

By the Appropriations Committee on Health and Human Services;
the Committee on Children, Families, and Elder Affairs; and
Senator Collins

603-03530-24

20241486c2

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 specified entities; requiring the
12 department or entities to submit such fingerprints to
13 the Department of Law Enforcement for state processing
14 within a specified timeframe; requiring the Department
15 of Law Enforcement to forward such fingerprints to the
16 Federal Bureau of Investigation within a specified
17 timeframe; requiring that a child be immediately
18 removed from a home if certain persons fail to provide
19 their fingerprints and are not otherwise exempt from a
20 criminal history records check; creating s. 39.5035,
21 F.S.; authorizing specified persons to initiate a
22 proceeding if both parents of a child are deceased or
23 the last known living parent is deceased and a legal
24 custodian has not been appointed for the child through
25 a probate or guardianship proceeding; providing
26 requirements for filing a petition for adjudication
27 and permanent commitment of a child if the child has
28 been placed in shelter by order of the court and has
29 not been adjudicated; authorizing an attorney to file

603-03530-24

20241486c2

30 a petition for adjudication and permanent commitment
31 within a reasonable time after the petitioner becomes
32 aware of certain facts; providing requirements for the
33 petition; requiring the clerk of court to set the case
34 before the court for an adjudicatory hearing within a
35 specified timeframe; providing that notice of the
36 adjudicatory hearing and a copy of the petition be
37 served on specified persons; providing for adjudicator
38 hearings; amending s. 39.521, F.S.; conforming
39 provisions to changes made by the act; amending s.
40 39.522, F.S.; authorizing certain persons to remove a
41 child from a court-ordered placement under certain
42 circumstances; requiring the Department of Children
43 and Families to file a specified motion, and the court
44 to set a hearing, within specified timeframes under
45 certain circumstances; requiring a certain
46 determination by the court to support immediate
47 removal of a child; authorizing the court to base its
48 determination on certain evidence; requiring the court
49 to enter certain orders and conduct certain hearings
50 under certain circumstances; amending s. 39.6221,
51 F.S.; revising a requisite condition for placing a
52 child in a permanent guardianship; amending s.
53 39.6225, F.S.; revising eligibility for payments under
54 the Guardianship Assistance Program; amending s.
55 39.801, F.S.; providing that service of process is not
56 necessary under certain circumstances; amending s.
57 39.812, F.S.; authorizing the court to review the
58 department's denial of an application to adopt a

603-03530-24

20241486c2

59 child; providing requirements for the reviewability of
60 the department's decision to deny an application to
61 adopt a child; requiring the department to file
62 written notification of its denial with the court and
63 provide copies to certain persons within a specified
64 timeframe; authorizing a denied applicant to file a
65 motion to review such denial within a specified
66 timeframe; providing requirements for the motion to
67 review; providing requirements for a denied
68 applicant's standing; requiring the court to hold a
69 hearing within a specified timeframe; providing
70 requirements for the hearing; providing for a standard
71 of review; authorizing certain persons to participate
72 in the hearing under certain circumstances; requiring
73 the court to enter an order within a specified
74 timeframe; revising exceptions that authorize the
75 department to remove a child from his or her foster
76 home or custodian; requiring the department or its
77 contracted child-placing agency to conduct certain
78 postadoption duties; conforming provisions to changes
79 made by the act; amending s. 63.032, F.S.; revising a
80 definition; amending s. 63.039, F.S.; requiring
81 licensed adoption entities to report specified
82 information relating to private adoptions to the
83 department on a quarterly basis; authorizing the
84 department to adopt rules; requiring the department to
85 make certain information available in a specified form
86 on its website; amending s. 63.062, F.S.; requiring
87 the department take certain action if the minor has

603-03530-24

20241486c2

88 been permanently committed to the department for
89 subsequent adoption; amending s. 63.093, F.S.;
90 requiring the department to contract with one or more
91 child-placing agencies to provide certain adoption
92 services beginning on a specified date; authorizing
93 the department to authorize such agency to subcontract
94 with other entities to provide certain duties;
95 requiring that an adoptive home study be updated every
96 12 months after the date on which the first study was
97 approved; authorizing the updated placement or
98 licensed home study to serve as the adoption home
99 study if a child was placed before the termination of
100 parental rights; requiring the department to adopt
101 certain rules; requiring the department to submit an
102 annual report to the Governor and Legislature by a
103 specified date; conforming provisions to changes made
104 by the act; amending s. 63.097, F.S.; making technical
105 changes; requiring the court to issue a certain order
106 when the total of certain amounts exceeds those
107 specified; revising the prohibition of a specified
108 fee; requiring an adoption entity to report specified
109 information for each finalized adoption to the
110 department on a quarterly basis beginning on a
111 specified date; requiring the adoption entity to
112 redact certain information concerning the child's
113 biological parents and the child's adoptive parents;
114 requiring the department to report on its website
115 certain information, including the actual fees, costs,
116 and expenses of finalized adoptions, on a quarterly

