

By the Committee on Children, Families, and Elder Affairs; and
Senator Collins

586-02421-24

20241486c1

1 A bill to be entitled
2 An act relating to permanency for children; amending
3 s. 39.01, F.S.; defining the term "visitor"; amending
4 s. 39.0138, F.S.; renaming the "State Automated Child
5 Welfare Information System" as the "Comprehensive
6 Child Welfare Information System"; requiring the
7 Department of Children and Families to conduct a
8 criminal history records check of certain persons;
9 defining the term "emergency placement"; requiring
10 certain persons to submit their fingerprints to the
11 department or other specified entities; requiring the
12 department or such entities to submit such
13 fingerprints to the Department of Law Enforcement for
14 state processing within a specified timeframe;
15 requiring the Department of Law Enforcement to forward
16 such fingerprints to the Federal Bureau of
17 Investigation within a specified timeframe; requiring
18 that a child be immediately removed from a home if
19 certain persons fail to provide their fingerprints and
20 are not otherwise exempt from a criminal history
21 records check; creating s. 39.5035, F.S.; providing
22 procedures and requirements relating to deceased
23 parents of a dependent child; amending s. 39.521,
24 F.S.; conforming provisions to changes made by the
25 act; amending s. 39.522, F.S.; authorizing certain
26 persons to remove a child from a court-ordered
27 placement under certain circumstances; requiring the
28 Department of Children and Families to file a
29 specified motion, and the court to set a hearing,

586-02421-24

20241486c1

30 within specified timeframes under certain
31 circumstances; requiring a certain determination by
32 the court to support immediate removal of a child;
33 authorizing the court to base its determination on
34 certain evidence; requiring the court to enter certain
35 orders and conduct certain hearings under certain
36 circumstances; amending s. 39.6221, F.S.; revising a
37 requisite condition for placing a child in a permanent
38 guardianship; amending s. 39.6225, F.S.; revising
39 eligibility for payments under the Guardianship
40 Assistance Program; amending s. 39.801, F.S.;
41 providing that service of process is not necessary
42 under certain circumstances; amending s. 39.812, F.S.;
43 authorizing the court to review the departments'
44 denial of an application to adopt a child; requiring
45 the department to file written notification of its
46 denial with the court and provide copies to certain
47 persons within a specified timeframe; authorizing a
48 denied applicant to file a motion to review such
49 denial within a specified timeframe; establishing
50 requirements for standing; requiring the court to hold
51 a hearing within a specified timeframe; providing
52 standing to certain persons; authorizing certain
53 persons to participate in the hearing under certain
54 circumstances; requiring the court to enter an order
55 within a specified timeframe; providing an exception
56 to authorize the department to remove a child from his
57 or her foster home or custodian; requiring the
58 department or its contracted child-placing agency to

586-02421-24

20241486c1

59 conduct certain postadoption duties; conforming
60 provisions to changes made by the act; amending s.
61 63.032, F.S.; revising a definition; amending s.
62 63.039, F.S.; requiring private adoptions to be
63 reported to the department; amending s. 63.062, F.S.;
64 conforming provisions to changes made by the act;
65 amending s. 63.093, F.S.; requiring the department to
66 contract with one or more child-placing agencies to
67 provide adoption services; authorizing such agency to
68 subcontract with other entities to provide certain
69 duties; requiring that an adoptive home study be
70 updated every 12 months after the date on which the
71 first study was approved; requiring the department to
72 adopt certain rules; requiring the department to
73 submit an annual report to the Governor and
74 Legislature by a specified date; conforming provisions
75 to changes made by the act; amending s. 63.097, F.S.;
76 revising and prohibiting certain fees; amending s.
77 63.132, F.S.; providing that any affidavit seeking
78 certain fees, costs, or expenses is unreasonable;
79 requiring a court order approving fees, costs, or
80 expenses that exceed a certain amount to include
81 certain evidence; requiring that such order include
82 certain evidence; amending s. 409.1451, F.S.; revising
83 the age requirements for receiving postsecondary
84 education services and support; revising the
85 requirements for receiving aftercare services;
86 amending s. 409.166, F.S.; revising the age
87 requirements for receiving adoption assistance;

586-02421-24

20241486c1

88 repealing s. 409.1662, F.S., relating to children
89 within the child welfare system and the adoption
90 incentive program; amending s. 409.1664, F.S.;
91 defining terms; providing certain adoption benefits to
92 health care practitioners and tax collector employees;
93 specifying methods for such persons to apply for such
94 benefits; increasing the amount of monetary adoption
95 benefits certain persons are eligible to receive;
96 conforming provisions to changes made by the act;
97 amending s. 409.167, F.S.; providing requirements for
98 the statewide adoption exchange and its photo listing
99 component; authorizing only certain persons to access
100 such photo listing component; requiring consultation
101 with children of a certain age during development of
102 their description; conforming provisions to changes
103 made by the act; amending s. 409.988, F.S.; revising
104 the list of children a community-based care lead
105 agency must serve; providing effective dates.

106
107 Be It Enacted by the Legislature of the State of Florida:

108
109 Section 1. Subsection (88) is added to section 39.01,
110 Florida Statutes, to read:

111 39.01 Definitions.—When used in this chapter, unless the
112 context otherwise requires:

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

114 (a) Provides care or supervision to a child in the home; or

115 (b) Is 12 years of age or older, other than a child in
116 care, and who will be in the child's home at least:

586-02421-24

20241486c1

117 1. Five consecutive days; or

118 2. Seven days or more in 1 month.

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

121 39.0138 Criminal history and other records checks; limit on
122 placement of a child.—

123 (1) The department shall conduct a records check through
124 the Comprehensive State Automated Child Welfare Information
125 System ~~(SACWIS)~~ and a local and statewide criminal history
126 records check on all persons, including parents, being
127 considered by the department for placement of a child under this
128 chapter, including all nonrelative placement decisions, and all
129 members of the household, 12 years of age and older, of the
130 person being considered. For purposes of this section, a
131 criminal history records check may include, but is not limited
132 to, submission of fingerprints to the Department of Law
133 Enforcement for processing and forwarding to the Federal Bureau
134 of Investigation for state and national criminal history
135 information, and local criminal records checks through local law
136 enforcement agencies of all household members 18 years of age
137 and older and other visitors 18 years of age and older to the
138 home. An out-of-state criminal history records check must be
139 initiated for any person 18 years of age or older who resided in
140 another state if that state allows the release of such records.
141 The department must complete the records check within 14
142 business days after receiving a person's criminal history
143 results, unless additional information is required to complete
144 the processing. The department shall establish by rule standards
145 for evaluating any information contained in the automated system

586-02421-24

20241486c1

146 relating to a person who must be screened for purposes of making
147 a placement decision.

