



614530

CHAMBER ACTION

Senate

House

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Floor: 1e/RE/2R  
4/23/2008 10:07 PM

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1 Senator Rich moved the following **amendment to amendment (784706)**:

2  
3 **Senate Amendment (with title amendment)**

4 Delete line(s) 463-513

5 and insert:

6  
7 3. A responsible adult relative or the adoptive parent of  
8 the child's sibling who shall be given priority consideration  
9 over a nonrelative placement when this is in the best interests  
10 of the child; or

11 4. A responsible adult approved by the department; or  
12 (b) Deliver the child to an authorized agent of the  
13 department, stating the facts by reason of which the child was  
14 taken into custody and sufficient information to establish  
15 probable cause that the child is abandoned, abused, or neglected,  
16 or otherwise dependent.



614530

18 For cases involving allegations of abandonment, abuse, or  
19 neglect, or other dependency cases, within 3 days after such  
20 release or within 3 days after delivering the child to an  
21 authorized agent of the department, the law enforcement officer  
22 who took the child into custody shall make a full written report  
23 to the department.

24 (3) If the child is taken into custody by, or is delivered  
25 to, an authorized agent of the department, the ~~authorized~~ agent  
26 shall review the facts supporting the removal with an attorney  
27 representing the department. The purpose of ~~the~~ this review is  
28 ~~shall be~~ to determine whether there is probable cause ~~exists~~ for  
29 the filing of a shelter petition.

30 (a) If the facts are not sufficient ~~to support the filing~~  
31 ~~of a shelter petition~~, the child shall immediately be returned to  
32 the custody of the parent or legal custodian.

33 (b) If the facts are sufficient ~~to support the filing of~~  
34 ~~the shelter petition~~ and the child has not been returned to the  
35 custody of the parent or legal custodian, the department shall  
36 file the petition and schedule a hearing, and the attorney  
37 representing the department shall request that a shelter hearing  
38 be held within ~~as quickly as possible, not to exceed~~ 24 hours  
39 after the removal of the child. While awaiting the shelter  
40 hearing, the authorized agent of the department may place the  
41 child in licensed shelter care or may release the child to a  
42 parent or legal custodian or responsible adult relative or the  
43 adoptive parent of the child's sibling who shall be given  
44 priority consideration over a licensed placement, or a  
45 responsible adult approved by the department if ~~when~~ this is in  
46 the best interests of the child. ~~Any~~ Placement of a child which  
47 is not in a licensed shelter must be preceded by a criminal



614530

48 | history records check as required under s. 39.0138 ~~local and~~  
49 | ~~state criminal records check, as well as a search of the~~  
50 | ~~department's automated abuse information system, on all members~~  
51 | ~~of the household, to assess the child's safety within the home.~~  
52 | In addition, the department may authorize placement of a  
53 | housekeeper/homemaker in the home of a child alleged to be  
54 | dependent until the parent or legal custodian assumes care of the  
55 | child.

56 |  
57 | ===== T I T L E A M E N D M E N T =====

58 | And the title is amended as follows:

59 |       Delete line(s) 1403-1404

60 | and insert:

61 |  
62 |       child's sibling; authorizing the department to release a  
63 |       child awaiting a shelter hearing to an adoptive parent of  
64 |       the child's sibling; requiring