

By Senator Collins

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1 A bill to be entitled
2 An act relating to child permanency; amending s.
3 39.01, F.S.; defining the term "visitor"; amending s.
4 39.0138, F.S.; requiring the Department of Children
5 and Families to conduct a records check through the
6 Comprehensive Child Welfare Information System on all
7 persons being considered for placement of a child;
8 requiring the department to complete a name-based
9 check of federal criminal history records for certain
10 persons being considered for child placement when a
11 child has been sheltered; requiring a specified entity
12 to ensure that the fingerprints of the applicant and
13 the members of the applicant's household are submitted
14 to the Department of Law Enforcement by a specified
15 time, unless certain exemptions apply; requiring the
16 Department of Law Enforcement to forward the
17 fingerprints to the Federal Bureau of Investigation by
18 a specified time; prohibiting the Department of
19 Children and Families from placing a child in a home
20 if certain requirements are not met; requiring the
21 Department of Children and Families to seek a court
22 order to remove a child from a placement if certain
23 fingerprinting requirements are not met; amending s.
24 39.202, F.S.; allowing any person to have access to
25 certain identifying child records under specified
26 circumstances; creating s. 39.5035, F.S.; authorizing
27 specified persons to file both a petition alleging
28 dependency and a petition for permanent commitment of
29 a child whose parents are deceased and who does not

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30 have a legal custodian; requiring that both a petition
31 alleging dependency and a petition for permanent
32 commitment of a child be filed within specified
33 timeframes, as applicable; authorizing specified
34 persons to file a petition for the permanent
35 commitment of a child whose parents are deceased,
36 under certain circumstances; providing requirements
37 for the petition for the permanent commitment of the
38 child; requiring that adjudicatory hearings be held
39 within a specified timeframe; providing notice
40 requirements; providing requirements for the
41 adjudicatory hearing on the petition for the permanent
42 commitment of a child; requiring the court to enter
43 certain orders in certain circumstances within
44 specified timeframes after the adjudicatory hearing;
45 specifying requirements for disposition hearings;
46 amending s. 39.522, F.S.; authorizing a child's case
47 manager, an authorized agent of the department, or a
48 law enforcement officer to remove a child from a
49 court-ordered placement under certain circumstances;
50 requiring the department to perform certain duties
51 within a specified timeframe after a child is removed
52 from placement if the child was not placed in licensed
53 care at the time of removal; requiring the court to
54 hold a hearing to determine whether the department had
55 probable cause to support the removal of the child;
56 requiring the court to enter certain orders, depending
57 on whether the court determines there is probable
58 cause to remove the child; requiring the court to

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59 conduct a hearing if a finding of probable cause for
60 the removal of the child is made and the child's
61 placement is modified, unless certain parties waive
62 this requirement; amending s. 39.6221, F.S.; revising
63 a condition for the placement of a child in permanent
64 guardianship; amending s. 39.6225, F.S.; revising a
65 criterion for guardianship assistance payments made to
66 guardians who have entered into a guardianship
67 assistance agreement; amending s. 39.801, F.S.;
68 authorizing the court to proceed with a hearing for
69 the termination of parental rights under certain
70 circumstances; amending s. 39.812, F.S.; authorizing
71 the court to review the department's denial of an
72 application to adopt a child; requiring that certain
73 provisions be carried out upon the court's review of a
74 denial of an application to adopt a child; revising
75 the conditions under which the department may remove a
76 child from the foster home the child was residing in
77 or the custodian the child was residing with;
78 requiring the department or its contracted licensed
79 child-placing agency to make every reasonable effort
80 to contact the adoptive family of the child once the
81 adoption is finalized; requiring the department or its
82 contracted licensed child-placing agency to record
83 certain information; amending s. 63.032, F.S.;
84 defining the term "licensed child-placing agency";
85 amending s. 63.062, F.S.; requiring the department to
86 consent to an adoption or attach to the petition to
87 adopt the court order finding that the adoption was

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88 unreasonably withheld in certain circumstances;
89 amending s. 63.093, F.S.; requiring the department to
90 contract with licensed child-placing agencies for
91 specified purposes beginning on a specified date;
92 requiring the department, through its contracted
93 licensed child-placing agency, to respond to certain
94 inquiries from an adoptive parent in a certain amount
95 of time; requiring the department, through its
96 contracted licensed child-placing agency, to refer an
97 adoptive parent to a certain training program;
98 requiring the department, through its contracted
99 licensed child-placing agency, to complete an adoptive
100 home study that must be updated on a specified
101 schedule; authorizing the updated placement or
102 licensing home study to serve as the adoption home
103 study under certain circumstances; requiring the
104 contracted licensed child-placing agency to approve or
105 deny a home study within a specified timeframe;
106 requiring the department to adopt certain rules to
107 eliminate certain practices; requiring the department
108 to annually report to the Governor and the Legislature
109 on the status of adoptions in this state; amending s.
110 63.097, F.S.; revising the amount of certain fees that
111 may be assessed without approval of the court;
112 prohibiting the court from approving certain fees if
113 the fees exceed the total amount of the Federal
114 Adoption Tax Credit for the current tax year; amending
115 s. 409.1451, F.S.; providing that aftercare services
116 are available to certain young adults who are eligible