148 (5)(a) If a child has been sheltered pursuant to s. 39.402
149 and must be placed in out-of-home care in an emergency
150 placement, the department must conduct a name-based check of
151 criminal history records to ascertain if the person with whom
152 placement of the child is being considered and any other adult
153 household members or visitors of the home of such person are
154 disqualified. For the purposes of this subsection, the term
155 "emergency placement" refers to when the department is placing a
156 child in the home of private individuals, including neighbors,
157 friends, or relatives, as a result of an immediate removal
158 pursuant to s. 39.402.

159 (b) The department may place a child in the a home if the
160 person with whom placement of the child is being considered and
161 any other adult household members or visitors of the home are
162 not disqualified by the name-based check, but, unless exempt,
163 such persons must submit a full set of fingerprints to the
164 department, to a vendor, an entity, or an agency authorized
165 under s. 943.053(13). Unless exempt, within 7 calendar days
166 after the name-based check, the department, vendor, entity, or
167 agency must submit the fingerprints to the Department of Law
168 Enforcement for state processing. Within 15 calendar days after
169 the name-based check is conducted, the Department of Law
170 Enforcement shall forward the fingerprints to the Federal Bureau
171 of Investigation for national processing ~~that otherwise meets~~
172 ~~placement requirements if a name check of state and local~~
173 ~~criminal history records systems does not disqualify the~~
174 ~~applicant and if the department submits fingerprints to the~~

586-02421-24

20241486c1

175 ~~Department of Law Enforcement for forwarding to the Federal~~
176 ~~Bureau of Investigation and is awaiting the results of the state~~
177 ~~and national criminal history records check.~~

178 (c) The department shall seek a court order to immediately
179 remove the child from the home if the person with whom the child
180 was placed or any other adult household members or visitors of
181 the home fail to provide their fingerprints within 15 calendar
182 days after the name-based check is conducted if such persons are
183 not exempt from a criminal history records check.

184 Section 3. Section 39.5035, Florida Statutes, is created to
185 read:

186 39.5035 Deceased parents; special procedures.—

187 (1) (a) 1. If both parents of a child are deceased or the
188 last known living parent of a child is deceased and a legal
189 custodian has not been appointed for the child through a probate
190 or guardianship proceeding, an attorney for the department or
191 any other person who has knowledge of the facts alleged or is
192 informed of the alleged facts, and believes them to be true, may
193 initiate a proceeding by filing a petition for adjudication and
194 permanent commitment.

195 2. If a child has been placed in shelter status by order of
196 the court but has not yet been adjudicated, a petition for
197 adjudication and permanent commitment must be filed within 21
198 days after the shelter hearing. In all other cases, the petition
199 must be filed within a reasonable time after the date the
200 petitioner first becomes aware of the facts supporting the
201 petition for adjudication and permanent commitment.

202 (b) If both parents die or the last known living parent
203 dies after a child has already been adjudicated dependent, an

586-02421-24

20241486c1

204 attorney for the department or any other person who has
205 knowledge of the facts alleged or is informed of the alleged
206 facts, and believes them to be true, may file a petition for
207 permanent commitment. The petition must be filed within a
208 reasonable time after the petitioner first becomes aware of the
209 facts that support the petition for permanent commitment.

210 (2) The petition must:

211 (a) Be in writing, identify the alleged deceased parents,
212 and provide facts that establish that both parents of the child
213 are deceased or the last known living parent is deceased and
214 that a legal custodian has not been appointed for the child
215 through a probate or guardianship proceeding.

216 (b) Be signed by the petitioner under oath stating the
217 petitioner's good faith in filing the petition.

218 (3) When a petition for adjudication and permanent
219 commitment or a petition for permanent commitment has been
220 filed, the clerk of court shall set the case before the court
221 for an adjudicatory hearing. The adjudicatory hearing must be
222 held as soon as practicable after the petition is filed, but no
223 later than 30 days after the filing date.

224 (4) Notice of the date, time, and place of the adjudicatory
225 hearing and a copy of the petition must be served on the
226 following persons:

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

228 (b) A living relative of each parent of the child, unless a
229 living relative cannot be found after a diligent search or
230 inquiry.

231 (c) The guardian ad litem for the child or the
232 representative of the guardian ad litem program, if the program

586-02421-24

20241486c1

233 has been appointed.

234 (5) The court shall conduct adjudicatory hearings without a
235 jury and apply the rules of evidence in use in civil cases,
236 adjourning the hearings as necessary. The court shall determine
237 whether the petitioner has established by clear and convincing
238 evidence that both parents of the child are deceased, or that
239 the last known living parent is deceased and the other parent
240 cannot be found after a diligent search or inquiry, and that a
241 legal custodian has not been appointed for the child through a
242 probate or guardianship proceeding. A certified copy of the
243 death certificate for each parent is sufficient evidence of the
244 parents' deaths.

245 (6) Within 30 days after an adjudicatory hearing on a
246 petition for adjudication and permanent commitment:

247 (a) If the court finds that the petitioner has met the
248 clear and convincing standard, the court must enter a written
249 order adjudicating the child dependent and permanently
250 committing the child to the custody of the department for the
251 purpose of adoption. A disposition hearing must be scheduled no
252 later than 30 days after the entry of the order, in which the
253 department must provide a case plan that identifies the
254 permanency goal for the child to the court. Reasonable efforts
255 must be made to place the child in a timely manner in accordance
256 with the permanency plan and to complete all steps necessary to
257 finalize the permanent placement of the child. Thereafter, until
258 the adoption of the child is finalized or the child reaches the
259 age of 18 years, whichever occurs first, the court must hold
260 hearings every 6 months to review the progress being made toward
261 permanency for the child.

586-02421-24

20241486c1

262 (b) If the court finds that clear and convincing evidence
263 does not establish that both parents of a child are deceased, or
264 that the last known living parent is deceased and the other
265 parent cannot be found after a diligent search or inquiry, and
266 that a legal custodian has not been appointed for the child
267 through a probate or guardianship proceeding, but that a
268 preponderance of the evidence establishes that the child does
269 not have a parent or legal custodian capable of providing
270 supervision or care, the court must enter a written order
271 adjudicating the child dependent. A disposition hearing must be
272 scheduled no later than 30 days after the entry of the order as
273 provided in s. 39.521.

274 (c) If the court finds that the petitioner has not met the
275 clear and convincing standard and that a preponderance of the
276 evidence does not establish that the child does not have a
277 parent or legal custodian capable of providing supervision or
278 care, the court must enter a written order so finding and
279 dismiss the petition.

