

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 for
12 such contributions to be deposited into the Grants and
13 Donations Trust Fund of the Department of Children and
14 Family Services and used by the State Office on
15 Homelessness for certain purposes; providing that
16 voluntary contributions for the homeless are not income of
17 a revenue nature for the purpose of applying certain
18 service charges; creating s. 414.161, F.S.; establishing a
19 homelessness prevention grant program; requiring grant
20 applicants to be ranked competitively; providing
21 preference for certain grant applicants; providing
22 eligibility requirements; providing grant limitations and
23 restrictions; requiring lead agencies for local homeless
24 assistance continuum of care to track, monitor, and report
25 on assisted families for a specified period of time;
26 amending s. 420.507, F.S.; conforming a cross-reference;
27 amending s. 420.621, F.S.; conforming a cross-reference;
28 revising, providing, and deleting definitions; amending s.

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29 420.622, F.S.; increasing and revising membership on the
30 Council on Homelessness; removing a member from an
31 obsolete organization; correcting the name of a member
32 organization on the council; revising the date of an
33 annual report; amending s. 420.625, F.S.; deleting a
34 cross-reference to conform; creating s. 420.6275, F.S.;
35 creating the Housing First program; providing legislative
36 findings and intent; providing that certain local homeless
37 assistance continuums of care shall receive priority for
38 certain funding; requiring the State Office on
39 Homelessness to create specified procedures; providing
40 methodology; providing components of the program; creating
41 s. 420.628, F.S.; providing legislative findings and
42 intent with respect to children and young adults leaving
43 the child welfare system; amending s. 1003.01, F.S.;
44 revising a definition; amending s. 1003.21, F.S.;
45 conforming terminology; providing a school attendance
46 exemption for certain children in foster care; amending s.
47 1003.22, F.S.; conforming terminology; providing a school
48 certification of a school-entry health examination
49 exemption for certain children in foster care; repealing
50 s. 414.16, F.S., relating to the emergency assistance
51 program for families with children that have lost shelter
52 or face loss of shelter due to an emergency; providing an
53 effective date.

54
55 Be It Enacted by the Legislature of the State of Florida:
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57 Section 1. Paragraph (h) is added to subsection (15) of
 58 section 320.02, Florida Statutes, to read:

59 320.02 Registration required; application for
 60 registration; forms.--

61 (15)

62 (h) Notwithstanding s. 320.023, the application form for
 63 motor vehicle registration and renewal of registration must
 64 include language permitting a voluntary contribution of \$1 per
 65 applicant to aid the homeless. Contributions made pursuant to
 66 this paragraph shall be deposited into the Grants and Donations
 67 Trust Fund of the Department of Children and Family Services and
 68 used by the State Office on Homelessness to supplement grants
 69 made under s. 420.622(4) and (5), provide information to the
 70 public about homelessness in the state, and provide literature
 71 for homeless persons seeking assistance.

72
 73 For the purpose of applying the service charge provided in s.
 74 215.20, contributions received under this subsection are not
 75 income of a revenue nature.

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

78 322.08 Application for license.--

79 (6) The application form for a driver's license or
 80 duplicate thereof shall include language permitting the
 81 following:

82 (a) A voluntary contribution of \$1 per applicant, which
 83 contribution shall be deposited into the Health Care Trust Fund

84 for organ and tissue donor education and for maintaining the
85 organ and tissue donor registry.

86 (b) A voluntary contribution of \$1 per applicant, which
87 contribution shall be distributed to the Florida Council of the
88 Blind.

89 (c) A voluntary contribution of \$2 per applicant, which
90 shall be distributed to the Hearing Research Institute,
91 Incorporated.

92 (d) A voluntary contribution of \$1 per applicant, which
93 shall be distributed to the Juvenile Diabetes Foundation
94 International.

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

97 (f) A voluntary contribution of \$1 per applicant, which
98 shall be distributed to Family First, a nonprofit organization.

