

By Senator Garcia

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1                   A bill to be entitled  
2       An act relating to child welfare; amending s.  
3       382.0255, F.S.; requiring the Department of Health to  
4       waive fees for certified copies of birth certificates  
5       issued to certain unaccompanied homeless youth and  
6       young adults; amending s. 409.1452, F.S.; revising  
7       requirements for required collaboration among the  
8       Board of Governors, the Florida College System, and  
9       the Department of Education in working with the  
10      Department of Children and Families to assist  
11      specified children and young adults; amending s.  
12      409.1454, F.S.; revising legislative findings;  
13      revising eligibility and requirements for a certain  
14      driver education, licensure, and insurance program to  
15      include certain unaccompanied homeless youth; revising  
16      program operation and administration requirements;  
17      amending s. 743.067, F.S.; revising the definition of  
18      the term "unaccompanied homeless youth"; specifying  
19      certification criteria for unaccompanied homeless  
20      youth; authorizing certain unaccompanied homeless  
21      youth to use a specified form to receive birth  
22      certificates; authorizing health care providers to  
23      accept such form for certain purposes; authorizing  
24      certain unaccompanied homeless youth to consent to  
25      specified medical and other care; amending s. 1001.42,  
26      F.S.; requiring district school boards to provide  
27      cards that contain specified information to certain  
28      unaccompanied homeless youth; specifying requirements  
29      for the card; amending s. 1003.01, F.S.; revising the

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30 definition of the term "children and youths who are  
31 experiencing homelessness"; defining the term  
32 "certified unaccompanied homeless youth"; requiring  
33 the Office of Program Policy Analysis and Government  
34 Accountability to conduct a specified study;  
35 specifying the scope of the study; requiring the study  
36 to include specified recommendations; requiring the  
37 office to consult with specified entities; requiring  
38 the office to submit a report on the study to the  
39 Legislature by a specified date; providing an  
40 effective date.

41

42 Be It Enacted by the Legislature of the State of Florida:

43

44 Section 1. Subsection (3) of section 382.0255, Florida  
45 Statutes, is amended to read:

46 382.0255 Fees.—

47 (3) Fees must ~~shall~~ be established by rule. However, until  
48 rules are adopted, the fees assessed pursuant to this section  
49 must ~~shall~~ be the minimum fees cited. The fees established by  
50 rule must be sufficient to meet the cost of providing the  
51 service. All fees must ~~shall~~ be paid by the person requesting  
52 the record, are due and payable at the time services are  
53 requested, and are nonrefundable, except that, when a search is  
54 conducted and no vital record is found, any fees paid for  
55 additional certified copies shall be refunded. The department  
56 may waive all or part of the fees required under this section  
57 for any government entity. The department shall waive all fees  
58 required under this section for a certified copy of a birth

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59 certificate issued for an unaccompanied homeless youth certified  
60 under s. 743.067; for a young adult who is, or was at the time  
61 he or she reached 18 years of age, in the custody of the  
62 Department of Children and Families; for purposes of an inmate  
63 acquiring a state identification card before release pursuant to  
64 s. 944.605(7); and for a juvenile offender ~~who is~~ in the custody  
65 or under the supervision of the Department of Juvenile Justice  
66 and receiving services under s. 985.461.

67 Section 2. Section 409.1452, Florida Statutes, is amended  
68 to read:

69 409.1452 Collaboration with Board of Governors, Florida  
70 College System, and Department of Education to assist children  
71 and young adults who have been or are in foster care or are  
72 experiencing homelessness. ~~Effective July 1, 2013,~~ The  
73 Department of Children and Families shall work in collaboration  
74 with the Board of Governors, the Florida College System, and the  
75 Department of Education to help address the need for a focused  
76 and consistent campus-based ~~comprehensive~~ support structure ~~in~~  
77 ~~the academic arena~~ to assist children and young adults who have  
78 been or continue to remain in the foster care system or who are  
79 experiencing homelessness to succeed in postsecondary education  
80 ~~in making the transition from a structured care system into an~~  
81 ~~independent living setting.~~ The State University System of  
82 Florida and the Florida College System shall provide  
83 postsecondary educational campus liaison ~~coaching~~ positions that  
84 will be integrated into Florida College System institutions' and  
85 university institutions' general support services structure to  
86 provide ~~current and former foster care~~ children and young adults  
87 who have been or continue to remain in the foster care system or