280 (7) Within 30 days after an adjudicatory hearing on a
281 petition for permanent commitment:

282 (a) If the court finds that the petitioner has met the
283 clear and convincing standard, the court must enter a written
284 order permanently committing the child to the custody of the
285 department for purposes of adoption. A disposition hearing must
286 be scheduled no later than 30 days after the entry of the order,
287 in which the department must provide an amended case plan that
288 identifies the permanency goal for the child to the court.
289 Reasonable efforts must be made to place the child in a timely
290 manner in accordance with the permanency plan and to complete

586-02421-24

20241486c1

291 all steps necessary to finalize the permanent placement of the
292 child. Thereafter, until the adoption of the child is finalized
293 or the child reaches the age of 18 years, whichever occurs
294 first, the court must hold hearings every 6 months to review the
295 progress being made toward permanency for the child.

296 (b) If the court finds that clear and convincing evidence
297 does not establish that both parents of a child are deceased or
298 that the last known living parent is deceased and the other
299 parent cannot be found after a diligent search or inquiry, the
300 court must enter a written order denying the petition. The order
301 has no effect on the child's prior adjudication. The order does
302 not bar the petitioner from filing a subsequent petition for
303 permanent commitment based on newly discovered evidence that
304 establishes that both parents of a child are deceased, or that
305 the last known living parent is deceased, and that a legal
306 custodian has not been appointed for the child through a probate
307 or guardianship proceeding.

308 Section 4. Paragraph (o) of subsection (2) of section
309 39.521, Florida Statutes, is amended to read:

310 39.521 Disposition hearings; powers of disposition.—

311 (2) The family functioning assessment must provide the
312 court with the following documented information:

313 (o) If the child has been removed from the home and will be
314 remaining with a relative, parent, or other adult approved by
315 the court, a home study report concerning the proposed placement
316 shall be provided to the court. Before recommending to the court
317 any out-of-home placement for a child other than placement in a
318 licensed shelter or foster home, the department shall conduct a
319 study of the home of the proposed legal custodians, which must

586-02421-24

20241486c1

320 include, at a minimum:

321 1. An interview with the proposed legal custodians to
322 assess their ongoing commitment and ability to care for the
323 child.

324 2. Records checks through the Comprehensive State Automated
325 Child Welfare Information System ~~(SACWIS)~~, and local and
326 statewide criminal and juvenile records checks through the
327 Department of Law Enforcement, on all household members 12 years
328 of age or older. In addition, the fingerprints of any household
329 members who are 18 years of age or older may be submitted to the
330 Department of Law Enforcement for processing and forwarding to
331 the Federal Bureau of Investigation for state and national
332 criminal history information. The department has the discretion
333 to request Comprehensive State Automated Child Welfare
334 Information System ~~(SACWIS)~~ and local, statewide, and national
335 criminal history checks and fingerprinting of any other visitor
336 to the home who is made known to the department. Out-of-state
337 criminal records checks must be initiated for any individual who
338 has resided in a state other than Florida if that state's laws
339 allow the release of these records. The out-of-state criminal
340 records must be filed with the court within 5 days after receipt
341 by the department or its agent.

342 3. An assessment of the physical environment of the home.

343 4. A determination of the financial security of the
344 proposed legal custodians.

345 5. A determination of suitable child care arrangements if
346 the proposed legal custodians are employed outside of the home.

347 6. Documentation of counseling and information provided to
348 the proposed legal custodians regarding the dependency process

586-02421-24

20241486c1

349 and possible outcomes.

350 7. Documentation that information regarding support
351 services available in the community has been provided to the
352 proposed legal custodians.

353 8. The reasonable preference of the child, if the court
354 deems the child to be of sufficient intelligence, understanding,
355 and experience to express a preference.

356

357 The department may not place the child or continue the placement
358 of the child in a home under shelter or postdisposition
359 placement if the results of the home study are unfavorable,
360 unless the court finds that this placement is in the child's
361 best interest.

362

363 Any other relevant and material evidence, including other
364 written or oral reports, may be received by the court in its
365 effort to determine the action to be taken with regard to the
366 child and may be relied upon to the extent of its probative
367 value, even though not competent in an adjudicatory hearing.
368 Except as otherwise specifically provided, nothing in this
369 section prohibits the publication of proceedings in a hearing.

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

372 39.522 Postdisposition change of custody.—

373 (7) Notwithstanding any other provision of this section, a
374 child's case manager, an authorized agent of the department, or
375 a law enforcement officer may, at any time, remove a child from
376 a court-ordered placement and take the child into custody if the
377 court-ordered caregiver of the child requests immediate removal

586-02421-24

20241486c1

378 of the child from the home. Additionally, an authorized agent of
379 the department or a law enforcement officer may, at any time,
380 remove a child from a court-ordered placement and take the child
381 into custody if there is probable cause as required under s.
382 39.401(1)(b).

383 (a) If, at the time of the removal, the child was not
384 placed in licensed care in the department's custody, the
385 department must file a motion to modify placement within 1
386 business day after the child is taken into custody. The court
387 must then set a hearing within 24 hours after the motion is
388 filed unless all of the parties and the current caregiver agree
389 to the change of placement. At the hearing, the court must
390 determine whether the department has established probable cause
391 to support the immediate removal of the child from his or her
392 current placement. The court may base its determination on a
393 sworn petition or affidavit or on testimony and may hear all
394 relevant and material evidence, including oral or written
395 reports, to the extent of their probative value, even if such
396 evidence would not be competent evidence at an adjudicatory
397 hearing.

398 (b) If the court finds that the department did not
399 establish probable cause to support the removal of the child
400 from his or her current placement, the court must enter an order
401 that the child be returned to such placement. An order by the
402 court to return the child to his or her current placement does
403 not preclude a party from filing a subsequent motion pursuant to
404 subsection (2).

405 (c) If the current caregiver admits that a change of
406 placement is needed or the department establishes probable cause

586-02421-24

20241486c1

407 to support removal of the child, the court must enter an order
408 changing the placement of the child. The new placement for the
409 child must meet the home study criteria in this chapter if the
410 child is not placed in foster care.

411 (d) If the court finds probable cause and modifies the
412 child's placement, the court must conduct a hearing pursuant to
413 subsection (2) or subsection (3), unless such hearing is waived
414 by all parties and the caregiver.

415 Section 6. Paragraph (a) of subsection (1) of section
416 39.6221, Florida Statutes, is amended to read:

417 39.6221 Permanent guardianship of a dependent child.—

418 (1) If a court determines that reunification or adoption is
419 not in the best interest of the child, the court may place the
420 child in a permanent guardianship with a relative or other adult
421 approved by the court if all of the following conditions are
422 met:

423 (a) The child has been in the placement for not less than
424 the preceding 6 months, or the preceding 3 months if the
425 caregiver is already known by the child and the caregiver has
426 been named as the successor guardian on the child's guardianship
427 assistance agreement.

