

1 A bill to be entitled

2 An act relating to homelessness; amending s. 320.02, F.S.;  
3 requiring the motor vehicle registration form and  
4 registration renewal form to include an option to make a  
5 voluntary contribution to aid the homeless; amending s.  
6 322.08, F.S.; requiring the driver license application  
7 form to include an option to make a voluntary contribution  
8 to aid the homeless; amending s. 322.18, F.S.; requiring  
9 the driver license application form for renewal issuance  
10 or renewal extension to include an option to make a  
11 voluntary contribution to aid the homeless; providing that  
12 voluntary contributions for the homeless are not income of  
13 a revenue nature for the purpose of applying certain  
14 service charges; providing for such contributions to be  
15 deposited into the Grants and Donations Trust Fund of the  
16 Department of Children and Family Services and used by the  
17 State Office on Homelessness for certain purposes;  
18 creating s. 414.161, F.S.; establishing a homelessness  
19 prevention grant program; requiring grant applicants to be  
20 ranked competitively; providing preference for certain  
21 grant applicants; providing eligibility requirements;  
22 providing grant limitations and restrictions; requiring  
23 lead agencies for local homeless assistance continuum of  
24 care to track, monitor, and report on assisted families  
25 for a specified period of time; amending s. 420.507, F.S.;  
26 conforming a cross-reference; amending s. 420.621, F.S.;  
27 conforming a cross-reference; revising, providing, and  
28 deleting definitions; amending s. 420.622, F.S.;

29 increasing and revising membership on the Council on  
 30 Homelessness; removing a member from an obsolete  
 31 organization; correcting the name of a member organization  
 32 on the council; revising the date of an annual report;  
 33 amending s. 420.625, F.S.; conforming a cross-reference;  
 34 creating s. 420.6275, F.S.; creating the Housing First  
 35 program; providing legislative findings and intent;  
 36 providing methodology; providing components of the  
 37 program; creating s. 420.628, F.S.; providing legislative  
 38 findings and intent; amending s. 1003.01, F.S.; revising a  
 39 definition; amending ss. 1003.21, F.S.; conforming  
 40 terminology; providing a school attendance exemption for  
 41 certain children in foster care; amending s. 1003.22,  
 42 F.S.; conforming terminology; providing a school  
 43 certification of a school-entry health examination  
 44 exemption for certain children in foster care; repealing  
 45 s. 414.16, F.S., relating to emergency assistance program;  
 46 providing an effective date.

47  
 48 Be It Enacted by the Legislature of the State of Florida:

49  
 50 Section 1. Paragraph (f) is added to subsection (16) of  
 51 section 320.02, Florida Statutes, to read:

52 320.02 Registration required; application for  
 53 registration; forms.--

54 (16)

55 (f) Notwithstanding s. 320.023, the application form for  
 56 motor vehicle registration and renewal of registration must

57 include language permitting a voluntary contribution of \$1 per  
58 applicant to aid the homeless. Contributions made pursuant to  
59 this paragraph shall be deposited into the Grants and Donations  
60 Trust Fund of the Department of Children and Family Services and  
61 used by the State Office on Homelessness to supplement grants  
62 made under s. 420.622(4) and (5), provide information to the  
63 public about homelessness in the state, and provide literature  
64 for homeless persons seeking assistance.

65  
66 For the purpose of applying the service charge provided in s.  
67 215.20, contributions received under this subsection are not  
68 income of a revenue nature.

69 Section 2. Subsection (6) of section 322.08, Florida  
70 Statutes, is amended to read:

71 322.08 Application for license.--

72 (6) The application form for a driver's license or  
73 duplicate thereof shall include language permitting the  
74 following:

75 (a) A voluntary contribution of \$5 per applicant, which  
76 contribution shall be transferred into the Election Campaign  
77 Financing Trust Fund.

78 (b) A voluntary contribution of \$1 per applicant, which  
79 contribution shall be deposited into the Florida Organ and  
80 Tissue Donor Education and Procurement Trust Fund for organ and  
81 tissue donor education and for maintaining the organ and tissue  
82 donor registry.

83 (c) A voluntary contribution of \$1 per applicant, which  
84 contribution shall be distributed to the Florida Council of the

85 Blind.

86 (d) A voluntary contribution of \$2 per applicant, which  
 87 shall be distributed to the Hearing Research Institute,  
 88 Incorporated.