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88 who are experiencing homelessness with dedicated, on-campus  
89 support. ~~The Department of Children and Families has the sole~~  
90 ~~discretion to determine which state college or university will~~  
91 ~~offer a campus coaching position, based on departmental~~  
92 ~~demographic data indicating greatest need.~~ These campus liaison  
93 ~~coaching~~ positions must ~~shall~~ be employees of the selected  
94 educational institutions, and focused on supporting children and  
95 young adults who have been or continue to remain in the foster  
96 care system or who are experiencing homelessness. The  
97 Chancellors of the Florida College System and the Board of  
98 Governors shall report annually to the Department of Children  
99 and Families specific data, subject to privacy laws, about the  
100 children and young adults served by the campus liaisons ~~coaches~~,  
101 including academic progress, retention rates for students  
102 enrolled in the program, financial aid requested and received,  
103 and information required by the National Youth in Transition  
104 Database.

105 Section 3. Section 409.1454, Florida Statutes, is amended  
106 to read:

107 409.1454 Motor vehicle insurance and driver licenses for  
108 children in care and certified unaccompanied homeless youth.—

109 (1) The Legislature finds that the costs of driver  
110 education, licensure and costs incidental to licensure, and  
111 motor vehicle insurance for a child in out-of-home care or  
112 certain unaccompanied homeless youth certified under s. 743.067  
113 after such child obtains a driver license create an additional  
114 barrier to engaging in normal age-appropriate activities and  
115 gaining independence and may limit opportunities for obtaining  
116 employment and completing educational goals. The Legislature

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117 also finds that the completion of an approved driver education  
118 course is necessary to develop safe driving skills.

119 (2) To the extent that funding is available, the department  
120 shall establish a program to pay the cost of driver education,  
121 licensure and other costs incidental to licensure, and motor  
122 vehicle insurance for a child who has completed a driver  
123 education program and who is: children

124 (a) In out-of-home care; or

125 (b) Certified under s. 743.067 as an unaccompanied homeless  
126 youth and who is a citizen of the United States or legal  
127 resident of this state ~~who have successfully completed a driver~~  
128 ~~education program.~~

129 (3) If a caregiver, or an individual or not-for-profit  
130 entity approved by the caregiver, adds a child to his or her  
131 existing insurance policy, the amount paid to the caregiver or  
132 approved purchaser may not exceed the increase in cost  
133 attributable to the addition of the child to the policy.

134 (4) Payment must ~~shall~~ be made to eligible recipients in  
135 the order of eligibility until available funds are exhausted. If  
136 a child determined to be eligible reaches permanency status or  
137 turns 18 years of age, the program may pay for that child to  
138 complete a driver education program and obtain a driver license  
139 for up to 6 months after the date the child reaches permanency  
140 status or 6 months after the date the child turns 18 years of  
141 age. A child may be eligible to have the costs of and incidental  
142 to licensure paid if he or she demonstrates that such costs are  
143 creating barriers to obtaining employment or completing  
144 educational goals, if the child meets any of the following  
145 criteria:

