

Amendment No.

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WITHDRAWN	_____	(Y/N)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: Children, Families &
 2 Seniors Subcommittee

3 Representative Tomkow offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (20) through (87) of section 39.01,
 8 Florida Statutes, are renumbered as subsections (21) through
 9 (88) respectively, subsection (10) and present subsection (37)
 10 are amended, and a new subsection (20) is added to that section,
 11 to read:

12 39.01 Definitions.—When used in this chapter, unless the
 13 context otherwise requires:

14 (10) "Caregiver" means the parent, legal custodian,
 15 permanent guardian, adult household member, or other person
 16 responsible for a child's welfare as defined in this section

Amendment No.

17 ~~subsection (54).~~

18 (20) "Conditions for return" means the minimum conditions
19 that must exist with respect to a specific family's
20 circumstances, including, but not limited by, the home
21 environment, behavior, and safety resources, to allow for
22 reunification to occur with the use of an in-home safety plan.

23 ~~(38)(37)~~ "Institutional child abuse or neglect" means
24 situations of known or suspected child abuse or neglect in which
25 the person allegedly perpetrating the child abuse or neglect is
26 an employee of a private school, public or private day care
27 center, residential home, institution, facility, or agency or
28 any other person at such institution responsible for the child's
29 care as defined in this section ~~subsection (54).~~

30 Section 2. Subsection (3) of section 39.522, Florida
31 Statutes, is renumbered as subsection (4), and a new subsection
32 (3) is added to read:

33 39.522 Postdisposition change of custody.—The court may
34 change the temporary legal custody or the conditions of
35 protective supervision at a postdisposition hearing, without the
36 necessity of another adjudicatory hearing.

37 (3) In cases where the issue before the court is whether a
38 child who has remained in his or her own home with an in-home
39 safety plan, or been reunited with a parent with an in-home
40 safety plan, should remain in that placement or should be placed
41 in out-of-home care, the court shall place the child in out-of-

Amendment No.

42 home care if the parent is unlikely, within a reasonable amount
43 of time, to achieve the full protective capacities needed for
44 the child to be reunified in-home without a safety plan and for
45 the court to end protective supervision without endangering the
46 child's safety, well-being, and physical, mental, and emotional
47 health. In making its determination, the court shall consider:

48 (a) The circumstances that caused the child's dependency
49 and issues subsequently identified,

50 (b) The length of time the child has been placed in his or
51 her home with a safety plan,

52 (c) The parent's current level of protective capacities,
53 and

54 (d) The level of increase in protective capacities
55 demonstrated by the parent since the child's placement in the
56 home given the length of time the child has been placed there.

57
58 The court shall also evaluate the child's permanency goal and
59 change the permanency goal if in the best interest of the child.

60 Section 3. Paragraphs (b) through (d) of subsection (4)
61 are redesignated as paragraphs (c) through and (e),
62 respectively, and a new paragraph (b) is added to subsection (4)
63 of that section to read:

64 39.6011 Case plan development.—

65 (4) The case plan must describe:

66 (b) The responsibility of the parents and caregivers to

Amendment No.

67 communicate effectively, which includes, but is not limited to,
68 refraining from harassing communication, to promote the safety,
69 well-being, and physical, mental, and emotional health of the
70 child. A parent or caregiver shall notify the court if
71 ineffective communication takes place;

72 Section 4. Paragraphs (a), (c), and (d) of subsection (2)
73 of section 39.701, Florida Statutes, are amended to read:

74 39.701 Judicial review.—

75 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
76 AGE.—

77 (a) Social study report for judicial review.—Before every
78 judicial review hearing or citizen review panel hearing, the
79 social service agency shall make an investigation and social
80 study concerning all pertinent details relating to the child and
81 shall furnish to the court or citizen review panel a written
82 report that includes, but is not limited to:

83 1. A description of the type of placement the child is in
84 at the time of the hearing, including the safety of the child
85 and the continuing necessity for and appropriateness of the
86 placement.

87 2. Documentation of the diligent efforts made by all
88 parties to the case plan to comply with each applicable
89 provision of the plan.