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117 for either the Guardianship Assistance Program or the
118 adoption assistance program; amending s. 409.166,
119 F.S.; revising conditions for the department to
120 provide adoption assistance payments to adoptive
121 parents of certain children; repealing s. 409.1662,
122 F.S., relating to the adoption incentive program;
123 amending s. 409.1664, F.S.; defining the term "health
124 care practitioner"; authorizing specified persons to
125 receive a lump sum monetary benefit for the adoption
126 of certain children in the welfare system; increasing
127 the amount of a lump sum monetary benefit specified
128 persons are authorized to receive for such adoptions;
129 authorizing health care practitioners to apply for the
130 monetary benefit if certain requirements are met;
131 requiring a health care practitioner to apply to the
132 Department of Health to obtain the benefit; allowing a
133 health care practitioner to obtain adoption assistance
134 for which he or she may qualify under applicable
135 statutes; authorizing the department to adopt rules
136 that may provide for an application process that
137 health care practitioners may use to apply for
138 monetary benefits; amending s. 409.988, F.S.; deleting
139 provisions that require a lead agency to serve certain
140 children; providing effective dates.

141

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

143

144 Section 1. Subsection (88) is added to section 39.01,
145 Florida Statutes, to read:

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146 39.01 Definitions.—When used in this chapter, unless the
147 context otherwise requires:

148 (88) "Visitor" means a person who:

149 (a) Provides care or supervision to children in the home;

150 or

151 (b) Is 14 years of age or older, other than a child in
152 care, and who will be in the child's home at least:

153 1. Five consecutive days; or

154 2. Any seven or more days in a period of a month.

155 Section 2. Subsections (1) and (5) of section 39.0138,
156 Florida Statutes, are amended to read:

157 39.0138 Criminal history and other records checks; limit on
158 placement of a child.—

159 (1) The department shall conduct a records check through
160 the Comprehensive State Automated Child Welfare Information
161 System ~~(SACWIS)~~ and a local and statewide criminal history
162 records check on all persons, including parents, being
163 considered by the department for placement of a child under this
164 chapter, including all nonrelative placement decisions, and all
165 members of the household, 12 years of age and older, of the
166 person being considered. For purposes of this section, a
167 criminal history records check may include, but is not limited
168 to, submission of fingerprints to the Department of Law
169 Enforcement for processing and forwarding to the Federal Bureau
170 of Investigation for state and national criminal history
171 information, and local criminal records checks through local law
172 enforcement agencies of all household members 18 years of age
173 and older and other frequent adult visitors to the home. An out-
174 of-state criminal history records check must be initiated for

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175 any person 18 years of age or older who resided in another state
176 if that state allows the release of such records. The department
177 must complete the records check within 14 business days after
178 receiving a person's criminal history results, unless additional
179 information is required to complete the processing. The
180 department shall establish by rule standards for evaluating any
181 information contained in the automated system relating to a
182 person who must be screened for purposes of making a placement
183 decision.

184 (5) When a child has been sheltered pursuant to s. 39.402
185 and must be placed in out-of-home care due to an emergency, the
186 department must complete a name-based check of federal criminal
187 history records to ascertain whether the applicant being
188 considered for placement or the adult household members residing
189 with the applicant will jeopardize the safety of the sheltered
190 child.

191 (a) If the name-based check of federal criminal history
192 records does not return any record of federal criminal history,
193 the department, vendor, entity, or agency authorized by s.
194 943.053(13) must ensure that the fingerprints of the applicant
195 and all adult members of the applicant's household are submitted
196 to the Department of Law Enforcement for state processing within
197 7 days after receipt of the results of the name-based check if
198 such persons are not exempted from the fingerprinting
199 requirements. The Department of Law Enforcement shall forward
200 the fingerprints to the Federal Bureau of Investigation for
201 national processing within 15 calendar days after the date the
202 Department of Law Enforcement received the fingerprints. The
203 department may not place a child in a home if the applicant or a

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204 member of the applicant's household is disqualified by the name-
205 based check or if their fingerprints are not submitted timely to
206 the Federal Bureau of Investigation.

207 (b) The department shall seek a court order to immediately
208 remove the child from the home if any applicant or adult
209 household member fails to provide fingerprints within 7 days
210 after the name-based check, unless such persons are exempted
211 from the fingerprint requirements ~~The department may place a~~
212 ~~child in a home that otherwise meets placement requirements if a~~
213 ~~name check of state and local criminal history records systems~~
214 ~~does not disqualify the applicant and if the department submits~~
215 ~~fingerprints to the Department of Law Enforcement for forwarding~~
216 ~~to the Federal Bureau of Investigation and is awaiting the~~
217 ~~results of the state and national criminal history records~~
218 ~~check.~~

219 Section 3. Paragraph (o) of subsection (2) of section
220 39.202, Florida Statutes, is amended to read:

221 39.202 Confidentiality of reports and records in cases of
222 child abuse or neglect; exception.—

223 (2) Except as provided in subsection (4), access to such
224 records, excluding the name of, or other identifying information
225 with respect to, the reporter which shall be released only as
226 provided in subsection (5), shall be granted only to the
227 following persons, officials, and agencies:

228 (o) Any person in the event that the cause of the death of
229 a child, as determined by the department at the completion of
230 its investigation in accordance with s. 39.301(16), was ~~to be a~~
231 ~~result of~~ abuse, abandonment, or neglect. Information
232 identifying the person reporting abuse, abandonment, or neglect

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233 ~~may shall~~ not be released. Any information otherwise made
234 confidential or exempt by law ~~may shall~~ not be released pursuant
235 to this paragraph.

