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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
10/22/2015	.	
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The Committee on Children, Families, and Elder Affairs (Detert) recommended the following:

Senate Amendment (with title amendment)

Between lines 102 and 103

insert:

Section 1. Section 39.01, Florida Statutes, is amended to read:

39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

(20) "Conditions for return" means the circumstances that caused the out-of-home placement have been remedied to the



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11 extent that the return of the child to the home with an in-home
12 safety plan will not be detrimental to the child's safety, well-
13 being, and physical, mental and emotional health.

14 Section 2. Subsection (2) of section 39.013, Florida
15 Statutes, is amended to read:

16 39.013 Procedures and jurisdiction; right to counsel.—

17 (2) The circuit court has exclusive original jurisdiction
18 of all proceedings under this chapter, of a child voluntarily
19 placed with a licensed child-caring agency, a licensed child-
20 placing agency, or the department, and of the adoption of
21 children whose parental rights have been terminated under this
22 chapter. Jurisdiction attaches when the initial shelter
23 petition, dependency petition, or termination of parental rights
24 petition, or a petition for an injunction to prevent child abuse
25 issued pursuant to s. 39.504, is filed or when a child is taken
26 into the custody of the department. The circuit court may assume
27 jurisdiction over any such proceeding regardless of whether the
28 child was in the physical custody of both parents, was in the
29 sole legal or physical custody of only one parent, caregiver, or
30 some other person, or was not in the physical or legal custody
31 of any person when the event or condition occurred that brought
32 the child to the attention of the court. When the court obtains
33 jurisdiction of any child who has been found to be dependent,
34 the court shall retain jurisdiction, unless relinquished by its
35 order, until the child reaches 21 years of age, with the
36 following exceptions:

37 (a) If a young adult chooses to leave foster care upon
38 reaching 18 years of age.

39 (b) If a young adult does not meet the eligibility



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40 requirements to remain in foster care under s. 39.6251 or
41 chooses to leave care under that section.

42 (c) If a young adult petitions the court at any time before
43 his or her 19th birthday requesting the court's continued
44 jurisdiction, the juvenile court may retain jurisdiction under
45 this chapter for a period not to exceed 1 year following the
46 young adult's 18th birthday for the purpose of determining
47 whether appropriate services that were required to be provided
48 to the young adult before reaching 18 years of age have been
49 provided.

50 (d) If a petition for special immigrant juvenile status and
51 an application for adjustment of status have been filed on
52 behalf of a foster child and the petition and application have
53 not been granted by the time the child reaches 18 years of age,
54 the court may retain jurisdiction over the dependency case
55 solely for the purpose of allowing the continued consideration
56 of the petition and application by federal authorities. Review
57 hearings for the child shall be set solely for the purpose of
58 determining the status of the petition and application. The
59 court's jurisdiction terminates upon the final decision of the
60 federal authorities. Retention of jurisdiction in this instance
61 does not affect the services available to a young adult under s.
62 409.1451. The court may not retain jurisdiction of the case
63 after the immigrant child's 22nd birthday.

64 (e) If a young adult with a disability remains in foster
65 care, jurisdiction shall continue until the young adult chooses
66 to leave foster care or upon the young adult reaching 22 years
67 of age, whichever occurs first.

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

70 And the title is amended as follows:

71 Delete line 2

72 and insert:

73 An act relating to child welfare; amending s.

74 39.01, F.S.; defining term; amending s. 39.013, F.S.;

75 extending court jurisdiction to age 22 for young

76 adults with disabilities in foster care; amending s.

77 39.402,