90 3. The amount of fees assessed and collected during the
91 period of time being reported.

847557 - hb0899-strike.docx

Published On: 3/12/2019 6:04:31 PM

Amendment No.

92 4. The services provided to the foster family or legal
93 custodian in an effort to address the needs of the child as
94 indicated in the case plan.

95 5. A statement that either:

96 a. The parent, though able to do so, did not comply
97 substantially with the case plan, and the agency
98 recommendations;

99 b. The parent did substantially comply with the case plan;
100 or

101 c. The parent has partially complied with the case plan,
102 with a summary of additional progress needed and the agency
103 recommendations.

104 6. A statement from the foster parent or legal custodian
105 providing any material evidence concerning the return of the
106 child to the parent or parents, including, but not limited to,
107 any communication that is not in compliance with the case plan.

108 7. A statement concerning the frequency, duration, and
109 results of the parent-child visitation, if any, and the agency
110 and caregiver recommendations for an expansion or restriction of
111 future visitation.

112 8. The number of times a child has been removed from his
113 or her home and placed elsewhere, the number and types of
114 placements that have occurred, and the reason for the changes in
115 placement.

116 9. The number of times a child's educational placement has

Amendment No.

117 | been changed, the number and types of educational placements
118 | which have occurred, and the reason for any change in placement.

119 | 10. If the child has reached 13 years of age but is not
120 | yet 18 years of age, a statement from the caregiver on the
121 | progress the child has made in acquiring independent living
122 | skills.

123 | 11. Copies of all medical, psychological, and educational
124 | records that support the terms of the case plan and that have
125 | been produced concerning the parents or any caregiver since the
126 | last judicial review hearing.

127 | 12. Copies of the child's current health, mental health,
128 | and education records as identified in s. 39.6012.

129 | (c) Review determinations.—The court and any citizen
130 | review panel shall take into consideration the information
131 | contained in the social services study and investigation and all
132 | medical, psychological, and educational records that support the
133 | terms of the case plan; testimony by the social services agency,
134 | the parent, the foster parent or legal custodian, the guardian
135 | ad litem or surrogate parent for educational decisionmaking if
136 | one has been appointed for the child, and any other person
137 | deemed appropriate; and any relevant and material evidence
138 | submitted to the court, including written and oral reports to
139 | the extent of their probative value. These reports and evidence
140 | may be received by the court in its effort to determine the
141 | action to be taken with regard to the child and may be relied

847557 - hb0899-strike.docx

Published On: 3/12/2019 6:04:31 PM

Amendment No.

142 upon to the extent of their probative value, even though not
143 competent in an adjudicatory hearing. In its deliberations, the
144 court and any citizen review panel shall seek to determine:

145 1. If the parent was advised of the right to receive
146 assistance from any person or social service agency in the
147 preparation of the case plan.

148 2. If the parent has been advised of the right to have
149 counsel present at the judicial review or citizen review
150 hearings. If not so advised, the court or citizen review panel
151 shall advise the parent of such right.

152 3. If a guardian ad litem needs to be appointed for the
153 child in a case in which a guardian ad litem has not previously
154 been appointed or if there is a need to continue a guardian ad
155 litem in a case in which a guardian ad litem has been appointed.

156 4. Who holds the rights to make educational decisions for
157 the child. If appropriate, the court may refer the child to the
158 district school superintendent for appointment of a surrogate
159 parent or may itself appoint a surrogate parent under the
160 Individuals with Disabilities Education Act and s. 39.0016.

161 5. The compliance or lack of compliance of all parties
162 with applicable items of the case plan, including the parents'
163 compliance with child support orders.

164 6. The compliance or lack of compliance with a visitation
165 contract between the parent and the social service agency for
166 contact with the child, including the frequency, duration, and

847557 - hb0899-strike.docx

Published On: 3/12/2019 6:04:31 PM

Amendment No.

167 results of the parent-child visitation and the reason for any
168 noncompliance.