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

107
108 A statement providing an explanation of the purpose of the trust
109 funds shall also be included. For the purpose of applying the
110 service charge provided in s. 215.20, contributions received
111 under paragraphs (b), (c), (d), (e), ~~and (f)~~, and (g) and under

112 s. 322.18(9)~~(a)~~ are not income of a revenue nature.

113 Section 3. Paragraph (c) is added to subsection (9) of
114 section 322.18, Florida Statutes, to read:

115 322.18 Original applications, licenses, and renewals;
116 expiration of licenses; delinquent licenses.--

117 (9)

118 (c) The application form for a renewal issuance or renewal
119 extension shall include language permitting a voluntary
120 contribution of \$1 per applicant to aid the homeless.

121 Contributions made pursuant to this paragraph shall be deposited
122 into the Grants and Donations Trust Fund of the Department of
123 Children and Family Services and used by the State Office on
124 Homelessness to supplement grants made under s. 420.622(4) and
125 (5), provide information to the public about homelessness in the
126 state, and provide literature for homeless persons seeking
127 assistance. For the purpose of applying the service charge
128 provided in s. 215.20, contributions received under this
129 paragraph are not income of a revenue nature.

130 Section 4. Section 414.161, Florida Statutes, is created
131 to read:

132 414.161 Homelessness prevention grants.--

133 (1) ESTABLISHMENT OF PROGRAM.--There is hereby created a
134 grant program to provide emergency financial assistance to
135 families facing the loss of their current home due to a
136 financial or other crisis. The State Office on Homelessness,
137 with the concurrence of the Council on Homelessness, may accept
138 and administer moneys appropriated to it to provide homelessness
139 prevention grants annually to lead agencies for local homeless

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140 assistance continuum of care, as recognized by the State Office
141 on Homelessness. These moneys shall consist of any sums that the
142 state may appropriate, as well as money received from donations,
143 gifts, bequests, or otherwise from any public or private source
144 that is intended to assist families to prevent them from
145 becoming homeless.

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

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

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

167 (5) PERFORMANCE.--The lead agency shall be required to
 168 track, monitor, and report on the families assisted for at least
 169 12 months after the last assistance provided to the family. The
 170 goal for the homelessness prevention program shall be to enable
 171 at least 85 percent of the families assisted to remain in their
 172 home and avoid becoming homeless during the ensuing year.

173 Section 5. Paragraph (a) of subsection (22) of section
 174 420.507, Florida Statutes, is amended to read:

175 420.507 Powers of the corporation.--The corporation shall
 176 have all the powers necessary or convenient to carry out and
 177 effectuate the purposes and provisions of this part, including
 178 the following powers which are in addition to all other powers
 179 granted by other provisions of this part:

180 (22) To develop and administer the State Apartment
 181 Incentive Loan Program. In developing and administering that
 182 program, the corporation may:

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

193 1. Zero to 3 percent interest for sponsors of projects
 194 that set aside at least 80 percent of their total units for

195 residents qualifying as farmworkers as defined in this part, or
 196 commercial fishing workers as defined in this part, or the
 197 homeless as defined in s. 420.621(6)~~(4)~~ over the life of the
 198 loan.

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

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

206 Section 6. Section 420.621, Florida Statutes, is amended
 207 to read:

208 420.621 Definitions; ss. 420.621-420.628 ~~420.621-~~
 209 ~~420.627.~~--As used in ss. 420.621-420.628 ~~420.621-420.627~~, the
 210 ~~term following terms shall have the following meanings, unless~~
 211 ~~the context otherwise requires:~~

212 (1) "Children and youths who are experiencing
 213 homelessness," for programs authorized under the federal
 214 Education for Homeless Children and Youths program, Subtitle B
 215 of Title VII of the McKinney-Vento Homeless Assistance Act, 42
 216 U.S.C. ss. 11431 et seq., means children and youths who lack a
 217 fixed, regular, and adequate nighttime residence, and includes:

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

223 shelters; are abandoned in hospitals; or are awaiting foster
 224 care placement.