603-03530-24

20241486c2

117 basis; providing construction; requiring the
118 department to adopt rules; amending s. 63.132, F.S.;
119 requiring that a court order approving fees, costs, or
120 expenses that exceed a certain amount include a
121 certain determination; making a technical change;
122 amending s. 63.212, F.S.; providing applicability for
123 the prohibition against the advertisement of the
124 adoption of a minor child except by certain persons;
125 requiring a person who publishes a newspaper,
126 magazine, billboard, or any other written
127 advertisement distributed in this state to include a
128 statement that only specified licensed adoption
129 entities may legally provide adoption services;
130 conforming provisions to changes made by the act;
131 amending s. 409.1451, F.S.; revising the age
132 requirements for receiving postsecondary education
133 services and support; revising requirements for
134 receiving aftercare services; amending s. 409.166,
135 F.S.; revising age requirements for receiving adoption
136 assistance; repealing s. 409.1662, F.S., relating to
137 children within the child welfare system and the
138 adoption incentive program; amending s. 409.1664,
139 F.S.; defining terms; providing certain adoption
140 benefits to health care practitioners, tax collector
141 employees, and law enforcement officers; specifying
142 requirements for such persons to apply for such
143 benefits; increasing the amount of monetary adoption
144 benefits certain persons are eligible to receive;
145 conforming provisions to changes made by the act;

603-03530-24

20241486c2

146 amending s. 409.167, F.S.; revising requirements for
147 the statewide adoption exchange and its photo listing
148 component; authorizing only certain persons to access
149 such photo listing component; requiring consultation
150 with children of a certain age during development of
151 their description; conforming provisions to changes
152 made by the act; amending s. 409.988, F.S.; revising
153 the list of children a community-based care lead
154 agency must serve; providing effective dates.

155
156 Be It Enacted by the Legislature of the State of Florida:

157
158 Section 1. Subsection (88) is added to section 39.01,
159 Florida Statutes, to read:

160 39.01 Definitions.—When used in this chapter, unless the
161 context otherwise requires:

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

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

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

166 1. Five consecutive days; or

167 2. Seven days or more in 1 month.

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

170 39.0138 Criminal history and other records checks; limit on
171 placement of a child.—

172 (1) The department shall conduct a records check through
173 the Comprehensive State Automated Child Welfare Information
174 System ~~(SACWIS)~~ and a local and statewide criminal history

603-03530-24

20241486c2

175 records check on all persons, including parents, being
176 considered by the department for placement of a child under this
177 chapter, including all nonrelative placement decisions, and all
178 members of the household, 12 years of age and older, of the
179 person being considered. For purposes of this section, a
180 criminal history records check may include, but is not limited
181 to, submission of fingerprints to the Department of Law
182 Enforcement for processing and forwarding to the Federal Bureau
183 of Investigation for state and national criminal history
184 information, and local criminal records checks through local law
185 enforcement agencies of all household members 18 years of age
186 and older and other visitors 18 years of age and older to the
187 home. An out-of-state criminal history records check must be
188 initiated for any person 18 years of age or older who resided in
189 another state if that state allows the release of such records.
190 The department must complete the records check within 14
191 business days after receiving a person's criminal history
192 results, unless additional information is required to complete
193 the processing. The department shall establish by rule standards
194 for evaluating any information contained in the automated system
195 relating to a person who must be screened for purposes of making
196 a placement decision.

197 (5) (a) If a child has been sheltered pursuant to s. 39.402
198 and must be placed in out-of-home care in an emergency
199 placement, the department must conduct a name-based check of
200 criminal history records to ascertain if the person with whom
201 placement of the child is being considered and any other adult
202 household members or visitors of the home of such person are
203 disqualified. For the purposes of this subsection, the term

603-03530-24

20241486c2

204 "emergency placement" refers to when the department is placing a
205 child in the home of private individuals, including neighbors,
206 friends, or relatives, as a result of an immediate removal
207 pursuant to s. 39.402.

208 (b) The department may place a child in the a home if the
209 person with whom placement of the child is being considered and
210 any other adult household members or visitors of the home are
211 not disqualified by the name-based check, but, unless exempt,
212 such persons must submit a full set of fingerprints to the
213 department or to a vendor, an entity, or an agency authorized
214 under s. 943.053(13). Unless exempt, within 7 calendar days
215 after the name-based check, the department or the vendor,
216 entity, or agency must submit the fingerprints to the Department
217 of Law Enforcement for state processing. Within 15 calendar days
218 after the name-based check is conducted, the Department of Law
219 Enforcement must forward the fingerprints to the Federal Bureau
220 of Investigation for national processing ~~that otherwise meets~~
221 placement requirements if a name check of state and local
222 criminal history records systems does not disqualify the
223 applicant and if the department submits fingerprints to the
224 Department of Law Enforcement for forwarding to the Federal
225 Bureau of Investigation and is awaiting the results of the state
226 and national criminal history records check.

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

603-03530-24

20241486c2

233 Section 3. Section 39.5035, Florida Statutes, is created to
234 read:

235 39.5035 Deceased parents; special procedures.—

236 (1) (a) 1. If both parents of a child are deceased or the
237 last known living parent of a child is deceased and a legal
238 custodian has not been appointed for the child through a probate
239 or guardianship proceeding, an attorney for the department or
240 any other person who has knowledge of the facts alleged or is
241 informed of such facts, and believes them to be true, may
242 initiate a proceeding by filing a petition for adjudication and
243 permanent commitment.

244 2. If a child has been placed in shelter status by order of
245 the court but has not yet been adjudicated, a petition for
246 adjudication and permanent commitment must be filed within 21
247 days after the shelter hearing. In all other cases, the petition
248 must be filed within a reasonable time after the date the
249 petitioner first becomes aware of the facts alleged supporting
250 the petition for adjudication and permanent commitment.