89 (e) A voluntary contribution of \$1 per applicant, which  
 90 shall be distributed to the Juvenile Diabetes Foundation  
 91 International.

92 (f) A voluntary contribution of \$1 per applicant, which  
 93 shall be distributed to the Children's Hearing Help Fund.

94 (g) Notwithstanding s. 322.081, a voluntary contribution  
 95 of \$1 per applicant to aid the homeless. Contributions made  
 96 pursuant to this paragraph shall be deposited into the Grants  
 97 and Donations Trust Fund of the Department of Children and  
 98 Family Services and used by the State Office on Homelessness to  
 99 supplement grants made under s. 420.622(4) and (5), provide  
 100 information to the public about homelessness in the state, and  
 101 provide literature for homeless persons seeking assistance.  
 102

103 A statement providing an explanation of the purpose of the trust  
 104 funds shall also be included. For the purpose of applying the  
 105 service charge provided in s. 215.20, contributions received  
 106 under paragraphs (c), (d), (e), ~~and (f)~~, and (g) and under s.  
 107 322.18(9)~~(a)~~ are not income of a revenue nature.

108 Section 3. Subsection (9) of section 322.18, Florida  
 109 Statutes, is amended to read:

110 322.18 Original applications, licenses, and renewals;  
 111 expiration of licenses; delinquent licenses.--

112 (9) (a) The application form for a renewal issuance or

113 renewal extension shall include language permitting a voluntary  
 114 contribution of \$1 per applicant, to be quarterly distributed by  
 115 the department to Prevent Blindness Florida, a not-for-profit  
 116 organization, to prevent blindness and preserve the sight of the  
 117 residents of this state. A statement providing an explanation of  
 118 the purpose of the funds shall be included with the application  
 119 form.

120 ~~(b)~~ Prior to the department distributing the funds  
 121 collected pursuant to this paragraph ~~(a)~~, Prevent Blindness  
 122 Florida must submit a report to the department that identifies  
 123 how such funds were used during the preceding year.

124 (b) The application form for a renewal issuance or renewal  
 125 extension shall include language permitting a voluntary  
 126 contribution of \$1 per applicant to aid the homeless.  
 127 Contributions made pursuant to this paragraph shall be deposited  
 128 into the Grants and Donations Trust Fund of the Department of  
 129 Children and Family Services and used by the State Office on  
 130 Homelessness to supplement grants made under s. 420.622(4) and  
 131 (5), provide information to the public about homelessness in the  
 132 state, and provide literature for homeless persons seeking  
 133 assistance.

134 Section 4. Section 414.161, Florida Statutes, is created  
 135 to read:

136 414.161 Homelessness prevention grants.--

137 (1) ESTABLISHMENT OF PROGRAM.--There is hereby created a  
 138 grant program to provide emergency financial assistance to  
 139 families facing the loss of their current home due to a  
 140 financial or other crisis. The State Office on Homelessness,

141 with the concurrence of the Council on Homelessness, may accept  
142 and administer moneys appropriated to it to provide homelessness  
143 prevention grants annually to lead agencies for local homeless  
144 assistance continuum of care, as recognized by the State Office  
145 on Homelessness. These moneys shall consist of any sums that the  
146 state may appropriate, as well as money received from donations,  
147 gifts, bequests, or otherwise from any public or private source  
148 that is intended to assist families to prevent them from  
149 becoming homeless.

150 (2) GRANT APPLICATIONS.--Grant applicants shall be ranked  
151 competitively. Preference shall be given to applicants who  
152 leverage additional private funds and public funds, who  
153 demonstrate the effectiveness of their homelessness prevention  
154 programs in keeping families housed, and who demonstrate the  
155 commitment of other assistance and services to address the  
156 family's health, employment, and education needs.

157 (3) ELIGIBILITY.--In order to qualify for a grant, a lead  
158 agency must develop and implement a local homeless assistance  
159 continuum of care plan for its designated catchment area. The  
160 homelessness prevention program must be included in the  
161 continuum of care plan.