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

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

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

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

239 (3) "Council on Homelessness" means the council created in
 240 s. 420.622.

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

243 (4)~~(2)~~ "Department" means the Department of Children and
 244 Family Services.

245 (5)~~(3)~~ "District" means a service district of the
 246 department of Children and Family Services, as set forth in s.
 247 20.19.

248 (6)~~(4)~~ "Homeless," applied to an individual, or
 249 "individual experiencing homelessness" means "Homeless" refers
 250 ~~to~~ an individual who lacks a fixed, regular, and adequate

251 nighttime residence and includes ~~or~~ an individual who ~~has a~~
 252 ~~primary nighttime residence that is:~~

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

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

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

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

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

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

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

273
 274 The terms defined in this subsection do ~~term does~~ not refer to
 275 any individual imprisoned ~~or otherwise detained~~ pursuant to
 276 state or federal law. The terms also do not include individuals
 277 or families who are sharing housing due to cultural preferences,
 278 voluntary arrangements, and traditional networks of support. The

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

285 (7)~~(5)~~ "Local coalition for the homeless" means a
 286 coalition established pursuant to s. 420.623.

287 (8)~~(6)~~ "New and temporary homeless" means those
 288 individuals or families who are homeless due to societal
 289 ~~external factors, such as unemployment or other loss of income,~~
 290 ~~personal or family life crises, or the shortage of low-income~~
 291 ~~housing.~~

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

297 (10)~~(7)~~ "State Office on Homelessness" means the state
 298 office created in s. 420.622 "~~Secretary~~" ~~means the secretary of~~
 299 ~~the Department of Children and Family Services.~~

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

302 420.622 State Office on Homelessness; Council on
 303 Homelessness.--

304 (2) The Council on Homelessness is created to consist of a
 305 17-member ~~15-member~~ council of public and private agency
 306 representatives who shall develop policy and advise the State

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

330 (9) The council shall, by June 30 ~~December 31~~ of each
 331 year, beginning in 2010, issue to the Governor, the President of
 332 the Senate, the Speaker of the House of Representatives, and the
 333 Secretary of Children and Family Services an evaluation of the
 334 executive director's performance in fulfilling the statutory

335 duties of the office, a report summarizing the council's
 336 recommendations to the office and the corresponding actions
 337 taken by the office, and any recommendations to the Legislature
 338 for proposals to reduce homelessness in this state.

339 Section 8. Paragraph (d) of subsection (3) of section
 340 420.625, Florida Statutes, is amended to read:

341 420.625 Grant-in-aid program.--

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

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

349 Section 9. Section 420.6275, Florida Statutes, is created
 350 to read:

351 420.6275 Housing First.--

352 (1) LEGISLATIVE FINDINGS AND INTENT.--

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

355 (b) The Legislature also finds that for most of the past
 356 two decades public and private solutions to homelessness have
 357 focused on providing individuals and families who are
 358 experiencing homelessness with emergency shelter, transitional
 359 housing, or a combination of both. While emergency shelter
 360 programs may provide critical access to services for individuals
 361 and families in crisis, they often fail to address the long-term
 362 needs of those who are homeless.

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

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

372 (e) Local homeless assistance continuums of care, as
 373 recognized by the State Office on Homelessness, that adopt and
 374 prioritize the Housing First approach in their communities shall
 375 receive priority in all funding opportunities provided through
 376 the State Office on Homelessness to the lead agencies designated
 377 for their continuum of care area.

378 (f) The State Office on Homelessness, with the concurrence
 379 of the Council on Homelessness, shall develop:

380 1. A procedure to verify through the lead agency the
 381 continuum's adoption and prioritizing of the Housing First
 382 approach.

383 2. A process to give priority in scoring and ranking of
 384 funding applications submitted by lead agencies whose homeless
 385 continuums of care have adopted and prioritized the Housing
 386 First approach for their community.