251 (b) If both parents die or the last known living parent
252 dies after a child has been adjudicated dependent, an attorney
253 for the department or any other person who has knowledge of the
254 facts alleged or is informed of such facts, and believes them to
255 be true, may file a petition for permanent commitment. The
256 petition must be filed within a reasonable time after the
257 petitioner first becomes aware of the alleged facts that support
258 the petition for permanent commitment.

259 (2) The petition must:

260 (a) Be in writing, identify the alleged deceased parents,
261 and provide facts that establish that both parents of the child

603-03530-24

20241486c2

262 are deceased or the last known living parent is deceased and
263 that a legal custodian has not been appointed for the child
264 through a probate or guardianship proceeding.

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

267 (3) When a petition for adjudication and permanent
268 commitment or a petition for permanent commitment has been
269 filed, the clerk of court shall set the case before the court
270 for an adjudicatory hearing. The adjudicatory hearing must be
271 held as soon as practicable after the petition is filed, but no
272 later than 30 days after the filing date.

273 (4) Notice of the date, time, and place of the adjudicatory
274 hearing and a copy of the petition must be served on the
275 following persons:

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

277 (b) A living relative of each parent of the child, unless a
278 living relative cannot be found after a diligent search or
279 inquiry.

280 (c) The guardian ad litem for the child or the
281 representative of the guardian ad litem program, if the program
282 has been appointed.

283 (5) The court shall conduct adjudicatory hearings without a
284 jury and apply the rules of evidence in use in civil cases,
285 adjourning the hearings as necessary. The court shall determine
286 whether the petitioner has established by clear and convincing
287 evidence that both parents of the child are deceased, or that
288 the last known living parent is deceased and the other parent
289 cannot be found after a diligent search or inquiry, and that a
290 legal custodian has not been appointed for the child through a

603-03530-24

20241486c2

291 probate or guardianship proceeding. A certified copy of the
292 death certificate for each parent is sufficient evidence of the
293 parents' deaths.

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

296 (a) If the court finds that the petitioner has met the
297 clear and convincing standard, the court must enter a written
298 order adjudicating the child dependent and permanently
299 committing the child to the custody of the department for the
300 purpose of adoption. A disposition hearing must be scheduled no
301 later than 30 days after the entry of the order, in which the
302 department must provide a case plan that identifies the
303 permanency goal for the child to the court. Reasonable efforts
304 must be made to place the child in a timely manner in accordance
305 with the permanency plan and to complete all steps necessary to
306 finalize the permanent placement of the child. Thereafter, until
307 the adoption of the child is finalized or the child reaches the
308 age of 18 years, whichever occurs first, the court must hold
309 hearings every 6 months to review the progress being made toward
310 permanency for the child.

311 (b) If the court finds that clear and convincing evidence
312 does not establish that both parents of a child are deceased, or
313 that the last known living parent is deceased and the other
314 parent cannot be found after a diligent search or inquiry, and
315 that a legal custodian has not been appointed for the child
316 through a probate or guardianship proceeding, but that a
317 preponderance of the evidence establishes that the child does
318 not have a parent or legal custodian capable of providing
319 supervision or care, the court must enter a written order

603-03530-24

20241486c2

320 adjudicating the child dependent. A disposition hearing must be
321 scheduled no later than 30 days after the entry of the order as
322 provided in s. 39.521.

323 (c) If the court finds that the petitioner has not met the
324 clear and convincing standard and that a preponderance of the
325 evidence does not establish that the child does not have a
326 parent or legal custodian capable of providing supervision or
327 care, the court must enter a written order so finding and
328 dismiss the petition.

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

331 (a) If the court finds that the petitioner has met the
332 clear and convincing standard, the court must enter a written
333 order permanently committing the child to the custody of the
334 department for purposes of adoption. A disposition hearing must
335 be scheduled no later than 30 days after the entry of the order,
336 in which the department must provide an amended case plan that
337 identifies the permanency goal for the child to the court.
338 Reasonable efforts must be made to place the child in a timely
339 manner in accordance with the permanency plan and to complete
340 all steps necessary to finalize the permanent placement of the
341 child. Thereafter, until the adoption of the child is finalized
342 or the child reaches the age of 18 years, whichever occurs
343 first, the court must hold hearings every 6 months to review the
344 progress being made toward permanency for the child.

345 (b) If the court finds that clear and convincing evidence
346 does not establish that both parents of a child are deceased or
347 that the last known living parent is deceased and the other
348 parent cannot be found after a diligent search or inquiry, the

603-03530-24

20241486c2

349 court must enter a written order denying the petition. The order
350 has no effect on the child's prior adjudication. The order does
351 not bar the petitioner from filing a subsequent petition for
352 permanent commitment based on newly discovered evidence that
353 establishes that both parents of a child are deceased, or that
354 the last known living parent is deceased, and that a legal
355 custodian has not been appointed for the child through a probate
356 or guardianship proceeding.

357 Section 4. Paragraph (o) of subsection (2) of section
358 39.521, Florida Statutes, is amended to read:

359 39.521 Disposition hearings; powers of disposition.—

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

362 (o) If the child has been removed from the home and will be
363 remaining with a relative, parent, or other adult approved by
364 the court, a home study report concerning the proposed placement
365 shall be provided to the court. Before recommending to the court
366 any out-of-home placement for a child other than placement in a
367 licensed shelter or foster home, the department shall conduct a
368 study of the home of the proposed legal custodians, which must
369 include, at a minimum:

370 1. An interview with the proposed legal custodians to
371 assess their ongoing commitment and ability to care for the
372 child.