236 Section 4. Section 39.5035, Florida Statutes, is created to
237 read:

238 39.5035 Deceased parents; special procedures.—

239 (1) (a) If both parents of a child are deceased, or the last
240 known living parent dies and a legal custodian has not been
241 appointed for the child through a probate or guardianship
242 proceeding, an attorney for the department, a guardian ad litem,
243 or any other person who has knowledge of the facts alleged or is
244 informed of such facts and believes that they are true may
245 initiate a proceeding by filing both a petition alleging
246 dependency and a petition for the permanent commitment of the
247 child. Both the petition alleging dependency and the petition
248 for the permanent commitment of the child must be filed within
249 21 days after the shelter hearing for a child who has been
250 placed in shelter status by order of the court and has not yet
251 been adjudicated dependent. In all other cases, both the
252 petition alleging dependency and the petition for the permanent
253 commitment of the child must be filed within a reasonable time
254 after the petitioner first becomes aware of the facts supporting
255 the petitions.

256 (b) If both parents die or the last known living parent
257 dies after a child has already been adjudicated dependent, an
258 attorney for the department, a guardian ad litem, or any other
259 person who has knowledge of the facts alleged or is informed of
260 them and believes that they are true may file a petition for
261 permanent commitment of the child. The petition must be filed

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262 within a reasonable time after the petitioner first becomes
263 aware of the facts that support the petition for permanent
264 commitment.

265 (2) A petition for the permanent commitment of the child
266 must fulfill all of the following requirements:

267 (a) Be in writing.

268 (b) Identify the alleged deceased parent or parents and
269 provide facts that establish that both parents of the child are
270 deceased or the last known living parent is deceased and that a
271 legal custodian has not been appointed for the child through a
272 probate or guardianship proceeding.

273 (c) Be signed by the petitioner under oath stating the
274 petitioner's good faith in filing the petition.

275 (3) When a petition for the permanent commitment of the
276 child has been filed, the clerk of the court shall set the case
277 before the court for an adjudicatory hearing. The adjudicatory
278 hearing must be held as soon as practicable after either
279 petition is filed and no later than 30 days after the filing
280 date.

281 (4) Notice of the date, time, and place of the adjudicatory
282 hearing and a copy of the petition must be served on the
283 following persons:

284 (a) Any person who has physical custody of the child.

285 (b) A living relative of each parent of the child, unless a
286 living relative cannot be found after a diligent search or
287 inquiry.

288 (c) The guardian ad litem for the child or the
289 representative of the guardian ad litem program, if a guardian
290 ad litem has been appointed.

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291 (5) Adjudicatory hearings must be conducted by a judge,
292 without a jury, applying the rules of evidence used in civil
293 cases and adjourning the hearings from time to time as
294 necessary. At the hearing, the judge shall determine whether the
295 petitioner has established by clear and convincing evidence that
296 both parents of the child are deceased, or that the last known
297 living parent is deceased and the other parent cannot be found
298 after diligent search or inquiry, and that a legal custodian has
299 not been appointed for the child through a probate or
300 guardianship proceeding. A certified copy of the death
301 certificate for a parent is sufficient evidence of proof of the
302 parent's death.

303 (6) If, within 30 days after an adjudicatory hearing on a
304 petition for the permanent commitment of the child, the court
305 finds that the petitioner:

306 (a) Has met the clear and convincing standard, the court
307 must enter a written order adjudicating the child dependent and
308 permanently committing the child to the custody of the
309 department for the purpose of adoption. A disposition hearing
310 must be scheduled no later than 30 days after the entry of the
311 order, in which hearing the department must provide to the court
312 a case plan that identifies the permanency goal for the child.
313 Reasonable efforts must be made to place the child in a timely
314 manner in accordance with the permanency plan and to complete
315 all steps necessary to finalize the permanent placement of the
316 child. Thereafter, until the adoption of the child is finalized
317 or the child reaches 18 years of age, whichever occurs first,
318 the court shall hold hearings every 6 months to review the
319 progress being made toward permanency for the child.

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320 (b) Has not met the clear and convincing standard and that
321 a preponderance of the evidence establishes that the child does
322 not have a parent or legal custodian capable of providing
323 supervision or care, the court must enter a written order
324 adjudicating the child dependent. A disposition hearing must be
325 scheduled no later than 30 days after the entry of the order as
326 provided in s. 39.521.

327 (c) Has not met the clear and convincing standard and that
328 a preponderance of the evidence does not establish that the
329 child does not have a parent or legal custodian capable of
330 providing supervision or care, the court must enter a written
331 order so finding and dismissing the petition.

332 Section 5. Subsection (7) is added to section 39.522,
333 Florida Statutes, to read:

334 39.522 Postdisposition change of custody.—

335 (7) Notwithstanding any other provision of this section, a
336 child's case manager, an authorized agent of the department, or
337 a law enforcement officer may at any time remove a child from a
338 court-ordered placement and take the child into custody if the
339 child's current caregiver requests immediate removal of the
340 child from the home. An authorized agent of the department or a
341 law enforcement officer may also remove a child from a court-
342 ordered placement and take the child into custody if there is
343 probable cause as required in s. 39.401(1)(b).

344 (a) If, at the time of the removal, the child was not
345 placed in licensed care in the department's custody, the
346 department must file a motion to modify placement within 1
347 business day after the child is taken into custody. Unless all
348 parties and the current caregiver agree to the change of

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349 placement, the court shall set a hearing within 24 hours after
350 the filing of the motion. At the hearing, the court shall
351 determine whether the department has established probable cause
352 to support the immediate removal of the child from his or her
353 current placement. The court may base its determination on a
354 sworn petition, testimony, or an affidavit and may hear all
355 relevant and material evidence, including oral or written
356 reports, to the extent of its probative value even though it
357 would not be competent evidence at an adjudicatory hearing.