169 7. The frequency, kind, and duration of contacts among
170 siblings who have been separated during placement, as well as
171 any efforts undertaken to reunite separated siblings if doing so
172 is in the best interest of the child.

173 8. The compliance or lack of compliance of the parent in
174 meeting specified financial obligations pertaining to the care
175 of the child, including the reason for failure to comply, if
176 applicable.

177 9. Whether the child is receiving safe and proper care
178 according to s. 39.6012, including, but not limited to, the
179 appropriateness of the child's current placement, including
180 whether the child is in a setting that is as family-like and as
181 close to the parent's home as possible, consistent with the
182 child's best interests and special needs, and including
183 maintaining stability in the child's educational placement, as
184 documented by assurances from the community-based care provider
185 that:

186 a. The placement of the child takes into account the
187 appropriateness of the current educational setting and the
188 proximity to the school in which the child is enrolled at the
189 time of placement.

190 b. The community-based care agency has coordinated with
191 appropriate local educational agencies to ensure that the child

Amendment No.

192 remains in the school in which the child is enrolled at the time
193 of placement.

194 10. A projected date likely for the child's return home or
195 other permanent placement.

196 11. When appropriate, the basis for the unwillingness or
197 inability of the parent to become a party to a case plan. The
198 court and the citizen review panel shall determine if the
199 efforts of the social service agency to secure party
200 participation in a case plan were sufficient.

201 12. For a child who has reached 13 years of age but is not
202 yet 18 years of age, the adequacy of the child's preparation for
203 adulthood and independent living. For a child who is 15 years of
204 age or older, the court shall determine if appropriate steps are
205 being taken for the child to obtain a driver license or
206 learner's driver license.

207 13. If amendments to the case plan are required.
208 Amendments to the case plan must be made under s. 39.6013.

209 14. Whether the parent and caregiver communicate
210 effectively to promote the safety, well-being, and physical,
211 mental, and emotional health of the child, which includes, but
212 is not limited to, refraining from harassing communication.

213 (d) Orders.—

214 1. Based upon the criteria set forth in paragraph (c) and
215 the recommended order of the citizen review panel, if any, the
216 court shall determine whether or not the social service agency

Amendment No.

217 shall initiate proceedings to have a child declared a dependent
218 child, return the child to the parent, continue the child in
219 out-of-home care for a specified period of time, or initiate
220 termination of parental rights proceedings for subsequent
221 placement in an adoptive home. Amendments to the case plan must
222 be prepared as prescribed in s. 39.6013. If the court finds that
223 the prevention or reunification efforts of the department will
224 allow the child to remain safely at home or be safely returned
225 to the home, the court shall allow the child to remain in or
226 return to the home after making a specific finding of fact that
227 the reasons for the creation of the case plan have been remedied
228 to the extent that the child's safety, well-being, and physical,
229 mental, and emotional health will not be endangered.

230 2. The court shall return the child to the custody of the
231 parents at any time it determines that evidence has been
232 provided that either conditions for return have been met and an
233 in-home safety plan can be implemented, or that a parent has
234 ~~they have~~ substantially complied with the case plan, and is
235 likely to complete it in a reasonable amount of time; and ~~if~~ the
236 court is satisfied that reunification will not be detrimental to
237 the child's safety, well-being, and physical, mental, and
238 emotional health.

239 3. If, in the opinion of the court, the social service
240 agency has not complied with its obligations as specified in the
241 written case plan, the court may find the social service agency

Amendment No.

242 in contempt, shall order the social service agency to submit its
243 plans for compliance with the agreement, and shall require the
244 social service agency to show why the child could not safely be
245 returned to the home of the parents.

246 4. If, at any judicial review, the court finds that the
247 parents have failed to substantially comply with the case plan
248 to the degree that further reunification efforts are without
249 merit and not in the best interest of the child, on its own
250 motion, the court may order the filing of a petition for
251 termination of parental rights, whether or not the time period
252 as contained in the case plan for substantial compliance has
253 expired.