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

430 39.6225 Guardianship Assistance Program.—

431 (9) Guardianship assistance payments may not ~~shall only~~ be
432 made for a young adult unless the young adult's ~~whose~~ permanent
433 guardian entered into a guardianship assistance agreement after
434 the child attained 14 ~~16~~ years of age but before the child
435 attained 18 years of age and if the child is:

586-02421-24

20241486c1

436 (a) Completing secondary education or a program leading to
437 an equivalent credential;

438 (b) Enrolled in an institution that provides postsecondary
439 or vocational education;

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

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

443 (e) Unable to participate in programs or activities listed
444 in paragraphs (a)-(d) full time due to a physical, intellectual,
445 emotional, or psychiatric condition that limits participation.
446 Any such barrier to participation must be supported by
447 documentation in the child's case file or school or medical
448 records of a physical, intellectual, emotional, or psychiatric
449 condition that impairs the child's ability to perform one or
450 more life activities.

451 Section 8. Present paragraph (d) of subsection (3) of
452 section 39.801, Florida Statutes, is redesignated as paragraph
453 (e), and a new paragraph (d) is added to that subsection, to
454 read:

455 39.801 Procedures and jurisdiction; notice; service of
456 process.—

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

460 (d) Personal appearance of a person at the advisory hearing
461 as provided in s. 39.013(13) obviates the necessity of serving
462 process on that person and the court may proceed with the
463 advisory hearing and any subsequently noticed hearing.

464 Section 9. Subsections (4), (5), and (6) of section 39.812,

586-02421-24

20241486c1

465 Florida Statutes, are amended to read:

466 39.812 Postdisposition relief; petition for adoption.—

467 (4) The court shall retain jurisdiction over any child
468 placed in the custody of the department until the child is
469 adopted. After custody of a child for subsequent adoption has
470 been given to the department, the court has jurisdiction for the
471 purpose of reviewing the status of the child and the progress
472 being made toward permanent adoptive placement. As part of this
473 continuing jurisdiction, ~~for good cause shown by the guardian ad~~
474 ~~litem for the child,~~ the court may:

475 (a) Review the appropriateness of the adoptive placement of
476 the child if good cause is shown by the guardian ad litem for
477 the child.

478 (b) Review the department's denial of an application to
479 adopt a child. The department's decision to deny an application
480 to adopt a child is only reviewable under this section and is
481 not subject to chapter 120.

482 1. If the department denies an application to adopt a
483 child, the department must file written notification of the
484 denial with the court and provide copies to all parties within
485 10 business days after the department's decision.

486 2. A denied applicant may file a motion to have the court
487 review the department's denial within 30 business days after the
488 issuance of the department's written notification of its
489 decision to deny the application to adopt a child. The motion to
490 review must allege that the department unreasonably denied the
491 application to adopt and request that the court allow the denied
492 applicant to file a petition to adopt the child under chapter 63
493 without the department's consent.

586-02421-24

20241486c1

494 3. A denied applicant only has standing under this chapter
495 to file a motion to review the department's denial and to
496 present evidence in support of such motion. Such standing is
497 terminated upon the entry of the court's order.

498 4. The court shall hold a hearing within 30 business days
499 after the denied applicant files the motion to review. The court
500 may only consider whether the department's denial of the
501 application is consistent with its policies and if the
502 department made such decision in an expeditious manner. The
503 standard of review is whether the department's denial of the
504 application is an abuse of discretion.

505 5. If the department selected a different applicant to
506 adopt the child, the selected applicant may participate in the
507 hearing as a participant as defined in s. 39.01 and may be
508 granted leave by the court to be heard without the need to file
509 a motion to intervene.

510 6. Within 15 business days after the conclusion of the
511 hearing, the court shall enter a written order denying the
512 motion to review or finding that the department unreasonably
513 denied the application to adopt and authorizing the denied
514 applicant to file a petition to adopt the child under chapter 63
515 without the department's consent.

516 (5) When a licensed foster parent or court-ordered
517 custodian has applied to adopt a child who has resided with the
518 foster parent or custodian for at least 6 months and who has
519 previously been permanently committed to the legal custody of
520 the department and the department does not grant the application
521 to adopt, the department may not, in the absence of a prior
522 court order authorizing it to do so, remove the child from the

586-02421-24

20241486c1

523 foster home or custodian, except when:

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

526 (b) Thirty business days have expired following written
527 notice to the foster parent or custodian of the denial of the
528 application to adopt, within which period no formal challenge of
529 the department's decision has been filed;

530 (c) A motion to review the department's denial of an
531 application to adopt a child under paragraph (4) (b) has been
532 denied; or

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

535 (6) ~~(5)~~ The petition for adoption must be filed in the
536 division of the circuit court which entered the judgment
537 terminating parental rights, unless a motion for change of venue
538 is granted pursuant to s. 47.122. A copy of the consent to adopt
539 executed by the department must be attached to the petition,
540 unless such consent is waived under ~~pursuant to~~ s. 63.062(7).

541 The petition must be accompanied by a statement, signed by the
542 prospective adoptive parents, acknowledging receipt of all
543 information required to be disclosed under s. 63.085 and a form
544 provided by the department which details the social and medical
545 history of the child and each parent and includes the social
546 security number and date of birth for each parent, if such
547 information is available or readily obtainable. The prospective
548 adoptive parents may not file a petition for adoption until the
549 judgment terminating parental rights becomes final. An adoption
550 proceeding under this subsection is governed by chapter 63.

551 (7) ~~(6)~~ (a) Once a child's adoption is finalized, the

586-02421-24

20241486c1

552 department or its contracted child-placing agency ~~community-~~
553 ~~based care lead agency~~ must make a reasonable effort to contact
554 the adoptive family by telephone 1 year after the date of
555 finalization of the adoption as a postadoption service. For
556 purposes of this subsection, the term "reasonable effort" means
557 the exercise of reasonable diligence and care by the department
558 or its contracted child-placing agency ~~community-based care lead~~
559 ~~agency~~ to make contact with the adoptive family. At a minimum,
560 the department or its contracted child-placing agency must
561 document the following:

562 1. The number of attempts made by the department or its
563 contracted child-placing agency ~~community-based care lead agency~~
564 to contact the adoptive family and whether those attempts were
565 successful;

566 2. The types of postadoption services that were requested
567 by the adoptive family and whether those services were provided
568 by the department or its contracted child-placing agency
569 ~~community-based care lead agency~~; and

570 3. Any feedback received by the department or its
571 contracted child-placing agency ~~community-based care lead agency~~
572 from the adoptive family relating to the quality or
573 effectiveness of the services provided.