162 (4) GRANT LIMITS.--The maximum grant amount per lead  
163 agency may not exceed \$300,000. The grant assistance may be used  
164 to pay past due rent or mortgage payments, past due utility  
165 costs, other past due bills creating the family's financial  
166 crisis, provision of case management services, and program  
167 administration costs not to exceed 3 percent of the grant award.  
168 The homelessness prevention program must develop a case plan for

169 each family to be assisted setting forth which costs will be  
 170 covered and the maximum level of assistance to be offered.

171 (5) PERFORMANCE.--The lead agency shall be required to  
 172 track, monitor, and report on the families assisted for at least  
 173 12 months following the last assistance provided to the family.  
 174 The goal for the homelessness prevention program shall be to  
 175 enable at least 85 percent of the families assisted to remain in  
 176 their home and avoid becoming homeless during the ensuing year.

177 Section 5. Paragraph (a) of subsection (22) of section  
 178 420.507, Florida Statutes, is amended to read:

179 420.507 Powers of the corporation.--The corporation shall  
 180 have all the powers necessary or convenient to carry out and  
 181 effectuate the purposes and provisions of this part, including  
 182 the following powers which are in addition to all other powers  
 183 granted by other provisions of this part:

184 (22) To develop and administer the State Apartment  
 185 Incentive Loan Program. In developing and administering that  
 186 program, the corporation may:

187 (a) Make first, second, and other subordinated mortgage  
 188 loans including variable or fixed rate loans subject to  
 189 contingent interest for all State Apartment Incentive Loans  
 190 provided for in this chapter based upon available cash flow of  
 191 the projects. The corporation shall make loans exceeding 25  
 192 percent of project cost available only to nonprofit  
 193 organizations and public bodies which are able to secure grants,  
 194 donations of land, or contributions from other sources and to  
 195 projects meeting the criteria of subparagraph 1. Mortgage loans  
 196 shall be made available at the following rates of interest:

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

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

207           3. One to 9 percent interest for sponsors of projects  
 208 targeted at populations other than farmworkers, commercial  
 209 fishing workers, and the homeless.

210           Section 6. Section 420.621, Florida Statutes, is amended  
 211 to read:

212           420.621 Definitions; ss. 420.621-420.628 ~~420.621-~~  
 213 ~~420.627.~~--As used in ss. 420.621-420.628 ~~420.621-420.627~~, the  
 214 ~~term following terms shall have the following meanings, unless~~  
 215 ~~the context otherwise requires:~~

216           (1) "Children and youths experiencing homelessness," for  
 217 programs authorized under the McKinney-Vento Education  
 218 Assistance for Homeless Children and Youths, 42 U.S.C. ss. 11431  
 219 et seq., means children and youths who lack a fixed, regular,  
 220 and adequate nighttime residence, and includes:

221           (a) Children and youths who are sharing the housing of  
 222 other persons due to loss of housing, economic hardship, or a  
 223 similar reason; are living in motels, hotels, travel trailer  
 224 parks, or camping grounds due to the lack of alternative



225 adequate accommodations; are living in emergency or transitional  
 226 shelters; are abandoned in hospitals; or are awaiting foster  
 227 care placement.

228 (b) Children and youths who have a primary nighttime  
 229 residence that is a public or private place not designed for or  
 230 ordinarily used as a regular sleeping accommodation for human  
 231 beings.

232 (c) Children and youths who are living in cars, parks,  
 233 public spaces, abandoned buildings, bus or train stations, or  
 234 similar settings.

235 (d) Migratory children who are living in circumstances  
 236 described in paragraphs (a) - (c).

237 (2) "Continuum of care" means a community plan to organize  
 238 and deliver housing and services to meet the specific needs of  
 239 people who are homeless as they move to stable housing and  
 240 maximum self-sufficiency. It includes action steps to end  
 241 homelessness and prevent a return to homelessness.

242 (3) "Council on Homelessness" means the council created in  
 243 s. 420.622.

244 ~~(1) "AFDC" means Aid to Families with Dependent Children~~  
 245 ~~as administered under chapter 409.~~

246 (4)-(2) "Department" means the Department of Children and  
 247 Family Services.

248 (5)-(3) "District" means a service district of the  
 249 department of Children and Family Services, as set forth in s.  
 250 20.19.