254 5. Within 6 months after the date that the child was
255 placed in shelter care, the court shall conduct a judicial
256 review hearing to review the child's permanency goal as
257 identified in the case plan. At the hearing the court shall make
258 findings regarding the likelihood of the child's reunification
259 with the parent or legal custodian. In making such findings, the
260 court shall consider the level of the parent or legal
261 custodian's compliance with the case plan and demonstrated
262 change in protective capacities compared to that necessary to
263 achieve timely reunification within 12 months after the removal
264 of the child from the home. The court shall also consider the
265 frequency, duration, manner, and level of engagement of the
266 parent or legal custodian's visitation with the child in

847557 - hb0899-strike.docx

Published On: 3/12/2019 6:04:31 PM

Amendment No.

267 compliance with the case plan. If the court makes a written
268 finding that it is not likely that the child will be reunified
269 with the parent or legal custodian within 12 months after the
270 child was removed from the home, the department must file with
271 the court, and serve on all parties, a motion to amend the case
272 plan under s. 39.6013 and declare that it will use concurrent
273 planning for the case plan. The department must file the motion
274 within 10 business days after receiving the written finding of
275 the court. The department must attach the proposed amended case
276 plan to the motion. If concurrent planning is already being
277 used, the case plan must document the efforts the department is
278 taking to complete the concurrent goal.

279 6. The court may issue a protective order in assistance,
280 or as a condition, of any other order made under this part. In
281 addition to the requirements included in the case plan, the
282 protective order may set forth requirements relating to
283 reasonable conditions of behavior to be observed for a specified
284 period of time by a person or agency who is before the court;
285 and the order may require any person or agency to make periodic
286 reports to the court containing such information as the court in
287 its discretion may prescribe.

288 Section 5. Paragraph (j) of subsection (1) of section
289 409.988, Florida Statutes, is amended to read:

290 409.988 Lead agency duties; general provisions.—

291 (1) DUTIES.—A lead agency:

Amendment No.

292 (j) May subcontract for the provision of services required
293 by the contract with the lead agency and the department;
294 however, the subcontracts must specify how the provider will
295 contribute to the lead agency meeting the performance standards
296 established pursuant to the child welfare results-oriented
297 accountability system required by s. 409.997. The lead agency
298 shall directly provide no more than 35 percent of all child
299 welfare services provided. unless it can demonstrate within the
300 geographic service area a need to exceed this threshold. The
301 justification for need shall be reviewed by a group comprised of
302 the local community alliance, a representative from another lead
303 agency, and a representative from a child welfare service
304 provider from another geographic area. This group shall
305 recommend to the department approval or denial of the request
306 for an exemption from the services threshold. In those
307 geographic areas where no community alliance is operating, the
308 recommendation for approval or denial shall be made by
309 representatives of local stakeholders including a representative
310 from all of the following:

- 311 1. The department.
- 312 2. County government.
- 313 3. School district.
- 314 4. The county United Way.
- 315 5. The county sheriff's office.
- 316 6. The circuit court corresponding to the county.

847557 - hb0899-strike.docx

Published On: 3/12/2019 6:04:31 PM

Amendment No.

317 7. The county children's board, if one exists.

318 8. Another lead agency.

319 9. A child welfare service provider from another geographic
320 area.

321
322 If a lead agency has more than one community alliance in its
323 geographic area, the chairpersons of the community alliances in
324 the geographic area shall select representatives from each
325 alliance, including at least one representative from paragraphs
326 1. through 9. to comprise the group to recommend approval or
327 denial of the request for exemption to exceed the threshold.
328 There shall be representation from every county in the lead
329 agency's geographic service area including counties that do not
330 have a community alliance. The department may adopt by rule
331 procedures to administer this paragraph.

332 Section 6. Section 775.0851, Florida Statutes, is created
333 to read:

334 775.0851 Offenses against a foster parent;
335 reclassification of offenses.-

336 (1) For purposes of this section, the term "foster parent"
337 means a caregiver whose home is licensed under s. 409.175, and
338 who takes custody of a child for a period of time to care for
339 the child's safety, well-being, and physical, mental, and
340 emotional health after the child has been removed from the
341 custody of his or her legal parents.

Amendment No.