358 (b) If the court finds that probable cause is not
359 established to support the removal of the child from the
360 placement, the court must order that the child be returned to
361 his or her current placement. Such a finding does not preclude a
362 party from filing a subsequent motion pursuant to subsection
363 (2).

364 (c) If the current caregiver admits to a need for a change
365 of placement or if probable cause is established to support the
366 removal, the court must enter an order changing the placement of
367 the child. If the child is not placed in foster care, the new
368 placement for the child must meet the home study criteria in
369 this chapter.

370 (d) If the child's placement is modified based on a
371 probable cause finding, the court must conduct a hearing under
372 the procedures in subsection (2) or subsection (3), unless
373 waived by all parties and the caregiver.

374 Section 6. Paragraph (a) of subsection (1) of section
375 39.6221, Florida Statutes, is amended to read:

376 39.6221 Permanent guardianship of a dependent child.—

377 (1) If a court determines that reunification or adoption is

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378 not in the best interest of the child, the court may place the
379 child in a permanent guardianship with a relative or other adult
380 approved by the court if all of the following conditions are
381 met:

382 (a) The child has been in the placement for not less than
383 the preceding 6 months, or the preceding 3 months if the
384 caregiver has been named as the successor guardian on the
385 child's guardianship assistance agreement.

386 Section 7. Subsection (9) of section 39.6225, Florida
387 Statutes, is amended to read:

388 39.6225 Guardianship Assistance Program.—

389 (9) Guardianship assistance payments shall only be made for
390 a young adult whose permanent guardian entered into a
391 guardianship assistance agreement after the child attained 14 ~~16~~
392 years of age but before the child attained 18 years of age if
393 the child is:

394 (a) Completing secondary education or a program leading to
395 an equivalent credential;

396 (b) Enrolled in an institution that provides postsecondary
397 or vocational education;

398 (c) Participating in a program or activity designed to
399 promote or eliminate barriers to employment;

400 (d) Employed for at least 80 hours per month; or

401 (e) Unable to participate in programs or activities listed
402 in paragraphs (a)-(d) full time due to a physical, intellectual,
403 emotional, or psychiatric condition that limits participation.

404 Any such barrier to participation must be supported by
405 documentation in the child's case file or school or medical
406 records of a physical, intellectual, emotional, or psychiatric

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407 condition that impairs the child's ability to perform one or
408 more life activities.

409 Section 8. Present paragraph (d) of subsection (3) of
410 section 39.801, Florida Statutes, is redesignated as paragraph
411 (e), and a new paragraph (d) is added to that subsection, to
412 read:

413 39.801 Procedures and jurisdiction; notice; service of
414 process.—

415 (3) Before the court may terminate parental rights, in
416 addition to the other requirements set forth in this part, the
417 following requirements must be met:

418 (d) Personal appearance of any person at the advisory
419 hearing as provided in s. 39.013(13) obviates the necessity of
420 serving process on that person, and the court may proceed with
421 the advisory hearing and any subsequently noticed hearing.

422 Section 9. Subsection (4) and present subsections (5) and
423 (6) of section 39.812, Florida Statutes, are amended, and
424 subsection (7) is added to that section, to read:

425 39.812 Postdisposition relief; petition for adoption.—

426 (4) The court shall retain jurisdiction over any child
427 placed in the custody of the department until the child is
428 adopted. After custody of a child for subsequent adoption has
429 been given to the department, the court has jurisdiction for the
430 purpose of reviewing the status of the child and the progress
431 being made toward permanent adoptive placement. As part of this
432 continuing jurisdiction, the court may:

433 (a) For good cause shown by the guardian ad litem for the
434 child, ~~the court may~~ review the appropriateness of the adoptive
435 placement of the child.

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436 (b) Review the department's denial of an application to
437 adopt a child. The department's decision to deny an application
438 to adopt a child is reviewable only as provided in this section
439 and is not subject to chapter 120.

440 1. If the department denies an application to adopt, the
441 written notification of denial provided to the applicant must be
442 filed with the court and copies provided to all parties within
443 10 business days after the decision.

444 2. A denied applicant may file a motion to review the
445 department's denial within 30 days after the issuance of the
446 department's written notification of the decision to deny the
447 application.

448 3. A denied applicant has standing under this chapter only
449 to file the motion to review in subparagraph 2. and to present
450 evidence in support of the motion. Such standing is terminated
451 upon entry of the court's order.

452 4. The motion to review under subparagraph 2. must allege
453 the department unreasonably withheld its consent to the adoption
454 and must request that the court allow the denied applicant to
455 file a petition to adopt the child under chapter 63 without the
456 department's consent.

457 5. The court shall hold a hearing within 30 days after the
458 filing of the motion to review. The court may only consider
459 whether the department's denial of the application was
460 consistent with department policies and made in an expeditious
461 manner. The standard of review is whether the department's
462 denial of the application was an abuse of discretion.

463 6. If the department selected a different applicant to
464 adopt the child, the selected applicant may participate in the

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465 hearing as a participant as defined in s. 39.01(57) and may be
466 granted leave by the court to be heard without the necessity of
467 filing a motion to intervene.

468 7. The court shall enter a written order within 15 days
469 after the conclusion of the hearing, either denying the motion
470 to review or finding that the department unreasonably withheld
471 its consent and authorizing the denied applicant to file a
472 petition to adopt the child under chapter 63 without the
473 department's consent.