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- 146       (a) Is continuing in care under s. 39.6251; ~~or who~~
- 147       (b) Was in licensed care when the child reached 18 years of
- 148 age and is currently receiving postsecondary education services
- 149 and support under s. 409.1451(2); or
- 150       (c) Is an unaccompanied homeless youth certified under s.
- 151 743.067 who is a citizen of the United States or legal resident
- 152 of this state and is:
- 153       1. Completing secondary education;
- 154       2. Employed at least part time;
- 155       3. Attending any postsecondary education program at least
- 156 part time; or
- 157       4. Has a disability that precludes full-time work or
- 158 education, ~~may be eligible to have the costs of licensure and~~
- 159 ~~costs incidental to licensure paid if the child demonstrates~~
- 160 ~~that such costs are creating barriers for obtaining employment~~
- 161 ~~or completing educational goals.~~
- 162       (5) The department shall contract with a not-for-profit
- 163 entity whose mission is to support youth aging out of foster
- 164 care to develop procedures for operating and administering the
- 165 program, including, but not limited to:
- 166       (a) Determining eligibility, including responsibilities for
- 167 the child and caregivers.
- 168       (b) Developing application and payment forms.
- 169       (c) Notifying eligible children, caregivers, group homes,
- 170 and residential programs, local educational agency liaisons for
- 171 homeless children and youth, and governmental or nonprofit
- 172 agencies that provide services to homeless children or youth of
- 173 the program.
- 174       (d) Providing technical assistance to lead agencies,

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175 providers, group homes, and residential programs to support  
176 removing obstacles that prevent children in foster care from  
177 driving.

178 (e) Publicizing the program, engaging in outreach, and  
179 providing incentives to youth participating in the program to  
180 encourage the greatest number of eligible children to obtain  
181 driver licenses.

182 Section 4. Section 743.067, Florida Statutes, is amended to  
183 read:

184 743.067 Certified unaccompanied homeless youths.—

185 (1) DEFINITION.—For purposes of this section, an  
186 “unaccompanied homeless youth” is an individual who is 16 years  
187 of age or older and is not in the physical custody of a parent  
188 or guardian, including a youth who has run away from home, who  
189 has been forced to leave his or her home, or whose parents have  
190 left the area and left the youth behind.

191 (2) CERTIFICATION.—An unaccompanied homeless youth may  
192 become certified if he or she is:

193 (a) Found by a school district’s liaison for homeless  
194 children and youths to be an unaccompanied homeless youth  
195 eligible for services pursuant to the McKinney-Vento Homeless  
196 Assistance Act, 42 U.S.C. ss. 11431-11435; or

197 (b) Believed to qualify as an unaccompanied homeless youth,  
198 as that term is defined in the McKinney-Vento Homeless  
199 Assistance Act, by:

200 1. The director of an emergency shelter program funded by  
201 the United States Department of Housing and Urban Development,  
202 or the director’s designee;

203 2. The director of a runaway or homeless youth basic center

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204 or transitional living program funded by the United States  
205 Department of Health and Human Services, or the director's  
206 designee; or

207 3. A continuum of care lead agency, or its designee.

208 (3) ~~(2)~~ PROOF OF CERTIFICATION.—

209 (a) The State Office on Homelessness within the Department  
210 of Children and Families shall develop a standardized form that  
211 must be used by the entities specified in subsection (2) ~~(1)~~ to  
212 certify qualifying unaccompanied homeless youth. The front of  
213 the form must include the circumstances that qualify the youth;  
214 the date the youth was certified; and the name, title, and  
215 signature of the certifying individual. This section must be  
216 reproduced in its entirety on the back of the form.

217 (b) A certified unaccompanied homeless youth may use the  
218 completed form to:

219 1. Apply at no charge for an identification card issued by  
220 the Department of Highway Safety and Motor Vehicles pursuant to  
221 s. 322.051(9).

222 2. Receive a certified copy of his or her birth certificate  
223 at no charge under s. 382.0255.

224 (c) A health care provider may accept the completed form or  
225 the card issued under s. 1001.42 ~~written certificate~~ as proof of  
226 the minor's status as a certified unaccompanied homeless youth  
227 and may keep a copy of the form or card ~~certificate~~ in the  
228 youth's medical file.