342 (2) The degree of an offense is reclassified as provided
343 in subsection (3) if a person knowingly commits the offense
344 against a foster parent while he or she is caring for a child
345 who has been placed in his or her home, such offense is related
346 to the foster parent's custody of that child, and the offense is
347 a violation of:

348 (a) Section 784.011, relating to assault;

349 (b) Section 784.021, relating to aggravated assault;

350 (c) Sections 784.03 and 784.041(1), relating to battery
351 and felony battery;

352 (d) Section 784.045, relating to aggravated battery;

353 (e) Section 784.048, relating to stalking; or

354 (f) Section 794.011, relating to sexual battery.

355 (3) (a) A misdemeanor of the second degree is reclassified
356 as a misdemeanor of the first degree.

357 (b) A misdemeanor of the first degree is reclassified as a
358 felony of the third degree.

359 (c) A felony of the third degree is reclassified as a
360 felony of the second degree.

361 (d) A felony of the second degree is reclassified as a
362 felony of the first degree.

363 (e) A felony of the first degree is reclassified as a life
364 felony.

365 (4) For purposes of sentencing under chapter 921 and
366 determining incentive gain-time eligibility under chapter 944, a

Amendment No.

367 felony offense that is reclassified under this section is ranked
368 one level above the ranking specified in s. 921.0022 or s.
369 921.0023 for the offense committed.

370 Section 7. Subsection (1) of section 39.302, Florida
371 Statutes, is amended to read:

372 39.302 Protective investigations of institutional child
373 abuse, abandonment, or neglect.—

374 (1) The department shall conduct a child protective
375 investigation of each report of institutional child abuse,
376 abandonment, or neglect. Upon receipt of a report that alleges
377 that an employee or agent of the department, or any other entity
378 or person covered by s. 39.01 ~~s. 39.01(37) or (54)~~, acting in an
379 official capacity, has committed an act of child abuse,
380 abandonment, or neglect, the department shall initiate a child
381 protective investigation within the timeframe established under
382 s. 39.201(5) and notify the appropriate state attorney, law
383 enforcement agency, and licensing agency, which shall
384 immediately conduct a joint investigation, unless independent
385 investigations are more feasible. When conducting investigations
386 or having face-to-face interviews with the child, investigation
387 visits shall be unannounced unless it is determined by the
388 department or its agent that unannounced visits threaten the
389 safety of the child. If a facility is exempt from licensing, the
390 department shall inform the owner or operator of the facility of
391 the report. Each agency conducting a joint investigation is

847557 - hb0899-strike.docx

Published On: 3/12/2019 6:04:31 PM

Amendment No.

392 entitled to full access to the information gathered by the
393 department in the course of the investigation. A protective
394 investigation must include an interview with the child's parent
395 or legal guardian. The department shall make a full written
396 report to the state attorney within 3 working days after making
397 the oral report. A criminal investigation shall be coordinated,
398 whenever possible, with the child protective investigation of
399 the department. Any interested person who has information
400 regarding the offenses described in this subsection may forward
401 a statement to the state attorney as to whether prosecution is
402 warranted and appropriate. Within 15 days after the completion
403 of the investigation, the state attorney shall report the
404 findings to the department and shall include in the report a
405 determination of whether or not prosecution is justified and
406 appropriate in view of the circumstances of the specific case.

407 Section 8. Paragraph (c) of subsection (1) of section
408 39.521, Florida Statutes, is amended to read:

409 39.521 Disposition hearings; powers of disposition.—

410 (1) A disposition hearing shall be conducted by the court,
411 if the court finds that the facts alleged in the petition for
412 dependency were proven in the adjudicatory hearing, or if the
413 parents or legal custodians have consented to the finding of
414 dependency or admitted the allegations in the petition, have
415 failed to appear for the arraignment hearing after proper
416 notice, or have not been located despite a diligent search

Amendment No.

417 having been conducted.