474 (5) When a licensed foster parent or court-ordered
475 custodian has applied to adopt a child who has resided with the
476 foster parent or custodian for at least 6 months and who has
477 previously been permanently committed to the legal custody of
478 the department and the department does not grant the application
479 to adopt, the department may not, in the absence of a prior
480 court order authorizing it to do so, remove the child from the
481 foster home or custodian, except when:

482 (a) There is probable cause to believe that the child is at
483 imminent risk of abuse or neglect;

484 (b) A motion filed under paragraph (4)(b) to review the
485 department's denial of an application has been denied by the
486 court;

487 (c) ~~(b)~~ Thirty days have expired following written notice to
488 the foster parent or custodian of the denial of the application
489 to adopt, within which period no formal challenge of the
490 department's decision has been filed; or

491 (d) ~~(e)~~ The foster parent or custodian agrees to the child's
492 removal.

493 (6) ~~(5)~~ The petition for adoption must be filed in the

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494 division of the circuit court which entered the judgment
495 terminating parental rights, unless a motion for change of venue
496 is granted pursuant to s. 47.122. A copy of the consent executed
497 by the department must be attached to the petition, ~~unless~~
498 ~~waived pursuant to s. 63.062(7)~~. The petition must be
499 accompanied by a statement, signed by the prospective adoptive
500 parents, acknowledging receipt of all information required to be
501 disclosed under s. 63.085 and a form provided by the department
502 which details the social and medical history of the child and
503 each parent and includes the social security number and date of
504 birth for each parent, if such information is available or
505 readily obtainable. The prospective adoptive parents may not
506 file a petition for adoption until the judgment terminating
507 parental rights becomes final. An adoption proceeding under this
508 subsection is governed by chapter 63.

509 (7) (a) ~~(6) (a)~~ Once a child's adoption is finalized, the
510 department or its contracted licensed child-placing ~~community-~~
511 ~~based care lead~~ agency must make a reasonable effort to contact
512 the adoptive family by telephone 1 year after the date of
513 finalization of the adoption as a postadoption service. For
514 purposes of this subsection, the term "reasonable effort" means
515 the exercise of reasonable diligence and care by the department
516 or its contracted licensed child-placing ~~community-based care~~
517 ~~lead~~ agency to make contact with the adoptive family. At a
518 minimum, the department or its contracted licensed child-placing
519 agency must document the following:

520 1. The number of attempts made by the department or its
521 contracted licensed child-placing ~~community-based care lead~~
522 agency to contact the adoptive family and whether those attempts

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523 were successful;

524 2. The types of postadoption services that were requested
525 by the adoptive family and whether those services were provided
526 by the department or its contracted licensed child-placing
527 ~~community-based care lead~~ agency; and

528 3. Any feedback received by the department or its
529 contracted licensed child-placing ~~community-based care lead~~
530 agency from the adoptive family relating to the quality or
531 effectiveness of the services provided.

532 (b) The department or its contracted licensed child-placing
533 ~~community-based care lead~~ agency must report annually to the
534 department on the outcomes achieved and recommendations for
535 improvement under this subsection.

536 Section 10. Effective July 1, 2025, present subsections
537 (12) through (19) of section 63.032, Florida Statutes, are
538 redesignated as subsections (13) through (20), respectively, and
539 a new subsection (12) is added to that section, to read:

540 63.032 Definitions.—As used in this chapter, the term:

541 (12) "Licensed child-placing agency" has the same meaning
542 as in s. 39.01.

543 Section 11. Subsection (7) of section 63.062, Florida
544 Statutes, is amended to read:

545 63.062 Persons required to consent to adoption; affidavit
546 of nonpaternity; waiver of venue.—

547 (7) If parental rights to the minor have previously been
548 terminated, the adoption entity with which the minor has been
549 placed for subsequent adoption may provide consent to the
550 adoption. In such case, no other consent is required. If the
551 minor has been permanently committed to the department for

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552 subsequent adoption, the department must consent to the adoption
553 or, in the alternative, the court order finding that the
554 department unreasonably withheld its consent entered under s.
555 39.812(4) must be attached to the petition to adopt and ~~the~~
556 ~~consent of the department shall be waived upon a determination~~
557 ~~by the court that such consent is being unreasonably withheld~~
558 and if the petitioner must file ~~has filed~~ with the court a
559 favorable preliminary adoptive home study as required under s.
560 63.092.

561 Section 12. Section 63.093, Florida Statutes, is amended to
562 read:

563 63.093 Adoption of children from the child welfare system.—

564 (1) Beginning July 1, 2025, the department shall contract
565 with one or more licensed child-placing agencies to provide
566 adoptive services to prospective adoptive parents, to complete
567 the adoption processes for children permanently committed to the
568 department, and to support adoptive families. The department may
569 permit a contracted licensed child-placing agency to subcontract
570 the duties required in this section.

571 (2) The department, through its contracted licensed child-
572 placing ~~or community-based care lead agency as defined in s.~~
573 ~~409.986(3), or its subcontracted agency, must respond to an~~
574 initial inquiry from a prospective adoptive parent within 7
575 business days after receipt of the inquiry. The response must
576 inform the prospective adoptive parent of the adoption process
577 and the requirements for adopting a child from the child welfare
578 system.