229 (4) ~~(3)~~ REMOVAL OF DISABILITIES OF NONAGE.—A certified  
230 unaccompanied homeless youth may:

231 ~~(a)~~ petition the circuit court to have the disabilities of  
232 nonage removed under s. 743.015. The youth shall qualify as a



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233 person not required to prepay costs and fees as provided in s.  
 234 57.081. The court shall advance the cause on the calendar.

235 (5) ~~(b)~~ MEDICAL AND OTHER CARE.—Notwithstanding s.  
 236 394.4625(1), a certified unaccompanied homeless youth may  
 237 consent to medical care; ~~;~~ dental care; ~~;~~ behavioral health care  
 238 services, including psychological counseling and treatment,  
 239 psychiatric treatment, and substance abuse prevention and  
 240 treatment services; ~~;~~ and surgical diagnosis and treatment,  
 241 including preventative care and care by a facility licensed  
 242 under chapter 394, chapter 395, or chapter 397 and any forensic  
 243 medical examination for the purpose of investigating any felony  
 244 offense under chapter 784, chapter 787, chapter 794, chapter  
 245 800, or chapter 827, for:

246 (a) ~~1~~. Himself or herself; or

247 (b) ~~2~~. His or her child, if the certified unaccompanied  
 248 homeless youth is unmarried, is the parent of the child, and has  
 249 actual custody of the child.

250 (6) ~~(4)~~ CONSTRUCTION.—This section does not affect the  
 251 requirements of s. 390.01114.

252 Section 5. Present subsection (28) of section 1001.42,  
 253 Florida Statutes, is redesignated as subsection (29), and a new  
 254 subsection (28) is added to that section, to read:

255 1001.42 Powers and duties of district school board.—The  
 256 district school board, acting as a board, shall exercise all  
 257 powers and perform all duties listed below:

258 (28) UNACCOMPANIED HOMELESS YOUTH.—Provide to each student  
 259 who is an unaccompanied homeless youth certified under s.  
 260 743.067 a card that includes information on the rights and  
 261 benefits for such youth, as well as the contact information for

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262 the school district's liaison for homeless children and youths.  
263 The card must be similar in size to the student identification  
264 card issued to students in the district and include all of the  
265 following information:

266 (a) On the front of the card, the following information  
267 from the standardized form developed by the Department of  
268 Children and Families under s. 743.067(3):

- 269 1. The circumstances that qualify the youth.  
270 2. The date the youth was certified.  
271 3. The name, title, and signature of the certifying  
272 individual.

273 (b) On the back of the card, the following statement:

274  
275 Section 743.067, Florida Statutes, provides that this  
276 certified youth may consent to medical care; dental  
277 care; behavioral health care services, including  
278 psychological counseling and treatment, psychiatric  
279 treatment, and substance abuse prevention and  
280 treatment services; and surgical diagnosis and  
281 treatment, including preventative care and care by a  
282 facility licensed under chapter 394, chapter 395, or  
283 chapter 397 and any forensic medical examination for  
284 the purpose of investigating any felony offense under  
285 chapter 784, chapter 787, chapter 794, chapter 800, or  
286 chapter 827, for himself or herself or his or her  
287 child, if the certified youth is unmarried, is the  
288 parent of the child, and has actual custody of the  
289 child.

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291 Section 6. Subsection (12) of section 1003.01, Florida  
292 Statutes, is amended, and subsection (17) is added to that  
293 section, to read:

294 1003.01 Definitions.—As used in this chapter, the term:

295 (12) “Children and youths who are experiencing  
296 homelessness,” for programs authorized under subtitle B,  
297 Education for Homeless Children and Youths, of Title VII of the  
298 McKinney-Vento Homeless Assistance Act, 42 U.S.C. ss. 11431 et  
299 seq., means children and youths who lack a fixed, regular, and  
300 adequate nighttime residence, and includes:

301 (a) Children and youths ~~who are~~ sharing the housing of  
302 other persons due to loss of housing, economic hardship, or a  
303 similar reason; are living in motels, hotels, travel trailer  
304 parks, or camping grounds due to the lack of alternative  
305 adequate accommodations; are living in emergency or transitional  
306 shelters; or are abandoned in hospitals; ~~or are awaiting foster~~  
307 ~~care placement.~~

308 (b) Children and youths who have a primary nighttime  
309 residence that is a public or private place not designed for or  
310 ordinarily used as a regular sleeping accommodation for human  
311 beings.