387 (2) HOUSING FIRST METHODOLOGY.--

388 (a) The Housing First approach to homelessness differs
 389 from traditional approaches by providing housing assistance,
 390 case management, and support services responsive to individual

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391 or family needs after housing is obtained. By using the Housing
392 First approach when appropriate, communities can significantly
393 reduce the amount of time that individuals and families are
394 homeless and prevent further episodes of homelessness. Housing
395 First emphasizes that social services provided to enhance
396 individual and family well-being can be more effective when
397 people are in their own home, and:

- 398 1. The housing is not time-limited.
399 2. The housing is not contingent on compliance with
400 services. Instead, participants must comply with a standard
401 lease agreement and are provided with the services and support
402 that are necessary to help them do so successfully.

403 (b) The Housing First approach addresses the societal
404 causes of homelessness and advocates for the immediate return of
405 individuals and families back into housing and communities.
406 Housing First provides a critical link between the emergency and
407 transitional housing system and community-based social service,
408 educational, and health care organizations and consists of four
409 components:

- 410 1. Crisis intervention and short-term stabilization.
411 2. Screening, intake, and needs assessment.
412 3. Provision of housing resources.
413 4. Provision of case management.

414 Section 10. Section 420.628, Florida Statutes, is created
415 to read:

416 420.628 Children and young adults leaving the child
417 welfare system; legislative findings and intent.--

418 (1) The Legislature finds that the transition from
419 childhood to adulthood is filled with opportunity and risk. Most
420 young people who receive adequate support make this transition
421 successfully and will become healthy adults who will be prepared
422 for work and be able to become responsible, fulfilled members of
423 their families and communities.

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

430 (3) The Legislature finds that these young people face
431 numerous barriers to a successful transition to adulthood. Those
432 barriers include changes in foster care placements and schools,
433 limited opportunities for participation in age-appropriate
434 normal activities, and the inability to achieve economic
435 stability, make connections with permanent supportive adults or
436 family, and access housing. The main barriers to safe and
437 affordable housing for youth aging out of the foster care system
438 are cost, lack of availability, the unwillingness of many
439 landlords to rent to them, and their own lack of knowledge about
440 how to be good tenants.

441 (4) The Legislature also finds that young adults who
442 emancipate from the child welfare system are at risk of becoming
443 homeless and those who were formerly in the child welfare system
444 are disproportionately represented in the homeless population.
445 Only about two-fifths of eligible young people receive

446 independent living services and, of those who do, few receive
447 adequate housing assistance. Without the stability of safe
448 housing all other services, training, and opportunities may not
449 be effective.

450 (5) The Legislature further finds that research on young
451 people who emancipate from foster care suggests a nexus between
452 foster care involvement and later episodes of homelessness and
453 that interventions in the foster care system might help to
454 prevent homelessness. Responding to the needs of young people
455 leaving the foster care system with developmentally appropriate
456 supportive housing models organized in a continuum of decreasing
457 supervision may increase their ability to live independently in
458 the future.

459 (6) It is therefore the intent of the Legislature to
460 encourage the Department of Children and Family Services, its
461 agents, and community-based care providers operating pursuant to
462 s. 409.1671, to develop and implement procedures designed to
463 reduce the number of young adults who become homeless after
464 leaving the child welfare system.

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

467 1003.01 Definitions.--As used in this chapter, the term:

468 (12) "Children and youths who are experiencing
469 homelessness," for programs authorized under the federal
470 Education for Homeless Children and Youths program, Subtitle B
471 of Title VII of the McKinney-Vento Homeless Assistance Act, 42
472 U.S.C. ss. 11431 et seq., means children and youths who lack a
473 fixed, regular, and adequate nighttime residence, and includes:

474 (a) Children and youths who are sharing the housing of
 475 other persons due to loss of housing, economic hardship, or a
 476 similar reason; are living in motels, hotels, travel trailer
 477 parks, or camping grounds due to the lack of alternative
 478 adequate accommodations; are living in emergency or transitional
 479 shelters; are abandoned in hospitals; or are awaiting foster
 480 care placement.