251 (6)-(4) "Homeless," applied to an individual, or  
 252 "individual experiencing homelessness" means "Homeless" refers

253 ~~to~~ an individual who lacks a fixed, regular, and adequate  
 254 nighttime residence and includes ~~or~~ an individual who ~~has a~~  
 255 ~~primary nighttime residence that is:~~

256 (a) Is sharing the housing of other persons due to loss of  
 257 housing, economic hardship, or a similar reason;

258 (b) Is living in a motel, hotel, travel trailer park, or  
 259 camping ground due to a lack of alternative adequate  
 260 accommodations;

261 (c) Is living in an emergency or transitional shelter; A  
 262 ~~supervised publicly or privately operated shelter designed to~~  
 263 ~~provide temporary living accommodations, including welfare~~  
 264 ~~hotels, congregate shelters, and transitional housing for the~~  
 265 ~~mentally ill;~~

266 ~~(b) An institution that provides a temporary residence for~~  
 267 ~~individuals intended to be institutionalized; or~~

268 (d) ~~(e)~~ Has a primary nighttime residence that is a public  
 269 or private place not designed for, or ordinarily used as, a  
 270 regular sleeping accommodation for human beings;

271 (e) Is living in a car, park, public space, abandoned  
 272 building, bus or train station, or similar setting; or

273 (f) Is a migratory individual who qualifies as homeless  
 274 because he or she is living in circumstances described in  
 275 paragraphs (a) - (e).

276  
 277 The terms defined in this subsection do ~~term does~~ not refer to  
 278 any individual imprisoned ~~or otherwise detained~~ pursuant to  
 279 state or federal law. The terms also do not include individuals  
 280 or families who are sharing housing due to cultural preferences,

281 voluntary arrangements, and traditional networks of support. The  
 282 terms include an individual who has been released from jail,  
 283 prison, the juvenile justice system, the child welfare system, a  
 284 mental health and developmental disability facility, a  
 285 residential addiction treatment program, or a hospital, for whom  
 286 no subsequent residence has been identified, and who lacks the  
 287 resources and support network to obtain housing.

288 (7)-(5) "Local coalition for the homeless" means a  
 289 coalition established pursuant to s. 420.623.

290 (8)-(6) "New and temporary homeless" means those  
 291 individuals or families who are homeless due to societal  
 292 ~~external factors, such as unemployment or other loss of income,~~  
 293 ~~personal or family life crises, or the shortage of low income~~  
 294 ~~housing.~~

295 (9) "Societal causes of homelessness" means factors such  
 296 as lack of housing for individuals and families with low  
 297 incomes, lack of employment opportunities for those with a high  
 298 school education or less, and lack of day care, transportation,  
 299 and other institutional supports.

300 (10)-(7) "State Office on Homelessness" means the state  
 301 office created in s. 420.622 ~~"Secretary" means the secretary of~~  
 302 ~~the Department of Children and Family Services.~~

303 Section 7. Subsections (2) and (9) of section 420.622,  
 304 Florida Statutes, are amended to read:

305 420.622 State Office on Homelessness; Council on  
 306 Homelessness.--

307 (2) The Council on Homelessness is created to consist of a  
 308 17-member ~~15-member~~ council of public and private agency

309 representatives who shall develop policy and advise the State  
 310 Office on Homelessness. The council members shall be: the  
 311 Secretary of Children and Family Services, or his or her  
 312 designee; the Secretary of Community Affairs, or his or her  
 313 designee; the State Surgeon General, or his or her designee; the  
 314 Executive Director of Veterans' Affairs, or his or her designee;  
 315 the Secretary of Corrections, or his or her designee; the  
 316 Secretary of Health Care Administration, or his or her designee;  
 317 the Commissioner of Education, or his or her designee; the  
 318 Director of Workforce Florida, Inc., or his or her designee; one  
 319 representative of the Florida Association of Counties; one  
 320 representative from the Florida League of Cities; one  
 321 representative of the Florida ~~Coalition for~~ Supportive Housing  
 322 Coalition; the Executive Director of the Florida Housing Finance  
 323 Corporation, or his or her designee; one representative of the  
 324 Florida Coalition for the Homeless; ~~one representative of the~~  
 325 ~~Florida State Rural Development Council;~~ and four members  
 326 appointed by the Governor. The council members shall be  
 327 volunteer, nonpaid persons and shall be reimbursed for travel  
 328 expenses only. The appointed members of the council shall serve  
 329 staggered 2-year terms, and the council shall meet at least four  
 330 times per year. The importance of minority, gender, and  
 331 geographic representation must be considered when appointing  
 332 members to the council.