574 (b) The contracted child-placing agency ~~community-based~~
575 ~~care lead agency~~ must report annually to the department on the
576 outcomes achieved and recommendations for improvement under this
577 subsection.

578 Section 10. Present subsection (6) and (7) of section
579 63.032, Florida Statutes, are redesignated as subsections (7)
580 and (6), respectively, and present subsection (6) of that

586-02421-24

20241486c1

581 section is amended to read:

582 63.032 Definitions.—As used in this chapter, the term:

583 (7)~~(6)~~ “Child-placing agency” means an any child-placing
584 agency licensed by the department pursuant to s. 63.202 to place
585 minors for adoption.

586 Section 11. Present subsections (3), (4), and (5) of
587 section 63.039, Florida Statutes, are redesignated as
588 subsections (4), (5), and (6), respectively, and a new
589 subsection (3) is added to that section, to read:

590 63.039 Duty of adoption entity to prospective adoptive
591 parents; sanctions.—

592 (3) A licensed adoption entity must, on a quarterly basis,
593 report to the department all private adoptions that were
594 finalized in the preceding quarter. Information must include the
595 age of the child, race of the child, ethnicity of the child, sex
596 of the child, county of birth of the child, and county of
597 adoptive family of the child. The department may adopt rules to
598 implement this section. The department shall make this
599 information available as aggregate data on its website.

600 Section 12. Subsection (7) of section 63.062, Florida
601 Statutes, is amended to read:

602 63.062 Persons required to consent to adoption; affidavit
603 of nonpaternity; waiver of venue.—

604 (7) If parental rights to the minor have previously been
605 terminated, the adoption entity with which the minor has been
606 placed for subsequent adoption may provide consent to the
607 adoption. In such case, no other consent is required. If the
608 minor has been permanently committed to the department for
609 subsequent adoption, the department must consent to the adoption

586-02421-24

20241486c1

610 or the court order finding that the department unreasonably
611 denied the application to adopt entered under s. 39.812(4) must
612 be attached to the petition to adopt, and ~~The consent of the~~
613 ~~department shall be waived upon a determination by the court~~
614 ~~that such consent is being unreasonably withheld and if the~~
615 petitioner must file ~~has filed~~ with the court a favorable
616 preliminary adoptive home study as required under s. 63.092.

617 Section 13. Section 63.093, Florida Statutes, is amended to
618 read:

619 63.093 Adoption of children from the child welfare system.—

620 (1) Beginning July 1, 2025, the department shall contract
621 with one or more child-placing agencies to provide adoptive
622 services to prospective adoptive parents, complete the adoption
623 processes for children permanently committed to the department,
624 and support adoptive families. The department may allow a
625 contracted child-placing agency to subcontract with other
626 entities to fulfill the duties imposed in this section.

627 (2) The department, through its contracted child-placing
628 ~~agency or community-based care lead agency as defined in s.~~
629 ~~409.986(3), or its subcontracted agency,~~ must respond to an
630 initial inquiry from a prospective adoptive parent within 7
631 business days after receipt of the inquiry. The response must
632 inform the prospective adoptive parent of the adoption process
633 and the requirements for adopting a child from the child welfare
634 system.

635 (3) ~~(2)~~ The department, through its contracted child-placing
636 agency or community-based care lead agency, or its subcontracted
637 ~~agency,~~ must refer a prospective adoptive parent who is
638 interested in adopting a child in the custody of the department

586-02421-24

20241486c1

639 to a department-approved adoptive parent training program. A
640 prospective adoptive parent must successfully complete the
641 training program, unless the prospective adoptive parent is a
642 licensed foster parent or a relative or nonrelative caregiver
643 who has:

644 (a) Attended the training program within the last 5 years;
645 or

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

650 (4)~~(3)~~ A prospective adoptive parent must complete an
651 adoption application created by the department.

652 (5)~~(4)~~ Before a child is placed in an adoptive home, the
653 department, through its contracted child-placing agency,
654 ~~community-based care lead agency or its subcontracted agency~~
655 must complete an adoptive home study of a prospective adoptive
656 parent that includes observation, screening, and evaluation of
657 the child and the prospective adoptive parent. An adoptive home
658 study must be updated every ~~is valid for~~ 12 months after the
659 date on which the study was approved. If the child was placed
660 before the termination of parental rights, the updated placement
661 or licensed home study may serve as the adoption home study. In
662 addition, the department, through its contracted child-placing
663 agency, ~~community-based care lead agency or its subcontracted~~
664 ~~agency~~ must complete a preparation process, as established by
665 department rule, with the prospective adoptive parent.

666 (6)~~(5)~~ At the conclusion of the adoptive home study and
667 preparation process, a decision must ~~shall~~ be made about the

586-02421-24

20241486c1

668 prospective adoptive parent's appropriateness to adopt. This
669 decision shall be reflected in the final recommendation included
670 in the adoptive home study. If the recommendation is for
671 approval, the adoptive parent application file must be submitted
672 to the department, through its contracted child-placing agency,
673 ~~community-based care lead agency or its subcontracted agency~~ for
674 approval. The contracted child-placing agency ~~community-based~~
675 ~~care lead agency or its subcontracted agency~~ must approve or
676 deny the home study within 14 business days after receipt of the
677 recommendation.

678 (7) The department shall adopt rules to eliminate
679 duplicative practices and delays in the adoption home study
680 process for a member of a uniformed service on active duty
681 seeking to adopt in the state, including, but not limited to,
682 providing a credit for adoption classes that have been taken in
683 another state which substantially cover the preservice training
684 required under s. 409.175(14) (b).

685 (8) By November 15 of each year, the department shall
686 submit an annual report to the Governor, the President of the
687 Senate, and the Speaker of the House of Representatives on the
688 status of adoptions within this state.

689
690 Notwithstanding subsections (2) and (3) ~~(1) and (2)~~, this
691 section does not apply to a child adopted through the process
692 provided in s. 63.082(6).

693 Section 14. Section 63.097, Florida Statutes, is amended to
694 read:

695 63.097 Fees.—

696 (1) When the adoption entity is an agency, fees may be

586-02421-24

20241486c1

697 assessed if such fees ~~they~~ are approved by the department within
698 the process of licensing the agency and if such fees ~~they~~ are
699 for:

700 (a) Foster care expenses;

701 (b) Preplacement and postplacement social services,
702 including a preliminary home study under s. 63.092 and a final
703 home investigation under s. 63.125; and

704 (c) Agency facility and administrative costs.

