



960076

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 03/26/2010 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Children, Families, and Elder Affairs (Detert) recommended the following:

Senate Amendment (with title amendment)

Delete lines 81 - 109
and insert:

(d) "Planned residential community" means a planned unit development that is under unified control, is planned and developed as a whole, has a minimum gross lot area of 10 acres, has amenities that are designed to serve residents who have developmental disabilities but may also provide housing options for other individuals. The planned residential community must comply with the applicable local government land development code and other local ordinances.



960076

13 1. The residential community must provide choices with
14 regard to housing arrangements, support providers, and
15 activities. The residents may enjoy unrestricted freedom of
16 movement within and outside of the community. Residents can
17 individualize their daily schedules, meal times and leisure.
18 Home dining and cooking are an option for residents.

19 2. All local waiver providers must be made available to the
20 residents so that residents who have developmental disabilities
21 have a choice of their supports and providers. However, other
22 than room and board and the provision of residential
23 habilitation services, the owners or lessee of the residences
24 may not be providers of services to persons with disabilities
25 and such providers of services may not hold a majority interest
26 in the owner or lessee.

27 3. A planned residential community may contain two or more
28 community residential homes.

29 (e)(d) "Resident" means any of the following: a frail elder
30 as defined in s. 429.65; a person who has a handicap physically
31 disabled or handicapped person as defined in s. 760.22(7) (a); a
32 developmentally disabled person who has a developmental
33 disability as defined in s. 393.063; a nondangerous mentally ill
34 person who has a mental illness as defined in s. 394.455 as
35 defined in s. 394.455(18); or a child who is found to be
36 dependent as defined in s. 39.01 or s. 984.03, or a child in
37 need of services as defined in s. 984.03 or s. 985.03.

38 (f)(e) "Sponsoring agency" means an agency or unit of
39 government, a profit or nonprofit agency, or any other person or
40 organization which intends to establish or operate a community
41 residential home.



960076

42 (4) Community residential homes, including homes of six or
43 fewer residents which would otherwise meet the definition of a
44 community residential home, but which are located within a
45 planned residential community are not subject to the proximity
46 requirements of this section and may be contiguous to each
47 other. However, if a proximity limitation is imposed by local
48 government, it may not be based solely on the types of residents
49 anticipated to be living in the planned residential community.

50

51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete line 11

54 and insert:

55 contiguous to one another; prohibiting a local
56 government from imposing a proximity limitation based
57 on certain factors; providing an effective