373 2. Records checks through the Comprehensive State Automated
374 Child Welfare Information System (SACWIS), and local and
375 statewide criminal and juvenile records checks through the
376 Department of Law Enforcement, on all household members 12 years
377 of age or older. In addition, the fingerprints of any household

603-03530-24

20241486c2

378 members who are 18 years of age or older may be submitted to the
379 Department of Law Enforcement for processing and forwarding to
380 the Federal Bureau of Investigation for state and national
381 criminal history information. The department has the discretion
382 to request Comprehensive State Automated Child Welfare
383 Information System ~~(SACWIS)~~ and local, statewide, and national
384 criminal history checks and fingerprinting of any other visitor
385 to the home who is made known to the department. Out-of-state
386 criminal records checks must be initiated for any individual who
387 has resided in a state other than Florida if that state's laws
388 allow the release of these records. The out-of-state criminal
389 records must be filed with the court within 5 days after receipt
390 by the department or its agent.

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

392 4. A determination of the financial security of the
393 proposed legal custodians.

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

396 6. Documentation of counseling and information provided to
397 the proposed legal custodians regarding the dependency process
398 and possible outcomes.

399 7. Documentation that information regarding support
400 services available in the community has been provided to the
401 proposed legal custodians.

402 8. The reasonable preference of the child, if the court
403 deems the child to be of sufficient intelligence, understanding,
404 and experience to express a preference.

405
406 The department may not place the child or continue the placement

603-03530-24

20241486c2

407 of the child in a home under shelter or postdisposition
408 placement if the results of the home study are unfavorable,
409 unless the court finds that this placement is in the child's
410 best interest.

411
412 Any other relevant and material evidence, including other
413 written or oral reports, may be received by the court in its
414 effort to determine the action to be taken with regard to the
415 child and may be relied upon to the extent of its probative
416 value, even though not competent in an adjudicatory hearing.
417 Except as otherwise specifically provided, nothing in this
418 section prohibits the publication of proceedings in a hearing.

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

421 39.522 Postdisposition change of custody.—

422 (7) Notwithstanding any other provision of this section, a
423 child's case manager, an authorized agent of the department, or
424 a law enforcement officer may, at any time, remove a child from
425 a court-ordered placement and take the child into custody if the
426 court-ordered caregiver of the child requests immediate removal
427 of the child from the home. Additionally, an authorized agent of
428 the department or a law enforcement officer may, at any time,
429 remove a child from a court-ordered placement and take the child
430 into custody if there is probable cause as required under s.
431 39.401(1)(b).

432 (a) If, at the time of the removal, the child was not
433 placed in licensed care in the department's custody, the
434 department must file a motion to modify placement within 1
435 business day after the child is taken into custody. The court

603-03530-24

20241486c2

436 must then set a hearing within 24 hours after the motion is
437 filed unless all of the parties and the current caregiver agree
438 to the change of placement. At the hearing, the court must
439 determine whether the department has established probable cause
440 to support the immediate removal of the child from his or her
441 current placement. The court may base its determination on a
442 sworn petition or affidavit or on testimony and may hear all
443 relevant and material evidence, including oral or written
444 reports, to the extent of their probative value, even if such
445 evidence would not be competent evidence at an adjudicatory
446 hearing.

447 (b) If the court finds that the department did not
448 establish probable cause to support the removal of the child
449 from his or her current placement, the court must enter an order
450 that the child be returned to such placement. An order by the
451 court to return the child to his or her current placement does
452 not preclude a party from filing a subsequent motion pursuant to
453 subsection (2).

454 (c) If the current caregiver admits that a change of
455 placement is needed or the department establishes probable cause
456 to support removal of the child, the court must enter an order
457 changing the placement of the child. The new placement for the
458 child must meet the home study criteria in this chapter if the
459 child is not placed in foster care.

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

464 Section 6. Paragraph (a) of subsection (1) of section

603-03530-24

20241486c2

465 39.6221, Florida Statutes, is amended to read:

466 39.6221 Permanent guardianship of a dependent child.—

467 (1) If a court determines that reunification or adoption is
468 not in the best interest of the child, the court may place the
469 child in a permanent guardianship with a relative or other adult
470 approved by the court if all of the following conditions are
471 met:

472 (a) The child has been in the placement for not less than
473 the preceding 6 months, or the preceding 3 months if the
474 caregiver is already known by the child and the caregiver has
475 been named as the successor guardian on the child's guardianship
476 assistance agreement.

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

479 39.6225 Guardianship Assistance Program.—

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

485 (a) Completing secondary education or a program leading to
486 an equivalent credential;

487 (b) Enrolled in an institution that provides postsecondary
488 or vocational education;

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

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

492 (e) Unable to participate in programs or activities listed
493 in paragraphs (a)-(d) full time due to a physical, intellectual,

603-03530-24

20241486c2

494 emotional, or psychiatric condition that limits participation.
495 Any such barrier to participation must be supported by
496 documentation in the child's case file or school or medical
497 records of a physical, intellectual, emotional, or psychiatric
498 condition that impairs the child's ability to perform one or
499 more life activities.