312 (c) Children and youths ~~who are~~ living in cars, parks,  
313 public spaces, abandoned buildings, bus or train stations, or  
314 similar settings.

315 (d) Migratory children ~~who are~~ living in circumstances  
316 described in paragraphs (a)-(c).

317 (17) “Certified unaccompanied homeless youth” means a youth  
318 certified as an unaccompanied homeless youth pursuant to s.  
319 743.067.

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320           Section 7. (1) The Office of Program Policy Analysis and  
321 Government Accountability (OPPAGA) shall conduct a study to  
322 evaluate the effectiveness of campus liaisons provided pursuant  
323 to s. 409.1452, Florida Statutes, and of local school districts'  
324 delivery of benefits and services required under the McKinney-  
325 Vento Homeless Assistance Act, 42 U.S.C. ss. 11431-11435. The  
326 study's scope must include, but need not be limited to:

327           (a) Current use of liaisons by all colleges and  
328 universities, the number of children and young adults served by  
329 such liaisons, the type and prevalence of the services requested  
330 by such children and young adults, and the experiences of the  
331 students served by the liaisons.

332           (b) Local school districts' delivery of benefits and  
333 services to unaccompanied homeless youth eligible for services  
334 under s. 743.067, Florida Statutes, and the McKinney-Vento  
335 Homeless Assistance Act and school districts' adherence to  
336 provisions of the act, such as the:

337           1. Ability for an unaccompanied homeless youth to remain in  
338 his or her school of origin for the duration of the period the  
339 youth is experiencing homelessness and until the end of an  
340 academic year in which the youth obtains permanent housing, if  
341 remaining in the school of origin is determined to be in the  
342 youth's best interest.

343           2. Extent to which school district liaisons make best  
344 interest determinations by considering specific student-centered  
345 factors when determining the best school for an unaccompanied  
346 homeless youth.

347           3. Ability of unaccompanied homeless youth to receive  
348 transportation to the school of origin from the applicable

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349 school district.

350 4. Prompt enrollment of an unaccompanied homeless youth in  
351 a school or classes while the school of origin arranges for the  
352 transfer of school and immunization records and other required  
353 enrollment documents to ensure compliance with s. 1003.21(1)(f),  
354 Florida Statutes.

355 5. Ability of an unaccompanied homeless youth to  
356 participate in all available education programs and  
357 extracurricular activities and receive any school services for  
358 which the youth meets all relevant eligibility criteria.

359 (2) The study must include recommendations for any changes  
360 needed to:

361 (a) Ensure all eligible children and young adults who seek  
362 such support receive services.

363 (b) Improve the outcomes of children and young adults who  
364 receive services and benefits from campus liaisons or under the  
365 McKinney-Vento Homeless Assistance Act.

366 (c) Ensure campus liaisons in local school districts and  
367 postsecondary institutions are qualified to provide adequate  
368 information and support and are knowledgeable about the relevant  
369 programs and benefits that may be accessed by the children and  
370 young adults they serve.

371 (3) In conducting the study, OPPAGA shall consult with the  
372 Department of Children and Families, the Board of Governors of  
373 the State University System, the Florida College System, the  
374 Department of Education, local school districts, and any other  
375 relevant stakeholders, including, but not limited to, students  
376 eligible for the assistance of a liaison.

377 (4) OPPAGA shall submit a report on its findings to the

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378 President of the Senate and the Speaker of the House of  
379 Representatives by December 1, 2022.

380 Section 8. This act shall take effect July 1, 2022.