by the General Appropriations Act or chapter 216.

29           (4) A child who is eligible under Title IV-E of the  
30 Social Security Act for subsidized board payments, foster  
31 care, or adoption subsidies, and a child for whom the state

1 | has assumed temporary or permanent responsibility and who does  
2 | not qualify for Title IV-E assistance but is in foster care,  
3 | shelter or emergency shelter care, or subsidized adoption.  
4 | This category includes a young adult who is eligible to  
5 | receive services under s. 409.1451(5), until the young adult  
6 | reaches 21 ~~20~~ years of age, without regard to any income,  
7 | resource, or categorical eligibility test that is otherwise  
8 | required. This category also includes a person who as a child  
9 | was eligible under Title IV-E of the Social Security Act for  
10 | foster care or the state-provided foster care and who is a  
11 | participant in the Road-to-Independence Program.

12 |       Section 4. Section 743.044, Florida Statutes, is  
13 | created to read:

14 |       743.044 Removal of disabilities of minors; executing  
15 | agreements for depository financial services.--For the purpose  
16 | of ensuring that a youth in foster care will be able to secure  
17 | depository financial services, such as checking and savings  
18 | accounts, the disability of nonage of minors shall be removed  
19 | provided that the youth has reached 16 years of age, has been  
20 | adjudicated dependent, is residing in an out-of-home placement  
21 | as defined in s. 39.01, and has completed a financial literacy  
22 | class. Upon issuance of an order by a court of competent  
23 | jurisdiction, such a youth is authorized to make and execute  
24 | all documents, contracts, or agreements necessary for  
25 | obtaining the rights, privileges, and benefits of depository  
26 | financial services as if the youth is otherwise competent to  
27 | make and execute contracts. Execution of any such contract or  
28 | agreement for depository financial services shall have the  
29 | same effect as if it were the act of a person who is not a  
30 | minor. A youth seeking to enter into such contracts or  
31 | agreements or execute other necessary instruments incidental

1 to obtaining depository financial services must present an  
2 order from a court of competent jurisdiction removing the  
3 disabilities of nonage of the minor under this section.

4 Section 5. This act shall take effect July 1, 2007.

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
7 COMMITTEE SUBSTITUTE FOR  
8 SB 2114

9 This committee substitute differs from the underlying bill in  
10 that it:

- 11 -- Permits a caseworker to sign an application for a  
12 learner's driver's license for a minor in foster care  
without assuming personal responsibility for the  
negligence of the minor;
- 13 -- Permits a caseworker to sign an application for a  
14 driver's license for a minor in foster care without  
15 assuming personal responsibility for the willful  
misconduct of the minor, only if the signature is made  
pursuant to a court-approved transition plan; and
- 16 -- Makes young adults who finish high school before they age  
17 out of foster care eligible for the Road to Independence  
Program.
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