500 Section 8. Present paragraph (d) of subsection (3) of
501 section 39.801, Florida Statutes, is redesignated as paragraph
502 (e), and a new paragraph (d) is added to that subsection, to
503 read:

504 39.801 Procedures and jurisdiction; notice; service of
505 process.—

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

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

513 Section 9. Subsections (4), (5), and (6) of section 39.812,
514 Florida Statutes, are amended to read:

515 39.812 Postdisposition relief; petition for adoption.—

516 (4) The court shall retain jurisdiction over any child
517 placed in the custody of the department until the child is
518 adopted. After custody of a child for subsequent adoption has
519 been given to the department, the court has jurisdiction for the
520 purpose of reviewing the status of the child and the progress
521 being made toward permanent adoptive placement. As part of this
522 continuing jurisdiction, ~~for good cause shown by the guardian ad~~

603-03530-24

20241486c2

523 ~~litem for the child,~~ the court may:

524 (a) Review the appropriateness of the adoptive placement of
525 the child if good cause is shown by the guardian ad litem for
526 the child.

527 (b) Review the department's denial of an application to
528 adopt a child. The department's decision to deny an application
529 to adopt a child is only reviewable under this section and is
530 not subject to chapter 120.

531 1. If the department denies an application to adopt a
532 child, the department must file written notification of the
533 denial with the court and provide copies to all parties within
534 10 business days after the department's decision.

535 2. A denied applicant may file a motion to have the court
536 review the department's denial within 30 business days after the
537 issuance of the department's written notification of its
538 decision to deny the application to adopt a child. The motion to
539 review must allege that the department unreasonably denied the
540 application to adopt and request that the court allow the denied
541 applicant to file a petition to adopt the child under chapter 63
542 without the department's consent.

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

547 4. The court shall hold a hearing within 30 business days
548 after the denied applicant files the motion to review. The court
549 may only consider whether the department's denial of the
550 application is consistent with its policies and if the
551 department made such decision in an expeditious manner. The

603-03530-24

20241486c2

552 standard of review is whether the department's denial of the
553 application is an abuse of discretion.

554 5. If the department selected a different applicant to
555 adopt the child, the selected applicant may participate in the
556 hearing as a participant as defined in s. 39.01 and may be
557 granted leave by the court to be heard without the need to file
558 a motion to intervene.

559 6. Within 15 business days after the conclusion of the
560 hearing, the court shall enter a written order denying the
561 motion to review or finding that the department unreasonably
562 denied the application to adopt and authorizing the denied
563 applicant to file a petition to adopt the child under chapter 63
564 without the department's consent.

565 (5) When a licensed foster parent or court-ordered
566 custodian has applied to adopt a child who has resided with the
567 foster parent or custodian for at least 6 months and who has
568 previously been permanently committed to the legal custody of
569 the department and the department does not grant the application
570 to adopt, the department may not, in the absence of a prior
571 court order authorizing it to do so, remove the child from the
572 foster home or custodian, except when:

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

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

579 (c) A motion to review the department's denial of an
580 application to adopt a child under paragraph (4) (b) has been

603-03530-24

20241486c2

581 denied; or

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

584 (6)~~(5)~~ The petition for adoption must be filed in the
585 division of the circuit court which entered the judgment
586 terminating parental rights, unless a motion for change of venue
587 is granted pursuant to s. 47.122. A copy of the consent to adopt
588 executed by the department must be attached to the petition,
589 unless such consent is waived under ~~pursuant to~~ s. 63.062(7).

590 The petition must be accompanied by a statement, signed by the
591 prospective adoptive parents, acknowledging receipt of all
592 information required to be disclosed under s. 63.085 and a form
593 provided by the department which details the social and medical
594 history of the child and each parent and includes the social
595 security number and date of birth for each parent, if such
596 information is available or readily obtainable. The prospective
597 adoptive parents may not file a petition for adoption until the
598 judgment terminating parental rights becomes final. An adoption
599 proceeding under this subsection is governed by chapter 63.

600 (7)~~(6)~~(a) Once a child's adoption is finalized, the
601 department or its contracted child-placing agency ~~community-~~
602 ~~based care lead agency~~ must make a reasonable effort to contact
603 the adoptive family by telephone 1 year after the date of
604 finalization of the adoption as a postadoption service. For
605 purposes of this subsection, the term "reasonable effort" means
606 the exercise of reasonable diligence and care by the department
607 or its contracted child-placing agency ~~community-based care lead~~
608 ~~agency~~ to make contact with the adoptive family. At a minimum,
609 the department or its contracted child-placing agency must

603-03530-24

20241486c2

610 document the following:

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

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

619 3. Any feedback received by the department or its
620 contracted child-placing agency ~~community-based care lead agency~~
621 from the adoptive family relating to the quality or
622 effectiveness of the services provided.

623 (b) The contracted child-placing agency ~~community-based~~
624 ~~care lead agency~~ must report annually to the department on the
625 outcomes achieved and recommendations for improvement under this
626 subsection.

627 Section 10. Present subsection (6) and (7) of section
628 63.032, Florida Statutes, are redesignated as subsections (7)
629 and (6), respectively, and present subsection (6) of that
630 section is amended to read:

631 63.032 Definitions.—As used in this chapter, the term:

632 ~~(7)-(6)~~ "Child-placing agency" means an ~~any child-placing~~
633 agency licensed by the department pursuant to s. 63.202 to place
634 minors for adoption.

635 Section 11. Present subsections (3), (4), and (5) of
636 section 63.039, Florida Statutes, are redesignated as
637 subsections (4), (5), and (6), respectively, and a new
638 subsection (3) is added to that section, to read:

603-03530-24

20241486c2

639 63.039 Duty of adoption entity to prospective adoptive
640 parents; sanctions.—

641 (3) A licensed adoption entity must, on a quarterly basis,
642 report to the department all private adoptions that were
643 finalized in the preceding quarter. Information must include the
644 age of the child, the race of the child, the ethnicity of the
645 child, the sex of the child, the county of birth of the child,
646 and the county of adoptive family of the child. The department
647 may adopt rules to implement this section. The department shall
648 make this information available as aggregate data on its
649 website.