418 (c) When any child is adjudicated by a court to be
419 dependent, the court having jurisdiction of the child has the
420 power by order to:

421 1. Require the parent and, when appropriate, the legal
422 guardian or the child to participate in treatment and services
423 identified as necessary. The court may require the person who
424 has custody or who is requesting custody of the child to submit
425 to a mental health or substance abuse disorder assessment or
426 evaluation. The order may be made only upon good cause shown and
427 pursuant to notice and procedural requirements provided under
428 the Florida Rules of Juvenile Procedure. The mental health
429 assessment or evaluation must be administered by a qualified
430 professional as defined in s. 39.01, and the substance abuse
431 assessment or evaluation must be administered by a qualified
432 professional as defined in s. 397.311. The court may also
433 require such person to participate in and comply with treatment
434 and services identified as necessary, including, when
435 appropriate and available, participation in and compliance with
436 a mental health court program established under chapter 394 or a
437 treatment-based drug court program established under s. 397.334.
438 Adjudication of a child as dependent based upon evidence of harm
439 as defined in s. 39.01 ~~s. 39.01(35)(g)~~ demonstrates good cause,
440 and the court shall require the parent whose actions caused the
441 harm to submit to a substance abuse disorder assessment or

847557 - hb0899-strike.docx

Published On: 3/12/2019 6:04:31 PM

Amendment No.

442 evaluation and to participate and comply with treatment and
443 services identified in the assessment or evaluation as being
444 necessary. In addition to supervision by the department, the
445 court, including the mental health court program or the
446 treatment-based drug court program, may oversee the progress and
447 compliance with treatment by a person who has custody or is
448 requesting custody of the child. The court may impose
449 appropriate available sanctions for noncompliance upon a person
450 who has custody or is requesting custody of the child or make a
451 finding of noncompliance for consideration in determining
452 whether an alternative placement of the child is in the child's
453 best interests. Any order entered under this subparagraph may be
454 made only upon good cause shown. This subparagraph does not
455 authorize placement of a child with a person seeking custody of
456 the child, other than the child's parent or legal custodian, who
457 requires mental health or substance abuse disorder treatment.

458 2. Require, if the court deems necessary, the parties to
459 participate in dependency mediation.

460 3. Require placement of the child either under the
461 protective supervision of an authorized agent of the department
462 in the home of one or both of the child's parents or in the home
463 of a relative of the child or another adult approved by the
464 court, or in the custody of the department. Protective
465 supervision continues until the court terminates it or until the
466 child reaches the age of 18, whichever date is first. Protective

847557 - hb0899-strike.docx

Published On: 3/12/2019 6:04:31 PM

Amendment No.

467 supervision shall be terminated by the court whenever the court
468 determines that permanency has been achieved for the child,
469 whether with a parent, another relative, or a legal custodian,
470 and that protective supervision is no longer needed. The
471 termination of supervision may be with or without retaining
472 jurisdiction, at the court's discretion, and shall in either
473 case be considered a permanency option for the child. The order
474 terminating supervision by the department must set forth the
475 powers of the custodian of the child and include the powers
476 ordinarily granted to a guardian of the person of a minor unless
477 otherwise specified. Upon the court's termination of supervision
478 by the department, further judicial reviews are not required if
479 permanency has been established for the child.

480 4. Determine whether the child has a strong attachment to
481 the prospective permanent guardian and whether such guardian has
482 a strong commitment to permanently caring for the child.

483 Section 9. Paragraph (c) of subsection (1) of section
484 39.6012, Florida Statutes, is amended to read:

485 39.6012 Case plan tasks; services.—

486 (1) The services to be provided to the parent and the
487 tasks that must be completed are subject to the following:

488 (c) If there is evidence of harm as defined in s. 39.01 ~~s.~~
489 ~~39.01(35)(g)~~, the case plan must include as a required task for
490 the parent whose actions caused the harm that the parent submit
491 to a substance abuse disorder assessment or evaluation and

Amendment No.

492 participate and comply with treatment and services identified in
493 the assessment or evaluation as being necessary.