333 (9) The council shall, by June 30 ~~December 31~~ of each  
 334 year, beginning in 2008, issue to the Governor, the President of  
 335 the Senate, the Speaker of the House of Representatives, and the  
 336 Secretary of Children and Family Services an evaluation of the

337 executive director's performance in fulfilling the statutory  
 338 duties of the office, a report summarizing the council's  
 339 recommendations to the office and the corresponding actions  
 340 taken by the office, and any recommendations to the Legislature  
 341 for proposals to reduce homelessness in this state.

342 Section 8. Paragraph (d) of subsection (3) of section  
 343 420.625, Florida Statutes, is amended to read:

344 420.625 Grant-in-aid program.--

345 (3) ESTABLISHMENT.--There is hereby established a grant-  
 346 in-aid program to help local communities in serving the needs of  
 347 the homeless through a variety of supportive services, which may  
 348 include, but are not limited to:

349 (d) Emergency financial assistance for persons who are  
 350 totally without shelter or facing loss of shelter, ~~but who are~~  
 351 ~~not eligible for such assistance under s. 414.16.~~

352 Section 9. Section 420.6275, Florida Statutes, is created  
 353 to read:

354 420.6275 Housing First.--

355 (1) LEGISLATIVE FINDINGS AND INTENT.--

356 (a) The Legislature finds that many communities plan to  
 357 manage homelessness rather than plan to end it.

358 (b) The Legislature also finds that for most of the past  
 359 two decades, public and private solutions to homelessness have  
 360 focused on providing individuals and families who are  
 361 experiencing homelessness with emergency shelter, transitional  
 362 housing, or a combination of both. While emergency shelter  
 363 programs may provide critical access to services for individuals

364 and families in crisis, they often fail to address the long-term  
365 needs of those who are homeless.

366 (c) The Legislature further finds that Housing First is an  
367 alternative approach to the current system of emergency shelter  
368 or transitional housing which tends to reduce the length of time  
369 of homelessness and has proven to be cost-effective to homeless  
370 programs.

371 (d) It is therefore the intent of the Legislature to  
372 encourage local coalitions for the homeless, established  
373 pursuant to s. 420.623, to adopt the Housing First approach to  
374 ending homelessness for individuals and families.

375 (2) HOUSING FIRST METHODOLOGY.--

376 (a) The Housing First approach to homelessness differs  
377 from traditional approaches by providing housing assistance,  
378 case management, and support services responsive to individual  
379 or family needs after housing is obtained. By using the Housing  
380 First approach when appropriate, communities can significantly  
381 reduce the amount of time that individuals and families are  
382 homeless and prevent further episodes of homelessness. Housing  
383 First emphasizes that social services provided to enhance  
384 individual and family well-being can be more effective when  
385 people are in their own home, and:

386 1. The housing is not time-limited.

387 2. The housing is not contingent on compliance with  
388 services. Instead, participants must comply with a standard  
389 lease agreement and are provided with the services and support  
390 that are necessary to help them do so successfully.

391        (b) The Housing First approach addresses the societal  
392 causes of homelessness and advocates for the immediate return of  
393 individuals and families back into housing and communities.  
394 Housing First provides a critical link between the emergency and  
395 transitional housing system and community-based social service,  
396 educational, and health care organizations and consists of four  
397 components:

- 398        1. Crisis intervention and short-term stabilization.  
399        2. Screening, intake, and needs assessment.  
400        3. Provision of housing resources.  
401        4. Provision of case management.

402        Section 10. Section 420.628, Florida Statutes, is created  
403 to read:

404        420.628 Children and young adults leaving foster care;  
405 legislative findings and intent.--

406        (1) The Legislature finds that the transition from  
407 childhood to adulthood is filled with opportunity and risk. Most  
408 young people who receive adequate support make this transition  
409 successfully and will become healthy adults who will be prepared  
410 for work and be able to become responsible, fulfilled members of  
411 their families and communities.

