

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Committee

3 Representative Rodrigues, R. offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (16) of section 409.175, Florida
8 Statutes, is amended to read:

9 409.175 Licensure of family foster homes, residential
10 child-caring agencies, and child-placing agencies; public
11 records exemption.—

12 (16)(a)1. The following information held by the Department
13 of Children and Families regarding a foster parent applicant and
14 such applicant's spouse, minor child, and other adult household
15 member is exempt from s. 119.07(1) and s. 24(a), Art. I of the
16 State Constitution:

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Amendment No. 1

17 a. Name of a foster parent applicant for licensure as a
18 Level III home under s. 409.175(5)(a)(3), and that applicant's
19 spouse, minor child, and other adult household member;

20 b. The home, business, work, child care, or school
21 addresses and telephone numbers;

22 ~~c.b.~~ Birth dates;

23 ~~d.e.~~ Medical records;

24 ~~e.d.~~ The floor plan of the home; and

25 ~~f.e.~~ Photographs of such persons.

26 2. If a foster parent applicant does not receive a foster
27 parent license, the information made exempt pursuant to this
28 paragraph shall become public 5 years after the date of
29 application, except that medical records shall remain exempt
30 from s. 119.07(1) and s. 24(a), Art. I of the State
31 Constitution.

32 3. This exemption applies to information made exempt by
33 this paragraph before, on, or after the effective date of the
34 exemption.

35 (b)1. The following information held by the Department of
36 Children and Families regarding a licensed foster parent and the
37 foster parent's spouse, minor child, and other adult household
38 member is exempt from s. 119.07(1) and s. 24(a), Art. I of the
39 State Constitution:

Amendment No. 1

40 a. Name of a foster parent licensed as a Level III home
41 under s. 409.175(5) (a) (3), and that foster parent's spouse,
42 minor child, and other adult household member;

43 b. The home, business, work, child care, or school
44 addresses and telephone numbers;

45 ~~c.d.~~ Birth dates;

46 ~~d.e.~~ Medical records;

47 ~~e.d.~~ The floor plan of the home; and

48 ~~f.e.~~ Photographs of such persons.

49 2. If a foster parent's license is no longer active, the
50 information made exempt pursuant to this paragraph shall become
51 public 5 years after the expiration date of such foster parent's
52 foster care license except that:

53 a. Medical records shall remain exempt from s. 119.07(1)
54 and s. 24(a), Art. I of the State Constitution.

55 b. Exempt information regarding a licensed foster parent
56 who has become an adoptive parent and exempt information
57 regarding such foster parent's spouse, minor child, or other
58 adult household member shall remain exempt from s. 119.07(1) and
59 s. 24(a), Art. I of the State Constitution.

60 3. This exemption applies to information made exempt by
61 this paragraph before, on, or after the effective date of the
62 exemption.

63 4. If a foster parent applicant or a licensed foster
64 parent or the foster parent's spouse, minor child, or other

Amendment No. 1

65 adult household member is charged with any offense, or the
66 department suspends or revokes the foster parent's license, the
67 name of the charged individual or the licensed foster parent,
68 respectively, shall not be exempt from s. 119.07(1) and s.
69 24(a), Art. I of the State Constitution except as otherwise
70 expressly made confidential or exempt.

71 (c) The name, address, and telephone number of persons
72 providing character or neighbor references regarding foster
73 parent applicants or licensed foster parents held by the
74 Department of Children and Families are exempt from s. 119.07(1)
75 and s. 24(a), Art. I of the State Constitution.

76 (d) Sub-subparagraphs (a)1.a. and (b)1.a. and subparagraph
77 (b) (4) are subject to the Open Government Sunset Review Act in
78 accordance with s. 119.15 and shall stand repealed on October 2,
79 2024, unless reviewed and saved from repeal through reenactment
80 by the Legislature.

81 Section 2. (1) The Legislature finds that it is a public
82 necessity that the name of a foster parent applicant or foster
83 parent, and the applicant's or foster parent's spouse, minor
84 child and other adult household member, applying for or licensed
85 under s. 409.175(5) (a) (3), and held by the Department of
86 Children and Families be made exempt from s. 119.07(1), Florida
87 Statutes, and s. 24(a), Article I of the State Constitution.

88 (2) The Legislature is committed to ensuring the safety of
89 all children. Among the state's most valued partners are the

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Amendment No. 1

90 foster parents who make the choice to bring a child into their
91 homes. Foster parents who care for the victims of human
92 trafficking provide safe, nurturing, and therapeutic
93 environments tailored to children who have endured significant
94 trauma. Foster parents who provide care for commercially
95 sexually exploited children are at a heightened risk since human
96 trafficking is associated with gang activity and violence.
97 Therefore, the Legislature finds that the release of the names
98 of the foster parent applicant, the foster parent, and the
99 spouses, minor children, and other adult household members of
100 the foster parent applicant and foster parent who provide care
101 for commercially sexually exploited children could lead to
102 unwanted contact from dangerous human traffickers. Additionally,
103 exempting these names from public records requirements helps
104 maintain the safety and confidentiality of the commercially
105 sexually exploited children placed in the home. For example, if
106 a foster parent has an unusual name, any person acquiring a list
107 of the names of the foster parents and other members of the
108 household could uncover information about the foster children
109 living in the home.

110 Section 3. This act shall take effect July 1, 2019.

111
112 -----
113 **T I T L E A M E N D M E N T**

114 Remove everything before the enacting clause and insert:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1249 (2019)

Amendment No. 1

115 | An act relating to public records; amending a. 409.175,
116 | F.S.,; providing an exemption from public records
117 | requirements for certain identifying information of foster
118 | parent applicants and licensed foster parents, and the
119 | spouse, minor children, and other adult household members
120 | thereof, who care for commercially sexually exploited
121 | children; providing retroactive application of the
122 | exemption; providing for future legislative review and
123 | repeal of the exemption; providing a statement of public
124 | necessity; providing an effective date.
125 |

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