579 (3) ~~(2)~~ The department, through its contracted licensed
580 child-placing ~~or community-based care lead agency, or its~~

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581 ~~subcontracted~~ agency, must refer a prospective adoptive parent
582 who is interested in adopting a child in the custody of the
583 department to a department-approved adoptive parent training
584 program. A prospective adoptive parent must successfully
585 complete the training program, unless the prospective adoptive
586 parent is a licensed foster parent or a relative or nonrelative
587 caregiver who has:

588 (a) Attended the training program within the last 5 years;
589 or

590 (b) Had the child who is available for adoption placed in
591 their home for 6 months or longer and has been determined to
592 understand the challenges and parenting skills needed to
593 successfully parent the child who is available for adoption.

594 (4)~~(3)~~ A prospective adoptive parent must complete an
595 adoption application created by the department.

596 (5)~~(4)~~ Before a child is placed in an adoptive home, the
597 department, through its contracted licensed child-placing
598 ~~community-based care lead agency or its subcontracted agency,~~
599 must complete an adoptive home study of a prospective adoptive
600 parent that includes observation, screening, and evaluation of
601 the child and the prospective adoptive parent. An adoptive home
602 study must be updated every ~~is valid for~~ 12 months from after
603 the date on which the study was approved. If the child was
604 placed before the termination of parental rights, the updated
605 placement or licensing home study may serve as the adoption home
606 study. In addition, the department, through its contracted
607 licensed child-placing ~~community-based care lead agency or its~~
608 ~~subcontracted agency,~~ must complete a preparation process, as
609 established by department rule, with the prospective adoptive

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610 parent.

611 ~~(6)(5)~~ At the conclusion of the adoptive home study and
612 preparation process, a decision shall be made about the
613 prospective adoptive parent's appropriateness to adopt. This
614 decision shall be reflected in the final recommendation included
615 in the adoptive home study. If the recommendation is for
616 approval, the adoptive parent application file must be submitted
617 to the department, through its contracted licensed child-placing
618 ~~community-based care lead agency or its subcontracted agency,~~
619 for approval. The contracted licensed child-placing ~~community-~~
620 ~~based care lead agency or its subcontracted agency~~ must approve
621 or deny the home study within 14 business days after receipt of
622 the recommendation.

623 (7) The department shall adopt rules that eliminate
624 duplicative practices and delays in the adoption home study
625 process for active service members seeking to adopt in this
626 state, including, but not limited to, giving credit for adoption
627 classes that have been taken in another state that substantially
628 complies with s. 409.175(14) (b).

629 (8) By November 15 of each year, the department shall
630 report to the Governor, the President of the Senate, and the
631 Speaker of the House of Representatives on the status of
632 adoptions in this state.

633
634 Notwithstanding subsections (2) and (3) ~~(1) and (2)~~, this
635 section does not apply to a child adopted through the process
636 provided in s. 63.082(6).

637 Section 13. Present subsection (6) of section 63.097,
638 Florida Statutes, is redesignated as subsection (7), a new

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639 subsection (6) is added to that section, and subsection (3) of
 640 that section is amended, to read:

641 63.097 Fees.—

642 (3) Approval of the court is ~~not~~ required when ~~until~~ the
 643 total of amounts permitted under subsection (2) exceeds:

644 (a) \$2,500 ~~\$5,000~~ in legal or other fees;

645 (b) \$800 in court costs; or

646 (c) \$2,500 ~~\$5,000~~ in reasonable and necessary living and
 647 medical expenses.

648 (6) Excluding reasonable, medically necessary expenses, the
 649 court may not approve the fees per child contemplated by this
 650 section if they exceed the total amount of the Federal Adoption
 651 Tax Credit for the current tax year.

652 Section 14. Paragraph (a) of subsection (2) and subsection
 653 (3) of section 409.1451, Florida Statutes, are amended to read:

654 409.1451 The Road-to-Independence Program.—

655 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

656 (a) A young adult is eligible for services and support
 657 under this subsection if he or she:

658 1. Was living in licensed care on his or her 18th birthday
 659 or is currently living in licensed care; or was at least 14 ~~16~~
 660 years of age and was adopted from foster care or placed with a
 661 court-approved dependency guardian after spending at least 6
 662 months in licensed care within the 12 months immediately
 663 preceding such placement or adoption;

664 2. Spent at least 6 months in licensed care before reaching
 665 his or her 18th birthday;

666 3. Earned a standard high school diploma pursuant to s.
 667 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent

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668 pursuant to s. 1003.435;

669 4. Has been admitted for enrollment as a full-time student
670 or its equivalent in an eligible postsecondary educational
671 institution as provided in s. 1009.533. For purposes of this
672 section, the term "full-time" means 9 credit hours or the
673 vocational school equivalent. A student may enroll part-time if
674 he or she has a recognized disability or is faced with another
675 challenge or circumstance that would prevent full-time
676 attendance. A student needing to enroll part-time for any reason
677 other than having a recognized disability must get approval from
678 his or her academic advisor;

679 5. Has reached 18 years of age but is not yet 23 years of
680 age;

681 6. Has applied, with assistance from the young adult's
682 caregiver and the community-based lead agency, for any other
683 grants and scholarships for which he or she may qualify;

684 7. Submitted a Free Application for Federal Student Aid
685 which is complete and error free; and

686 8. Signed an agreement to allow the department and the
687 community-based care lead agency access to school records.

688 (3) AFTERCARE SERVICES.—

689 (a)1. Aftercare services are available to a young adult who
690 has reached 18 years of age but is not yet 23 years of age and
691 is:

692 a. Not in foster care.