412        (2) The Legislature finds that there are also many young  
413 people who will enter adulthood without the knowledge, skills,  
414 attitudes, habits, and relationships that will enable them to be  
415 productive members of society. Those young people, who through  
416 no fault of their own, live in foster families, group homes, and  
417 institutions are among those at greatest risk.

418       (3) The Legislature finds that these young people face  
419 numerous barriers to a successful transition to adulthood. Those  
420 barriers include changes in foster care placements and schools,  
421 limited opportunities for participation in age-appropriate  
422 normal activities, and the inability to achieve economic  
423 stability, make connections with permanent supportive adults or  
424 family, and access housing. The main barriers to safe and  
425 affordable housing for youth aging out of the foster care system  
426 are cost, lack of availability, the unwillingness of many  
427 landlords to rent to them, and their own lack of knowledge about  
428 how to be good tenants.

429       (4) The Legislature also finds that young adults who  
430 emancipate from the child welfare system are at risk of becoming  
431 homeless and those who were formerly in foster care are  
432 disproportionately represented in the homeless population. Only  
433 about two-fifths of eligible young people receive independent  
434 living services and, of those who do, few receive adequate  
435 housing assistance. Without the stability of safe housing all  
436 other services, training, and opportunities may not be  
437 effective.

438       (5) The Legislature further finds that research on young  
439 people who emancipate from foster care suggests a nexus between  
440 foster care involvement and later episodes of homelessness and  
441 that interventions in the foster care system might help to  
442 prevent homelessness. Responding to the needs of young people  
443 leaving the foster care system with developmentally appropriate  
444 supportive housing models organized in a continuum of decreasing



445 supervision may increase their ability to live independently in  
446 the future.

447 (6) It is therefore the intent of the Legislature to  
448 encourage the Department of Children and Family Services, its  
449 agents, and community-based care providers operating pursuant to  
450 s. 409.1671, to develop and implement procedures designed to  
451 reduce the number of young adults who become homeless after  
452 leaving the child welfare system.

453 Section 11. Subsection (12) of section 1003.01, Florida  
454 Statutes, is amended to read:

455 1003.01 Definitions.--As used in this chapter, the term:

456 (12) "Children and youths who are experiencing  
457 homelessness," for programs authorized under subtitle B,  
458 Education for Homeless Children and Youths, of title VII of the  
459 McKinney-Vento Homeless Assistance Act, 42 U.S.C. ss. 11431 et  
460 seq., means children and youths who lack a fixed, regular, and  
461 adequate nighttime residence; and includes:

462 (a) Children and youths who are sharing the housing of  
463 other persons due to loss of housing, economic hardship, or a  
464 similar reason; are living in motels, hotels, travel trailer  
465 parks, or camping grounds due to the lack of alternative  
466 adequate accommodations; are living in emergency or transitional  
467 shelters; are abandoned in hospitals; or are awaiting foster  
468 care placement.

469 (b) Children and youths who have a primary nighttime  
470 residence that is a public or private place not designed for or  
471 ordinarily used as a regular sleeping accommodation for human  
472 beings.

473           (c) Children and youths who are living in cars, parks,  
 474 public spaces, abandoned buildings, bus or train stations, or  
 475 similar settings.

476           (d) Migratory children who are living in circumstances  
 477 described in paragraphs (a) - (c).

478           ~~(12) "Homeless child" means:~~

479           ~~(a) One who lacks a fixed, regular nighttime residence;~~

480           ~~(b) One who has a primary nighttime residence that is:~~

481           ~~1. A supervised publicly or privately operated shelter~~  
 482 ~~designed to provide temporary living accommodations, including~~  
 483 ~~welfare hotels, congregate shelters, and transitional housing~~  
 484 ~~for the mentally ill;~~

485           ~~2. An institution that provides a temporary residence for~~  
 486 ~~individuals intended to be institutionalized; or~~

487           ~~3. A public or private place not designed for, or~~  
 488 ~~ordinarily used as, a regular sleeping accommodation for human~~  
 489 ~~beings; or~~

490           ~~(c) One who temporarily resides with an adult other than~~  
 491 ~~his or her parent because the parent is suffering financial~~  
 492 ~~hardship.~~

493  
 494 ~~A child who is imprisoned, detained, or in the custody of the~~  
 495 ~~state pursuant to a state or federal law is not a homeless~~  
 496 ~~child.~~