705

706 The department shall adopt rules to implement this subsection,
707 including a rule establishing standards and fee schedules that
708 ensure all fees assessed are reasonable and the total fees
709 assessed do not exceed the federal adoption tax credit and a
710 rule requiring agencies to report quarterly to the department
711 the number of adoptions in which a court enters an order that
712 approves fees that exceed the limits established in subsection
713 (3).

714 (2) The following fees, costs, and expenses may be assessed
715 by the adoption entity or paid by the adoption entity on behalf
716 of the prospective adoptive parents:

717 (a) Reasonable living expenses of the birth mother which
718 the birth mother is unable to pay due to unemployment,
719 underemployment, or disability. Reasonable living expenses are
720 rent, utilities, basic telephone service, food, toiletries,
721 necessary clothing, transportation, insurance, and expenses
722 found by the court to be necessary for the health and well-being
723 of the birth mother and the unborn child. Such expenses may be
724 paid during the pregnancy and for a period of up to 6 weeks
725 postpartum.

586-02421-24

20241486c1

726 (b) Reasonable and necessary medical expenses. Such
727 expenses may be paid during the pregnancy and for a period of up
728 to 6 weeks postpartum.

729 (c) Expenses necessary to comply with the requirements of
730 this chapter, including, but not limited to, service of process
731 under s. 63.088, investigator fees, and a diligent search under
732 s. 63.088, ~~a preliminary home study under s. 63.092, and a final~~
733 ~~home investigation under s. 63.125.~~

734 (d) Court filing expenses, court costs, and other
735 litigation expenses and birth certificate and medical record
736 expenses.

737 (e) Costs associated with advertising under s.
738 63.212(1)(g).

739 (f) The following professional fees:

740 1. A reasonable hourly fee or flat fee necessary to provide
741 legal representation to the adoptive parents or adoption entity
742 in a proceeding filed under this chapter.

743 2. A reasonable hourly fee or flat fee for contact with the
744 parent related to the adoption. In determining a reasonable
745 hourly fee under this subparagraph, the court must consider if
746 the tasks done were clerical or of such a nature that the matter
747 could have been handled by support staff at a lesser rate than
748 the rate for legal representation charged under subparagraph 1.
749 Such tasks include, but need not be limited to, transportation,
750 transmitting funds, arranging appointments, and securing
751 accommodations.

752 3. A reasonable hourly fee for counseling services provided
753 to a parent or a prospective adoptive parent by a psychologist
754 licensed under chapter 490 or a clinical social worker, marriage

586-02421-24

20241486c1

755 and family therapist, or mental health counselor licensed under
756 chapter 491, or a counselor who is employed by an adoption
757 entity accredited by the Council on Accreditation of Services
758 for Children and Families to provide pregnancy counseling and
759 supportive services.

760 (3) The court must issue an order pursuant to s. 63.132(3)
761 when approval of the court is not required until the total of
762 amounts permitted under subsection (2) exceeds:

763 (a) \$5,000 in legal or other professional fees;

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

765 (c) \$5,000 in reasonable and necessary living and medical
766 expenses.

767 (4) Any fees, costs, or expenses not included in subsection
768 (2) ~~or prohibited under subsection (5)~~ require court approval
769 and entry of an order pursuant to s. 63.132(3) prior to payment
770 and must be based on a finding of extraordinary circumstances.

771 (5) The following fees, costs, and expenses are prohibited:

772 (a) Any fee or expense that constitutes payment for
773 locating a minor for adoption.

774 (b) Any payment which is not itemized and documented on the
775 affidavit filed under s. 63.132.

776 (c) Any fee on the affidavit which is not a fee of the
777 adoption entity, is not supported by a receipt, and does not
778 specify the service that was provided and for which the fee is
779 being charged, such as a fee for facilitation, acquisition, or
780 other similar service, or which does not identify the date the
781 service was provided, the time required to provide the service,
782 the person or entity providing the service, and the hourly fee
783 charged.

586-02421-24

20241486c1

784 (6) Unless otherwise indicated in this section, when an
785 adoption entity uses the services of a licensed child-placing
786 agency, a professional, any other person or agency pursuant to
787 s. 63.092, or, if necessary, the department, the person seeking
788 to adopt the child must pay the licensed child-placing agency,
789 professional, other person or agency, or the department an
790 amount equal to the cost of all services performed, including,
791 but not limited to, the cost of conducting the preliminary home
792 study, counseling, and the final home investigation.

793 Section 15. Subsection (3) of section 63.132, Florida
794 Statutes, is amended to read:

795 63.132 Affidavit of expenses and receipts.—

796 (3) The court must issue a separate order approving or
797 disapproving the fees, costs, and expenses itemized in the
798 affidavit. The court may approve only fees, costs, and
799 expenditures allowed under s. 63.097. Any affidavit seeking
800 fees, costs, or expenses that exceed the limits set in s. 63.097
801 is per se unreasonable and therefore denied, absent a written
802 finding by the court of reasonableness resulting from
803 extraordinary circumstances. Any order approving fees, costs, or
804 expenses that exceed the limits set in s. 63.097(3) must include
805 the specific competent and substantial evidence upon which the
806 court relied to make a finding of both reasonableness and the
807 extraordinary circumstances. The court may reject in whole or in
808 part any fee, cost, or expenditure listed if the court finds
809 that the expense is any of the following:

810 (a) Contrary to this chapter.

811 (b) Not supported by a receipt, ~~if requested~~, if the
812 expense is not a fee of the adoption entity.

586-02421-24

20241486c1

813 (c) Not a reasonable fee or expense, considering the
814 requirements of this chapter and the totality of the
815 circumstances.

816 Section 16. Paragraph (a) of subsection (2) and paragraph
817 (a) of subsection (3) of section 409.1451, Florida Statutes, are
818 amended to read:

819 409.1451 The Road-to-Independence Program.—

820 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

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

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

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

831 3. Earned a standard high school diploma pursuant to s.
832 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent
833 pursuant to s. 1003.435;

834 4. Has been admitted for enrollment as a full-time student
835 or its equivalent in an eligible postsecondary educational
836 institution as provided in s. 1009.533. For purposes of this
837 section, the term "full-time" means 9 credit hours or the
838 vocational school equivalent. A student may enroll part-time if
839 he or she has a recognized disability or is faced with another
840 challenge or circumstance that would prevent full-time
841 attendance. A student needing to enroll part-time for any reason

586-02421-24

20241486c1

842 other than having a recognized disability must get approval from
843 his or her academic advisor;

844 5. Has reached 18 years of age but is not yet 23 years of
845 age;

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

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

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

853 (3) AFTERCARE SERVICES.—

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

857 a. Not in foster care.

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

860 c. Eligible for extended guardianship assistance payments
861 under s. 39.6225(9) or extended adoption assistance under s.
862 409.166(4), but is not participating in either program.