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

652 63.062 Persons required to consent to adoption; affidavit
653 of nonpaternity; waiver of venue.—

654 (7) If parental rights to the minor have previously been
655 terminated, the adoption entity with which the minor has been
656 placed for subsequent adoption may provide consent to the
657 adoption. In such case, no other consent is required. If the
658 minor has been permanently committed to the department for
659 subsequent adoption, the department must consent to the adoption
660 or the court order finding that the department unreasonably
661 denied the application to adopt entered under s. 39.812(4) must
662 be attached to the petition to adopt, and ~~The consent of the~~
663 ~~department shall be waived upon a determination by the court~~
664 ~~that such consent is being unreasonably withheld and if the~~
665 ~~petitioner~~ must file ~~has filed~~ with the court a favorable
666 preliminary adoptive home study as required under s. 63.092.

667 Section 13. Section 63.093, Florida Statutes, is amended to

603-03530-24

20241486c2

668 read:

669 63.093 Adoption of children from the child welfare system.-

670 (1) Beginning July 1, 2025, the department shall contract
671 with one or more child-placing agencies to provide adoptive
672 services to prospective adoptive parents, complete the adoption
673 processes for children permanently committed to the department,
674 and support adoptive families. The department may authorize a
675 contracted child-placing agency to subcontract with other
676 entities to fulfill the duties imposed in this section.

677 (2) The department, through its contracted child-placing
678 agency ~~or community-based care lead agency as defined in s.~~
679 ~~409.986(3), or its subcontracted agency,~~ must respond to an
680 initial inquiry from a prospective adoptive parent within 7
681 business days after receipt of the inquiry. The response must
682 inform the prospective adoptive parent of the adoption process
683 and the requirements for adopting a child from the child welfare
684 system.

685 (3) ~~(2)~~ The department, through its contracted child-placing
686 agency ~~or community-based care lead agency, or its subcontracted~~
687 ~~agency,~~ must refer a prospective adoptive parent who is
688 interested in adopting a child in the custody of the department
689 to a department-approved adoptive parent training program. A
690 prospective adoptive parent must successfully complete the
691 training program, unless the prospective adoptive parent is a
692 licensed foster parent or a relative or nonrelative caregiver
693 who has:

694 (a) Attended the training program within the last 5 years;

695 or

696 (b) Had the child who is available for adoption placed in

603-03530-24

20241486c2

697 their home for 6 months or longer and has been determined to
698 understand the challenges and parenting skills needed to
699 successfully parent the child who is available for adoption.

700 (4)~~(3)~~ A prospective adoptive parent must complete an
701 adoption application created by the department.

702 (5)~~(4)~~ Before a child is placed in an adoptive home, the
703 department, through its contracted child-placing agency,
704 ~~community-based care lead agency or its subcontracted agency~~
705 must complete an adoptive home study of a prospective adoptive
706 parent that includes observation, screening, and evaluation of
707 the child and the prospective adoptive parent. An adoptive home
708 study must be updated every ~~is valid for~~ 12 months after the
709 date on which the study was approved. If the child was placed
710 before the termination of parental rights, the updated placement
711 or licensed home study may serve as the adoption home study. In
712 addition, the department, through its contracted child-placing
713 agency, ~~community-based care lead agency or its subcontracted~~
714 ~~agency~~ must complete a preparation process, as established by
715 department rule, with the prospective adoptive parent.

716 (6)~~(5)~~ At the conclusion of the adoptive home study and
717 preparation process, a decision must ~~shall~~ be made about the
718 prospective adoptive parent's appropriateness to adopt. This
719 decision shall be reflected in the final recommendation included
720 in the adoptive home study. If the recommendation is for
721 approval, the adoptive parent application file must be submitted
722 to the department, through its contracted child-placing agency,
723 ~~community-based care lead agency or its subcontracted agency~~ for
724 approval. The contracted child-placing agency ~~community-based~~
725 ~~care lead agency or its subcontracted agency~~ must approve or

603-03530-24

20241486c2

726 deny the home study within 14 business days after receipt of the
727 recommendation.

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

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

739
740 Notwithstanding subsections (2) and (3) ~~(1) and (2)~~, this
741 section does not apply to a child adopted through the process
742 provided in s. 63.082(6).

743 Section 14. Subsections (1), (3), (4), and (5) of section
744 63.097, Florida Statutes, are amended, and subsection (7) is
745 added to that section, to read:

746 63.097 Fees.—

747 (1) When the adoption entity is an agency, fees may be
748 assessed if such fees ~~they~~ are approved by the department within
749 the process of licensing the agency and if such fees ~~they~~ are
750 for:

- 751 (a) Foster care expenses;
752 (b) Preplacement and postplacement social services; and
753 (c) Agency facility and administrative costs.
754 (3) The court must issue an order pursuant to s. 63.132(3)

603-03530-24

20241486c2

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

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

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

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

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

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

767 (a) Any fee or expense that constitutes payment for
768 locating a minor for adoption.