693 b. Temporarily not receiving financial assistance under
694 subsection (2) to pursue postsecondary education.

695 c. Eligible for either the Guardianship Assistance Program
696 pursuant to s. 39.6225(9) or the adoption assistance program

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697 pursuant to s. 409.166(4)(d), but the young adult is not
698 participating in either program.

699 2. Subject to available funding, aftercare services as
700 specified in subparagraph (b)8. are also available to a young
701 adult who is between the ages of 18 and 22, is receiving
702 financial assistance under subsection (2), is experiencing an
703 emergency situation, and whose resources are insufficient to
704 meet the emergency situation. Such assistance shall be in
705 addition to any amount specified in paragraph (2)(b).

706 (b) Aftercare services include, but are not limited to, the
707 following:

708 1. Mentoring and tutoring.

709 2. Mental health services and substance abuse counseling.

710 3. Life skills classes, including credit management and
711 preventive health activities.

712 4. Parenting classes.

713 5. Job and career skills training.

714 6. Counselor consultations.

715 7. Temporary financial assistance for necessities,
716 including, but not limited to, education supplies,
717 transportation expenses, security deposits for rent and
718 utilities, furnishings, household goods, and other basic living
719 expenses.

720 8. Temporary financial assistance to address emergency
721 situations, including, but not limited to, automobile repairs or
722 large medical expenses.

723 9. Financial literacy skills training under s.
724 39.6035(1)(c).

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726 The specific services to be provided under this paragraph shall
727 be determined by an assessment of the young adult and may be
728 provided by the community-based care provider or through
729 referrals in the community.

730 (c) Temporary assistance provided to prevent homelessness
731 shall be provided as expeditiously as possible and within the
732 limitations defined by the department.

733 Section 15. Paragraph (d) of subsection (4) of section
734 409.166, Florida Statutes, is amended to read:

735 409.166 Children within the child welfare system; adoption
736 assistance program.—

737 (4) ADOPTION ASSISTANCE.—

738 (d) Effective January 1, 2019, adoption assistance payments
739 may be made for a child whose adoptive parent entered into an
740 initial adoption assistance agreement after the child reached 14
741 ~~16~~ years of age but before the child reached 18 years of age.
742 Such payments may be made until the child reaches age 21 if the
743 child is:

744 1. Completing secondary education or a program leading to
745 an equivalent credential;

746 2. Enrolled in an institution that provides postsecondary
747 or vocational education;

748 3. Participating in a program or activity designed to
749 promote or eliminate barriers to employment;

750 4. Employed for at least 80 hours per month; or

751 5. Unable to participate in programs or activities listed
752 in subparagraphs 1.-4. full time due to a physical, an
753 intellectual, an emotional, or a psychiatric condition that
754 limits participation. Any such barrier to participation must be

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755 supported by documentation in the child's case file or school or
756 medical records of a physical, an intellectual, an emotional, or
757 a psychiatric condition that impairs the child's ability to
758 perform one or more life activities.

759 Section 16. Effective July 1, 2025, section 409.1662,
760 Florida Statutes, is repealed.

761 Section 17. Section 409.1664, Florida Statutes, is amended
762 to read:

763 409.1664 Adoption benefits for qualifying adoptive
764 employees of state agencies, veterans, servicemembers, ~~and~~ law
765 enforcement officers, and health care practitioners.-

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

767 (a) "Child within the child welfare system" has the same
768 meaning as provided in s. 409.166(2).

769 (b) "Health care practitioner" means a person listed in s.
770 456.001(4) who holds an active status license from the
771 Department of Health and whose individual income does not exceed
772 \$150,000.

773 (c) "Qualifying adoptive employee" means a full-time or
774 part-time employee of a state agency, a charter school
775 established under s. 1002.33, or the Florida Virtual School
776 established under s. 1002.37, who is not an independent
777 contractor and who adopts a child within the child welfare
778 system pursuant to chapter 63 on or after July 1, 2015. The term
779 includes instructional personnel, as defined in s. 1012.01, who
780 are employed by the Florida School for the Deaf and the Blind,
781 and includes other-personal-services employees who have been
782 continuously employed full time or part time by a state agency
783 for at least 1 year.

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784 (d) "Servicemember" has the same meaning as in s.
785 250.01(19).

786 (e) "State agency" means a branch, department, or agency of
787 state government for which the Chief Financial Officer processes
788 payroll requisitions, a state university or Florida College
789 System institution as defined in s. 1000.21, a school district
790 unit as defined in s. 1001.30, or a water management district as
791 defined in s. 373.019.

792 (f) "Veteran" has the same meaning as in s. 1.01(14).

793 (2) A qualifying adoptive employee, veteran, ~~or~~
794 servicemember, law enforcement officer, or health care
795 practitioner who adopts a child within the child welfare system
796 who is difficult to place as described in s. 409.166(2)(d)2. is
797 eligible to receive a lump-sum monetary benefit in the amount of
798 \$25,000 ~~\$10,000~~ per such child, subject to applicable taxes. A
799 ~~law enforcement officer who adopts a child within the child~~
800 ~~welfare system who is difficult to place as described in s.~~
801 ~~409.166(2)(d)2. is eligible to receive a lump-sum monetary~~
802 ~~benefit in the amount of \$25,000 per such child, subject to~~
803 ~~applicable taxes.~~ A qualifying adoptive employee, veteran, ~~or~~
804 servicemember, law enforcement officer, or health care
805 practitioner who adopts a child within the child welfare system
806 who is not difficult to place as described in s. 409.166(2)(d)2.
807 is eligible to receive a lump-sum monetary benefit in the amount
808 of \$10,000 ~~\$5,000~~ per such child, subject to applicable taxes. A
809 ~~law enforcement officer who adopts a child within the child~~
810 ~~welfare system who is not difficult to place as described in s.~~
811 ~~409.166(2)(d)2. is eligible to receive a lump-sum monetary~~
812 ~~benefit in the amount of \$10,000 per each such child, subject to~~