863 2. Subject to available funding, aftercare services as
864 specified in subparagraph (b)8. are also available to a young
865 adult who is between the ages of 18 and 22, is receiving
866 financial assistance under subsection (2), is experiencing an
867 emergency situation, and whose resources are insufficient to
868 meet the emergency situation. Such assistance shall be in
869 addition to any amount specified in paragraph (2) (b).

870 Section 17. Paragraph (d) of subsection (4) of section

586-02421-24

20241486c1

871 409.166, Florida Statutes, is amended to read:

872 409.166 Children within the child welfare system; adoption
873 assistance program.—

874 (4) ADOPTION ASSISTANCE.—

875 (d) Effective January 1, 2019, adoption assistance payments
876 may be made for a child whose adoptive parent entered into an
877 initial adoption assistance agreement after the child reached 14
878 ~~16~~ years of age but before the child reached 18 years of age.
879 Such payments may be made until the child reaches age 21 if the
880 child is:

881 1. Completing secondary education or a program leading to
882 an equivalent credential;

883 2. Enrolled in an institution that provides postsecondary
884 or vocational education;

885 3. Participating in a program or activity designed to
886 promote or eliminate barriers to employment;

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

888 5. Unable to participate in programs or activities listed
889 in subparagraphs 1.-4. full time due to a physical, an
890 intellectual, an emotional, or a psychiatric condition that
891 limits participation. Any such barrier to participation must be
892 supported by documentation in the child's case file or school or
893 medical records of a physical, an intellectual, an emotional, or
894 a psychiatric condition that impairs the child's ability to
895 perform one or more life activities.

896 Section 18. Section 409.1662, Florida Statutes, is
897 repealed.

898 Section 19. Section 409.1664, Florida Statutes, is amended
899 to read:

586-02421-24

20241486c1

900 409.1664 Adoption benefits for qualifying adoptive
901 employees of state agencies, veterans, servicemembers, ~~and~~ law
902 enforcement officers, health care practitioners, and tax
903 collector employees.—

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

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

907 (b) "Health care practitioner" means a person listed in s.
908 456.001(4) who holds an active license from the Department of
909 Health and whose gross income does not exceed \$150,000 per year.

910 (c) "Law enforcement officer" has the same meaning as
911 provided in s. 943.10(1).

912 (d)~~(e)~~ "Qualifying adoptive employee" means a full-time or
913 part-time employee of a state agency, a charter school
914 established under s. 1002.33, or the Florida Virtual School
915 established under s. 1002.37, who is not an independent
916 contractor and who adopts a child within the child welfare
917 system pursuant to chapter 63 on or after July 1, 2015. The term
918 includes instructional personnel, as defined in s. 1012.01, who
919 are employed by the Florida School for the Deaf and the Blind,
920 and includes other-personal-services employees who have been
921 continuously employed full time or part time by a state agency
922 for at least 1 year.

923 (e)~~(d)~~ "Servicemember" has the same meaning as in s.
924 250.01(19).

925 (f)~~(e)~~ "State agency" means a branch, department, or agency
926 of state government for which the Chief Financial Officer
927 processes payroll requisitions, a state university or Florida
928 College System institution as defined in s. 1000.21, a school

586-02421-24

20241486c1

929 district unit as defined in s. 1001.30, or a water management
930 district as defined in s. 373.019.

931 (g) "Tax collector employee" means an employee of an office
932 of county tax collector in this state.

933 (h) ~~(f)~~ "Veteran" has the same meaning as in s. 1.01(14).

934 (2) A qualifying adoptive employee, veteran, law
935 enforcement officer, health care practitioner, tax collector
936 employee, or servicemember who adopts a child within the child
937 welfare system who is difficult to place as described in s.
938 409.166(2)(d)2. is eligible to receive a lump-sum monetary
939 benefit in the amount of \$25,000 ~~\$10,000~~ per such child, subject
940 to applicable taxes. ~~A law enforcement officer who adopts a~~
941 ~~child within the child welfare system who is difficult to place~~
942 ~~as described in s. 409.166(2)(d)2. is eligible to receive a~~
943 ~~lump-sum monetary benefit in the amount of \$25,000 per such~~
944 ~~child, subject to applicable taxes.~~ A qualifying adoptive
945 employee, veteran, law enforcement officer, health care
946 practitioner, tax collector employee, or servicemember who
947 adopts a child within the child welfare system who is not
948 difficult to place as described in s. 409.166(2)(d)2. is
949 eligible to receive a lump-sum monetary benefit in the amount of
950 \$10,000 ~~\$5,000~~ per such child, subject to applicable taxes. A
951 ~~law enforcement officer who adopts a child within the child~~
952 ~~welfare system who is not difficult to place as described in s.~~
953 ~~409.166(2)(d)2. is eligible to receive a lump-sum monetary~~
954 ~~benefit in the amount of \$10,000 per each such child, subject to~~
955 ~~applicable taxes.~~ A qualifying adoptive employee of a charter
956 school or the Florida Virtual School may retroactively apply for
957 the monetary benefit provided in this subsection if such

586-02421-24

20241486c1

958 employee was employed by a charter school or the Florida Virtual
959 School when he or she adopted a child within the child welfare
960 system pursuant to chapter 63 on or after July 1, 2015. A
961 veteran or servicemember may apply for the monetary benefit
962 provided in this subsection if he or she is domiciled in this
963 state and adopts a child within the child welfare system
964 pursuant to chapter 63 on or after July 1, 2020. A law
965 enforcement officer may apply for the monetary benefit provided
966 in this subsection if he or she is domiciled in this state and
967 adopts a child within the child welfare system pursuant to
968 chapter 63 on or after July 1, 2022. A health care practitioner
969 or tax collector employee may apply for the monetary benefit
970 provided in this subsection if he or she is domiciled in this
971 state and adopts a child within the child welfare system
972 pursuant to chapter 63 on or after July 1, 2024.

973 (a) Benefits paid to a qualifying adoptive employee who is
974 a part-time employee must be prorated based on the qualifying
975 adoptive employee's full-time equivalency at the time of
976 applying for the benefits.

977 (b) Monetary benefits awarded under this subsection are
978 limited to one award per adopted child within the child welfare
979 system.

980 (c) The payment of a lump-sum monetary benefit for adopting
981 a child within the child welfare system under this section is
982 subject to a specific appropriation to the department for such
983 purpose.