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

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

779 (7) Beginning January 1, 2025, an adoption entity shall
780 report quarterly to the department information related to the
781 age, race, ethnicity, sex, and county of birth of the adopted
782 child and the county of residence of the adoptive family for
783 each finalized adoption. The department shall also report for

603-03530-24

20241486c2

784 each adoption the fees, costs, and expenses that were assessed
785 by the adoption entity or paid by the adoption entity on behalf
786 of the prospective adoptive parents, itemized by the categories
787 enumerated in subsection (2), and any fees, costs, and expenses
788 approved by the court under subsection (4). The confidentiality
789 provisions of this chapter do not apply to the fees, costs, and
790 expenses assessed or paid in connection with an adoption. In
791 reporting the information required by this subsection to the
792 department, the adoption entity shall redact any confidential
793 identifying information concerning the child's biological
794 parents and the child's adoptive parents. The department shall
795 report quarterly on its website information for each adoption
796 agency, including the actual fees, costs, and expenses of
797 finalized adoptions. The department shall adopt rules to
798 implement this subsection.

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

801 63.132 Affidavit of expenses and receipts.—

802 (3) The court must issue a separate order approving or
803 disapproving the fees, costs, and expenses itemized in the
804 affidavit. The court may approve only fees, costs, and
805 expenditures allowed under s. 63.097. An order approving fees,
806 costs, and expenses that exceed the limits set in s. 63.097 must
807 include a written determination of reasonableness. The court may
808 reject in whole or in part any fee, cost, or expenditure listed
809 if the court finds 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.

603-03530-24

20241486c2

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 (g) of subsection (1) of section
817 63.212, Florida Statutes, is amended to read:

818 63.212 Prohibited acts; penalties for violation.—

819 (1) It is unlawful for any person:

820 (g) Except an adoption entity, to place an advertisement or
821 offer to the public, in any way, by any medium whatever that a
822 minor is available for adoption or that a minor is sought for
823 adoption; and, further, it is unlawful for any person purchasing
824 advertising space or purchasing broadcast time to advertise
825 adoption services to fail to include in any publication or fail
826 to include in the broadcast for such advertisement the Florida
827 license number of the adoption entity or The Florida Bar number
828 of the attorney placing the advertisement. This prohibition
829 applies to, but is not limited to, a paid advertisement, an
830 article, a notice, or any other paid communication published in
831 any newspaper or magazine, or on the Internet, on a billboard,
832 over radio or television, or other similar media.

833 1. Only a person who is an attorney licensed to practice
834 law in this state or an adoption entity licensed under the laws
835 of this state may place an advertisement in this state ~~a paid~~
836 ~~advertisement or paid listing of the person's telephone number,~~
837 ~~on the person's own behalf, in a telephone directory that:~~

838 a. A child is offered or wanted for adoption; or

839 b. The person is able to place, locate, or receive a child
840 for adoption.

841 2. A person who publishes a telephone directory, newspaper,

603-03530-24

20241486c2

842 magazine, billboard, or any other written advertisement that is
843 distributed in this state shall include, ~~at the beginning of any~~
844 ~~classified heading for adoption and adoption services,~~ a
845 statement ~~that informs directory users~~ that only attorneys
846 licensed to practice law in this state and ~~licensed~~ adoption
847 entities licensed under the laws of this state may legally
848 provide adoption services under state law.

849 3. A person who places an advertisement ~~described in~~
850 ~~subparagraph 1. in a telephone directory~~ must include the
851 following information:

852 a. For an attorney licensed to practice law in this state,
853 the person's Florida Bar number.

854 b. For a child-placing agency licensed under the laws of
855 this state, the number on the person's adoption entity license.

856 Section 17. Paragraph (a) of subsection (2) and paragraph
857 (a) of subsection (3) of section 409.1451, Florida Statutes, are
858 amended to read:

859 409.1451 The Road-to-Independence Program.—

860 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

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

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

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

603-03530-24

20241486c2

871 3. Earned a standard high school diploma pursuant to s.
872 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent
873 pursuant to s. 1003.435;

874 4. Has been admitted for enrollment as a full-time student
875 or its equivalent in an eligible postsecondary educational
876 institution as provided in s. 1009.533. For purposes of this
877 section, the term "full-time" means 9 credit hours or the
878 vocational school equivalent. A student may enroll part-time if
879 he or she has a recognized disability or is faced with another
880 challenge or circumstance that would prevent full-time
881 attendance. A student needing to enroll part-time for any reason
882 other than having a recognized disability must get approval from
883 his or her academic advisor;

884 5. Has reached 18 years of age but is not yet 23 years of
885 age;

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

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

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

893 (3) AFTERCARE SERVICES.—

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

897 a. Not in foster care.

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

603-03530-24

20241486c2

900 c. Eligible for extended guardianship assistance payments
901 under s. 39.6225(9) or extended adoption assistance under s.
902 409.166(4), but is not participating in either program.

903 2. Subject to available funding, aftercare services as
904 specified in subparagraph (b)8. are also available to a young
905 adult who is between the ages of 18 and 22, is receiving
906 financial assistance under subsection (2), is experiencing an
907 emergency situation, and whose resources are insufficient to
908 meet the emergency situation. Such assistance shall be in
909 addition to any amount specified in paragraph (2)(b).