497           Section 12. Paragraph (f) of subsection (1) and paragraph  
 498 (g) of subsection (4) of section 1003.21, Florida Statutes, are  
 499 amended to read:

500           1003.21 School attendance.--

501 (1)  
 502 (f) Children and youths who are experiencing homelessness  
 503 ~~Homeless children~~, as defined in s. 1003.01, must have access to  
 504 a free public education and must be admitted to school in the  
 505 school district in which they or their families live. School  
 506 districts shall assist such ~~homeless~~ children to meet the  
 507 requirements of subsection (4) and s. 1003.22, as well as local  
 508 requirements for documentation.

509 (4) Before admitting a child to kindergarten, the  
 510 principal shall require evidence that the child has attained the  
 511 age at which he or she should be admitted in accordance with the  
 512 provisions of subparagraph (1)(a)2. The district school  
 513 superintendent may require evidence of the age of any child whom  
 514 he or she believes to be within the limits of compulsory  
 515 attendance as provided for by law. If the first prescribed  
 516 evidence is not available, the next evidence obtainable in the  
 517 order set forth below shall be accepted:

518 (g) If none of these evidences can be produced, an  
 519 affidavit of age sworn to by the parent, accompanied by a  
 520 certificate of age signed by a public health officer or by a  
 521 public school physician, or, if neither of these is available in  
 522 the county, by a licensed practicing physician designated by the  
 523 district school board, which certificate states that the health  
 524 officer or physician has examined the child and believes that  
 525 the age as stated in the affidavit is substantially correct.  
 526 Children and youths who are experiencing homelessness ~~A homeless~~  
 527 ~~child~~, as defined in s. 1003.01, and children who are in foster  
 528 care until the time of achieving either reunification or a

529 permanent placement shall be given temporary exemption from this  
 530 section for 30 school days.

531 Section 13. Subsection (1) and paragraph (e) of subsection  
 532 (5) of section 1003.22, Florida Statutes, are amended to read:

533 1003.22 School-entry health examinations; immunization  
 534 against communicable diseases; exemptions; duties of Department  
 535 of Health.--

536 (1) Each district school board and the governing authority  
 537 of each private school shall require that each child who is  
 538 entitled to admittance to kindergarten, or is entitled to any  
 539 other initial entrance into a public or private school in this  
 540 state, present a certification of a school-entry health  
 541 examination performed within 1 year prior to enrollment in  
 542 school. Each district school board, and the governing authority  
 543 of each private school, may establish a policy that permits a  
 544 student up to 30 school days to present a certification of a  
 545 school-entry health examination. Children and youths who are  
 546 experiencing homelessness ~~A homeless child~~, as defined in s.  
 547 1003.01, and children who are in foster care until the time of  
 548 achieving either reunification or a permanent placement shall be  
 549 given a temporary exemption for 30 school days. Any district  
 550 school board that establishes such a policy shall include  
 551 provisions in its local school health services plan to assist  
 552 students in obtaining the health examinations. However, any  
 553 child shall be exempt from the requirement of a health  
 554 examination upon written request of the parent of the child  
 555 stating objections to the examination on religious grounds.

556 (5) The provisions of this section shall not apply if:

557 (e) An authorized school official issues a temporary  
558 exemption, for a period not to exceed 30 school days, to permit  
559 a student who transfers into a new county to attend class until  
560 his or her records can be obtained. Children and youths who are  
561 experiencing homelessness ~~A homeless child~~, as defined in s.  
562 1003.01, and children who are in foster care until the time of  
563 achieving either reunification or a permanent placement shall be  
564 given a temporary exemption for 30 school days. The public  
565 school health nurse or authorized private school official is  
566 responsible for followup of each such student until proper  
567 documentation or immunizations are obtained. An exemption for 30  
568 days may be issued for a student who enters a juvenile justice  
569 program to permit the student to attend class until his or her  
570 records can be obtained or until the immunizations can be  
571 obtained. An authorized juvenile justice official is responsible  
572 for followup of each student who enters a juvenile justice  
573 program until proper documentation or immunizations are  
574 obtained.

575 Section 14. Section 414.16, Florida Statutes, is repealed.

576 Section 15. This act shall take effect July 1, 2008.