494 Section 10. Subsection (4) of section 322.09, Florida
495 Statutes, is amended to read:

496 322.09 Application of minors; responsibility for
497 negligence or misconduct of minor.—

498 (4) Notwithstanding subsections (1) and (2), if a
499 caregiver of a minor who is under the age of 18 years and is in
500 out-of-home care as defined in s. 39.01 ~~s. 39.01(49)~~, an
501 authorized representative of a residential group home at which
502 such a minor resides, the caseworker at the agency at which the
503 state has placed the minor, or a guardian ad litem specifically
504 authorized by the minor's caregiver to sign for a learner's
505 driver license signs the minor's application for a learner's
506 driver license, that caregiver, group home representative,
507 caseworker, or guardian ad litem does not assume any obligation
508 or become liable for any damages caused by the negligence or
509 willful misconduct of the minor by reason of having signed the
510 application. Before signing the application, the caseworker,
511 authorized group home representative, or guardian ad litem shall
512 notify the caregiver or other responsible party of his or her
513 intent to sign and verify the application.

514 Section 11. Paragraph (p) of subsection (4) of section
515 394.495, Florida Statutes, is amended to read:

516 394.495 Child and adolescent mental health system of care;

847557 - hb0899-strike.docx

Published On: 3/12/2019 6:04:31 PM

Amendment No.

517 programs and services.—

518 (4) The array of services may include, but is not limited
519 to:

520 (p) Trauma-informed services for children who have
521 suffered sexual exploitation as defined in s. 39.01 ~~s.~~
522 ~~39.01(77)(g)~~.

523 Section 12. Section 627.746, Florida Statutes, is amended
524 to read:

525 627.746 Coverage for minors who have a learner's driver
526 license; additional premium prohibited.—An insurer that issues
527 an insurance policy on a private passenger motor vehicle to a
528 named insured who is a caregiver of a minor who is under the age
529 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~
530 ~~39.01(49)~~ may not charge an additional premium for coverage of
531 the minor while the minor is operating the insured vehicle, for
532 the period of time that the minor has a learner's driver
533 license, until such time as the minor obtains a driver license.

534 Section 13. Paragraph (c) of subsection (1) of section
535 934.255, Florida Statutes, is amended to read:

536 934.255 Subpoenas in investigations of sexual offenses.—

537 (1) As used in this section, the term:

538 (c) "Sexual abuse of a child" means a criminal offense
539 based on any conduct described in s. 39.01 ~~s. 39.01(71)~~.

540 Section 14. Subsection (5) of section 960.065, Florida
541 Statutes, is amended to read:

Amendment No.

542 960.065 Eligibility for awards.—

543 (5) A person is not ineligible for an award pursuant to
544 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that
545 person is a victim of sexual exploitation of a child as defined
546 in s. 39.01 ~~s. 39.01(77)(g)~~.

547 Section 15. This act shall take effect October 1, 2019.

548 -----
549 -----

550 **T I T L E A M E N D M E N T**

551 Remove everything before the enacting clause and insert:
552 An act relating to child welfare; amending s. 39.01,
553 F.S.; providing a definition; conforming cross-
554 references; amending s. 39.522, F.S.; specifying a
555 condition for return; amending s. 39.6011, F.S.;
556 requiring certain parties to a case plan to
557 communicate effectively; requiring the court to be
558 notified if ineffective communication takes place;
559 amending s. 39.701, F.S.; requiring a foster parent or
560 legal custodian to disclose to the court any
561 communication not in compliance with the case plan;
562 providing for agency and caregiver recommendations for
563 a change in visitation; requiring a court and citizen
564 review panel to determine whether certain parties
565 communicate effectively; providing factors for when a
566 court must return a child to the custody of the

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 899 (2019)

Amendment No.

567 | parents; amending s. 409.988; establishing when child
568 | welfare services can be provided over the 35 percent
569 | threshold; creating s. 775.0851, F.S.; providing a
570 | definition; providing enhanced penalties for certain
571 | offenses committed against a foster parent; amending
572 | ss. 39.302, 39.521, 39.6012, 322.09, 394.495, 627.746,
573 | 934.255, and 960.065, F.S.; conforming cross-
574 | references; providing an effective date.