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813 ~~applicable taxes.~~ A qualifying adoptive employee of a charter
814 school or the Florida Virtual School may retroactively apply for
815 the monetary benefit provided in this subsection if such
816 employee was employed by a charter school or the Florida Virtual
817 School when he or she adopted a child within the child welfare
818 system pursuant to chapter 63 on or after July 1, 2015. A
819 veteran or servicemember may apply for the monetary benefit
820 provided in this subsection if he or she is domiciled in this
821 state and adopts a child within the child welfare system
822 pursuant to chapter 63 on or after July 1, 2020. A law
823 enforcement officer may apply for the monetary benefit provided
824 in this subsection if he or she is domiciled in this state and
825 adopts a child within the child welfare system pursuant to
826 chapter 63 on or after July 1, 2022. A health care practitioner
827 may apply for the monetary benefit provided in this subsection
828 if he or she is domiciled in this state and adopts a child in
829 the child welfare system pursuant to chapter 63 on or after July
830 1, 2024.

831 (a) Benefits paid to a qualifying adoptive employee who is
832 a part-time employee must be prorated based on the qualifying
833 adoptive employee's full-time equivalency at the time of
834 applying for the benefits.

835 (b) Monetary benefits awarded under this subsection are
836 limited to one award per adopted child within the child welfare
837 system.

838 (c) The payment of a lump-sum monetary benefit for adopting
839 a child within the child welfare system under this section is
840 subject to a specific appropriation to the department for such
841 purpose.

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842 (3) A qualifying adoptive employee must apply to his or her
843 agency head, or to his or her school director in the case of a
844 qualifying adoptive employee of a charter school or the Florida
845 Virtual School, to obtain the monetary benefit provided in
846 subsection (2). A veteran or servicemember must apply to the
847 department to obtain the benefit. A law enforcement officer must
848 apply to the Department of Law Enforcement to obtain the
849 benefit. A health care practitioner must apply to the Department
850 of Health to obtain the benefit. Applications must be on forms
851 approved by the department and must include a certified copy of
852 the final order of adoption naming the applicant as the adoptive
853 parent. Monetary benefits shall be approved on a first-come,
854 first-served basis based upon the date that each fully completed
855 application is received by the department.

856 (4) This section does not preclude a qualifying adoptive
857 employee, veteran, servicemember, ~~or~~ law enforcement officer, or
858 health care practitioner from receiving adoption assistance for
859 which he or she may qualify under s. 409.166 or any other
860 statute that provides financial incentives for the adoption of
861 children.

862 (5) Parental leave for a qualifying adoptive employee must
863 be provided in accordance with the personnel policies and
864 procedures of his or her employer.

865 (6) The department may adopt rules to administer this
866 section. The rules may provide for an application process such
867 as, but not limited to, an open enrollment period during which
868 qualifying adoptive employees, veterans, servicemembers, ~~or~~ law
869 enforcement officers, or health care practitioners may apply for
870 monetary benefits under this section.

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871 (7) The Chief Financial Officer shall disburse a monetary
872 benefit to a qualifying adoptive employee upon the department's
873 submission of a payroll requisition. The Chief Financial Officer
874 shall transfer funds from the department to a state university,
875 a Florida College System institution, a school district unit, a
876 charter school, the Florida Virtual School, or a water
877 management district, as appropriate, to enable payment to the
878 qualifying adoptive employee through the payroll systems as long
879 as funds are available for such purpose.

880 (8) To receive an approved monetary benefit under this
881 section, a veteran or servicemember must be registered as a
882 vendor with the state.

883 (9) Each state agency shall develop a uniform procedure for
884 informing employees about this benefit and for assisting the
885 department in making eligibility determinations and processing
886 applications. Any procedure adopted by a state agency is valid
887 and enforceable if the procedure does not conflict with the
888 express terms of this section.

889 Section 18. Effective July 1, 2025, paragraph (a) of
890 subsection (1) of section 409.988, Florida Statutes, is amended
891 to read:

892 409.988 Community-based care lead agency duties; general
893 provisions.—

894 (1) DUTIES.—A lead agency:

895 (a) ~~1.~~ Shall serve:

896 ~~a.~~ all children referred as a result of a report of abuse,
897 neglect, or abandonment to the department's central abuse
898 hotline, including, but not limited to, children who are the
899 subject of verified reports and children who are not the subject

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900 of verified reports but who are at moderate to extremely high
901 risk of abuse, neglect, or abandonment, as determined using the
902 department's risk assessment instrument, regardless of the level
903 of funding allocated to the lead agency by the state if all
904 related funding is transferred.

905 ~~b. Children who were adopted from the child welfare system~~
906 ~~and whose families require postadoption supports.~~

907 2. The lead agency may also serve children who have not
908 been the subject of reports of abuse, neglect, or abandonment,
909 but who are at risk of abuse, neglect, or abandonment, to
910 prevent their entry into the child protection and child welfare
911 system.

912 Section 19. Except as otherwise expressly provided in this
913 act, this act shall take effect July 1, 2024.