481 (b) Children and youths who have a primary nighttime
 482 residence that is a public or private place not designed for or
 483 ordinarily used as a regular sleeping accommodation for human
 484 beings.

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

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

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

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

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

493 ~~1. A supervised publicly or privately operated shelter~~
 494 ~~designed to provide temporary living accommodations, including~~
 495 ~~welfare hotels, congregate shelters, and transitional housing~~
 496 ~~for the mentally ill;~~

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

499 ~~3. A public or private place not designed for, or~~
 500 ~~ordinarily used as, a regular sleeping accommodation for human~~
 501 ~~beings; or~~

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

505
 506 ~~A child who is imprisoned, detained, or in the custody of the~~
 507 ~~state pursuant to a state or federal law is not a homeless~~
 508 ~~child.~~

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

512 1003.21 School attendance.--

513 (1)

514 (f) Children and youths who are experiencing homelessness
 515 ~~Homeless children~~, as defined in s. 1003.01, must have access to
 516 a free public education and must be admitted to school in the
 517 school district in which they or their families live. School
 518 districts shall assist such ~~homeless~~ children to meet the
 519 requirements of subsection (4) and s. 1003.22, as well as local
 520 requirements for documentation.

521 (4) Before admitting a child to kindergarten, the
 522 principal shall require evidence that the child has attained the
 523 age at which he or she should be admitted in accordance with the
 524 provisions of subparagraph (1)(a)2. The district school
 525 superintendent may require evidence of the age of any child whom
 526 he or she believes to be within the limits of compulsory
 527 attendance as provided for by law. If the first prescribed
 528 evidence is not available, the next evidence obtainable in the
 529 order set forth below shall be accepted:

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530 (g) If none of these evidences can be produced, an
531 affidavit of age sworn to by the parent, accompanied by a
532 certificate of age signed by a public health officer or by a
533 public school physician, or, if neither of these is available in
534 the county, by a licensed practicing physician designated by the
535 district school board, which certificate states that the health
536 officer or physician has examined the child and believes that
537 the age as stated in the affidavit is substantially correct.
538 Children and youths who are experiencing homelessness ~~A homeless~~
539 ~~child,~~ as defined in s. 1003.01, and children who are in foster
540 care until the time of achieving either reunification or a
541 permanent placement shall be given temporary exemption from this
542 section for 30 school days.

543 Section 13. Subsection (1) and paragraph (e) of subsection
544 (5) of section 1003.22, Florida Statutes, are amended to read:
545 1003.22 School-entry health examinations; immunization
546 against communicable diseases; exemptions; duties of Department
547 of Health.--

548 (1) Each district school board and the governing authority
549 of each private school shall require that each child who is
550 entitled to admittance to kindergarten, or is entitled to any
551 other initial entrance into a public or private school in this
552 state, present a certification of a school-entry health
553 examination performed within 1 year prior to enrollment in
554 school. Each district school board, and the governing authority
555 of each private school, may establish a policy that permits a
556 student up to 30 school days to present a certification of a
557 school-entry health examination. Children and youths who are

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558 experiencing homelessness ~~A homeless child~~, as defined in s.
559 1003.01, and children who are in foster care until the time of
560 achieving either reunification or a permanent placement shall be
561 given a temporary exemption for 30 school days. Any district
562 school board that establishes such a policy shall include
563 provisions in its local school health services plan to assist
564 students in obtaining the health examinations. However, any
565 child shall be exempt from the requirement of a health
566 examination upon written request of the parent of the child
567 stating objections to the examination on religious grounds.

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

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

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585 | program until proper documentation or immunizations are
586 | obtained.

587 | Section 14. Section 414.16, Florida Statutes, is repealed.

588 | Section 15. This act shall take effect July 1, 2009.