984 (3) A qualifying adoptive employee must apply to his or her
985 agency head, or to his or her school director in the case of a
986 qualifying adoptive employee of a charter school or the Florida

586-02421-24

20241486c1

987 Virtual School, to obtain the monetary benefit provided in
988 subsection (2). A veteran, ~~or~~ servicemember, or tax collector
989 employee must apply to the department to obtain the benefit. A
990 law enforcement officer must apply to the Department of Law
991 Enforcement to obtain the benefit. A health care practitioner
992 must apply to the Department of Health to obtain the benefit.
993 Applications must be on forms approved by the department and
994 must include a certified copy of the final order of adoption
995 naming the applicant as the adoptive parent. Monetary benefits
996 shall be approved on a first-come, first-served basis based upon
997 the date that each fully completed application is received by
998 the department.

999 (4) This section does not preclude a qualifying adoptive
1000 employee, veteran, servicemember, health care practitioner, tax
1001 collector employee, or law enforcement officer from receiving
1002 adoption assistance for which he or she may qualify under s.
1003 409.166 or any other statute that provides financial incentives
1004 for the adoption of children.

1005 (5) Parental leave for a qualifying adoptive employee must
1006 be provided in accordance with the personnel policies and
1007 procedures of his or her employer.

1008 (6) The department may adopt rules to administer this
1009 section. The rules may provide for an application process such
1010 as, but not limited to, an open enrollment period during which
1011 qualifying adoptive employees, veterans, servicemembers, health
1012 care practitioners, tax collector employees, or law enforcement
1013 officers may apply for monetary benefits under this section.

1014 (7) The Chief Financial Officer shall disburse a monetary
1015 benefit to a qualifying adoptive employee upon the department's

586-02421-24

20241486c1

1016 submission of a payroll requisition. The Chief Financial Officer
1017 shall transfer funds from the department to a state university,
1018 a Florida College System institution, a school district unit, a
1019 charter school, the Florida Virtual School, or a water
1020 management district, as appropriate, to enable payment to the
1021 qualifying adoptive employee through the payroll systems as long
1022 as funds are available for such purpose.

1023 (8) To receive an approved monetary benefit under this
1024 section, a veteran or servicemember must be registered as a
1025 vendor with the state.

1026 (9) Each state agency shall develop a uniform procedure for
1027 informing employees about this benefit and for assisting the
1028 department in making eligibility determinations and processing
1029 applications. Any procedure adopted by a state agency is valid
1030 and enforceable if the procedure does not conflict with the
1031 express terms of this section.

1032 Section 20. Subsections (1) through (4) of section 409.167,
1033 Florida Statutes, are amended to read:

1034 409.167 Statewide adoption exchange; establishment;
1035 responsibilities; registration requirements; rules.—

1036 (1) The Department of Children and Families shall
1037 establish, either directly or through purchase, a statewide
1038 adoption exchange, with a photo listing component, which serves
1039 ~~shall serve~~ all authorized licensed child-placing agencies in
1040 the state as a means of recruiting adoptive families for
1041 children who have been legally freed for adoption and who have
1042 been permanently placed with the department or a licensed child-
1043 placing agency. The statewide adoption exchange must ~~shall~~
1044 provide, in accordance with rules adopted by the department,

586-02421-24

20241486c1

1045 descriptions and photographs of such children, as well as any
1046 other information deemed useful in the recruitment of adoptive
1047 families for each child. The photo listing component of the
1048 statewide adoption exchange must be updated monthly and may not
1049 be accessible to the public, except to persons who have
1050 completed or are in the process of completing an adoption home
1051 study.

1052 (2) (a) Each district of the department shall refer each
1053 child in its care who has been legally freed for adoption to the
1054 statewide adoption exchange no later than 30 days after the date
1055 of acceptance by the department for permanent placement. The
1056 referral must be accompanied by a photo listing ~~photograph~~ and
1057 description of the child. Any child 12 years of age or older may
1058 request that a specific photo be used for their entry and must
1059 be consulted during the development of their description.

1060 (b) The department shall establish criteria by which a
1061 district may determine that a child need not be registered with
1062 the statewide adoption exchange. Within 30 days after the date
1063 of acceptance by the department for permanent placement, the
1064 name of the child accepted for permanent placement must be
1065 forwarded to the statewide adoption exchange by the district
1066 together with reference to the specific reason why the child
1067 should not be placed on the statewide adoption exchange. If the
1068 child has not been placed for adoption within 3 months after the
1069 date of acceptance by the department for permanent placement,
1070 the district must ~~shall~~ provide the statewide adoption exchange
1071 with the necessary photograph and information for registration
1072 of the child with the statewide adoption exchange and the child
1073 must ~~shall~~ be placed on the statewide adoption exchange. The

586-02421-24

20241486c1

1074 department shall establish procedures for monitoring the status
1075 of children who are not placed on the statewide adoption
1076 exchange within 30 days after the date of acceptance by the
1077 department for permanent placement.

1078 (3) In accordance with rules established by the department,
1079 the statewide adoption exchange may accept, from licensed child-
1080 placing agencies, information pertaining to children meeting the
1081 criteria of this section, and to prospective adoptive families,
1082 for registration with the statewide adoption exchange.

1083 (4) For purposes of facilitating family-matching between
1084 children and prospective adoptive parents, the statewide
1085 adoption exchange must ~~shall~~ provide the photo listing component
1086 service to all licensed child-placing agencies and, in
1087 accordance with rules adopted ~~established~~ by the department, to
1088 all appropriate citizen groups and other organizations and
1089 associations interested in children's services. The photo
1090 listing component of the statewide adoption exchange may not be
1091 accessible to the public, except to persons who have completed
1092 or are in the process of completing an adoption home study.

1093 Section 21. Effective July 1, 2025, paragraph (a) of
1094 subsection (1) of section 409.988, Florida Statutes, is amended
1095 to read:

1096 409.988 Community-based care lead agency duties; general
1097 provisions.—

1098 (1) DUTIES.—A lead agency:

1099 (a)1. Shall serve+

1100 ~~a.~~ all children referred as a result of a report of abuse,
1101 neglect, or abandonment to the department's central abuse
1102 hotline, including, but not limited to, children who are the

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1103 subject of verified reports and children who are not the subject
1104 of verified reports but who are at moderate to extremely high
1105 risk of abuse, neglect, or abandonment, as determined using the
1106 department's risk assessment instrument, regardless of the level
1107 of funding allocated to the lead agency by the state if all
1108 related funding is transferred.

1109 ~~b. Children who were adopted from the child welfare system~~
1110 ~~and whose families require postadoption supports.~~

1111 2. May also serve children who have not been the subject of
1112 reports of abuse, neglect, or abandonment, but who are at risk
1113 of abuse, neglect, or abandonment, to prevent their entry into
1114 the child protection and child welfare system.

1115 Section 22. Except as otherwise expressly provided in this
1116 act, this act shall take effect July 1, 2024.