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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/22/2018	.	
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The Committee on Children, Families, and Elder Affairs (Bean) recommended the following:

**Senate Amendment to Amendment (820270) (with title amendment)**

Between lines 572 and 573  
insert:

Section 8. Subsection (3) of section 63.092, Florida Statutes, is amended to read:

63.092 Report to the court of intended placement by an adoption entity; at-risk placement; preliminary study.—

(3) PRELIMINARY HOME STUDY.—Before placing the minor in the intended adoptive home, a preliminary home study must be



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11 performed by a licensed child-placing agency, a child-caring  
12 agency registered under s. 409.176, a licensed professional, or  
13 an agency described in s. 61.20(2), unless the adoptee is an  
14 adult or the petitioner is a stepparent or a relative. If the  
15 adoptee is an adult or the petitioner is a stepparent or a  
16 relative, a preliminary home study may be required by the court  
17 for good cause shown. The department is required to perform the  
18 preliminary home study only if there is no licensed child-  
19 placing agency, child-caring agency registered under s. 409.176,  
20 licensed professional, or agency described in s. 61.20(2), in  
21 the county where the prospective adoptive parents reside. The  
22 preliminary home study must be made to determine the suitability  
23 of the intended adoptive parents and may be completed prior to  
24 identification of a prospective adoptive minor. A favorable  
25 preliminary home study is valid for 1 year after the date of its  
26 completion. Upon its completion, a signed copy of the home study  
27 must be provided to the intended adoptive parents who were the  
28 subject of the home study. A minor may not be placed in an  
29 intended adoptive home before a favorable preliminary home study  
30 is completed unless the adoptive home is also a licensed foster  
31 home under s. 409.175. The preliminary home study must include,  
32 at a minimum:

- 33 (a) An interview with the intended adoptive parents;
- 34 (b) Records checks of the department's central abuse  
35 registry, which the department shall provide to the entity  
36 conducting the preliminary home study, and criminal records  
37 correspondence checks under s. 39.0138 through the Department of  
38 Law Enforcement on the intended adoptive parents;
- 39 (c) An assessment of the physical environment of the home;



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40 (d) A determination of the financial security of the  
41 intended adoptive parents;

42 (e) Documentation of counseling and education of the  
43 intended adoptive parents on adoptive parenting as determined by  
44 the entity conducting the preliminary home study. The department  
45 shall not require training as specified in s. 409.175(14) for  
46 cases involving children placed for adoption that are not in the  
47 custody or control of the department;

48 (f) Documentation that information on adoption and the  
49 adoption process has been provided to the intended adoptive  
50 parents;

51 (g) Documentation that information on support services  
52 available in the community has been provided to the intended  
53 adoptive parents; and

54 (h) A copy of each signed acknowledgment of receipt of  
55 disclosure required by s. 63.085.

56 If the preliminary home study is favorable, a minor may be  
57 placed in the home pending entry of the judgment of adoption. A  
58 minor may not be placed in the home if the preliminary home  
59 study is unfavorable. If the preliminary home study is  
60 unfavorable, the adoption entity may, within 20 days after  
61 receipt of a copy of the written recommendation, petition the  
62 court to determine the suitability of the intended adoptive  
63 home. A determination as to suitability under this subsection  
64 does not act as a presumption of suitability at the final  
65 hearing. In determining the suitability of the intended adoptive  
66 home, the court must consider the totality of the circumstances  
67 in the home. A minor may not be placed in a home in which there  
68 resides any person determined by the court to be a sexual



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69 predator as defined in s. 775.21 or to have been convicted of an  
70 offense listed in s. 63.089(4)(b)2.

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

74 And the title is amended as follows:

75 Delete line 609

76 and insert:

77 conforming cross-references; amending s. 63.092, F.S.;  
78 requiring the Department of Children and Families to  
79 release specified records to entities conducting  
80 preliminary home studies; providing the department of  
81 Children and Families shall not require specified  
82 training for certain home studies; providing an  
83 effective.