910 Section 18. Paragraph (d) of subsection (4) of section
911 409.166, Florida Statutes, is amended to read:

912 409.166 Children within the child welfare system; adoption
913 assistance program.—

914 (4) ADOPTION ASSISTANCE.—

915 (d) Effective January 1, 2019, adoption assistance payments
916 may be made for a child whose adoptive parent entered into an
917 initial adoption assistance agreement after the child reached 14
918 ~~16~~ years of age but before the child reached 18 years of age.
919 Such payments may be made until the child reaches age 21 if the
920 child is:

921 1. Completing secondary education or a program leading to
922 an equivalent credential;

923 2. Enrolled in an institution that provides postsecondary
924 or vocational education;

925 3. Participating in a program or activity designed to
926 promote or eliminate barriers to employment;

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

928 5. Unable to participate in programs or activities listed

603-03530-24

20241486c2

929 in subparagraphs 1.-4. full time due to a physical, an
930 intellectual, an emotional, or a psychiatric condition that
931 limits participation. Any such barrier to participation must be
932 supported by documentation in the child's case file or school or
933 medical records of a physical, an intellectual, an emotional, or
934 a psychiatric condition that impairs the child's ability to
935 perform one or more life activities.

936 Section 19. Section 409.1662, Florida Statutes, is
937 repealed.

938 Section 20. Section 409.1664, Florida Statutes, is amended
939 to read:

940 409.1664 Adoption benefits for qualifying adoptive
941 employees of state agencies, veterans, servicemembers, ~~and~~ law
942 enforcement officers, health care practitioners, and tax
943 collector employees.-

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

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

947 (b) "Health care practitioner" means a person listed in s.
948 456.001(4) who holds an active license from the Department of
949 Health and whose gross income does not exceed \$150,000 per year.

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

952 (d) ~~(e)~~ "Qualifying adoptive employee" means a full-time or
953 part-time employee of a state agency, a charter school
954 established under s. 1002.33, or the Florida Virtual School
955 established under s. 1002.37, who is not an independent
956 contractor and who adopts a child within the child welfare
957 system pursuant to chapter 63 on or after July 1, 2015. The term

603-03530-24

20241486c2

958 includes instructional personnel, as defined in s. 1012.01, who
959 are employed by the Florida School for the Deaf and the Blind,
960 and includes other-personal-services employees who have been
961 continuously employed full time or part time by a state agency
962 for at least 1 year.

963 (e)~~(d)~~ "Servicemember" has the same meaning as in s.
964 250.01(19).

965 (f)~~(e)~~ "State agency" means a branch, department, or agency
966 of state government for which the Chief Financial Officer
967 processes payroll requisitions, a state university or Florida
968 College System institution as defined in s. 1000.21, a school
969 district unit as defined in s. 1001.30, or a water management
970 district as defined in s. 373.019.

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

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

974 (2) A qualifying adoptive employee, veteran, law
975 enforcement officer, health care practitioner, tax collector
976 employee, or servicemember who adopts a child within the child
977 welfare system who is difficult to place as described in s.
978 409.166(2)(d)2. is eligible to receive a lump-sum monetary
979 benefit in the amount of \$25,000 ~~\$10,000~~ per such child, subject
980 to applicable taxes. ~~A law enforcement officer who adopts a~~
981 ~~child within the child welfare system who is difficult to place~~
982 ~~as described in s. 409.166(2)(d)2. is eligible to receive a~~
983 ~~lump-sum monetary benefit in the amount of \$25,000 per such~~
984 ~~child, subject to applicable taxes.~~ A qualifying adoptive
985 employee, veteran, law enforcement officer, health care
986 practitioner, tax collector employee, or servicemember who

603-03530-24

20241486c2

987 adopts a child within the child welfare system who is not
988 difficult to place as described in s. 409.166(2)(d)2. is
989 eligible to receive a lump-sum monetary benefit in the amount of
990 \$10,000 ~~\$5,000~~ per such child, subject to applicable taxes. A
991 ~~law enforcement officer who adopts a child within the child~~
992 ~~welfare system who is not difficult to place as described in s.~~
993 ~~409.166(2)(d)2. is eligible to receive a lump-sum monetary~~
994 ~~benefit in the amount of \$10,000 per each such child, subject to~~
995 ~~applicable taxes. A qualifying adoptive employee of a charter~~
996 school or the Florida Virtual School may retroactively apply for
997 the monetary benefit provided in this subsection if such
998 employee was employed by a charter school or the Florida Virtual
999 School when he or she adopted a child within the child welfare
1000 system pursuant to chapter 63 on or after July 1, 2015. A
1001 veteran or servicemember may apply for the monetary benefit
1002 provided in this subsection if he or she is domiciled in this
1003 state and adopts a child within the child welfare system
1004 pursuant to chapter 63 on or after July 1, 2020. A law
1005 enforcement officer may apply for the monetary benefit provided
1006 in this subsection if he or she is domiciled in this state and
1007 adopts a child within the child welfare system pursuant to
1008 chapter 63 on or after July 1, 2022. A health care practitioner
1009 or tax collector employee may apply for the monetary benefit
1010 provided in this subsection if he or she is domiciled in this
1011 state and adopts a child within the child welfare system
1012 pursuant to chapter 63 on or after July 1, 2024.

1013 (a) Benefits paid to a qualifying adoptive employee who is
1014 a part-time employee must be prorated based on the qualifying
1015 adoptive employee's full-time equivalency at the time of

603-03530-24

20241486c2

1016 applying for the benefits.

1017 (b) Monetary benefits awarded under this subsection are
1018 limited to one award per adopted child within the child welfare
1019 system.

1020 (c) The payment of a lump-sum monetary benefit for adopting
1021 a child within the child welfare system under this section is
1022 subject to a specific appropriation to the department for such
1023 purpose.

1024 (3) A qualifying adoptive employee must apply to his or her
1025 agency head, or to his or her school director in the case of a
1026 qualifying adoptive employee of a charter school or the Florida
1027 Virtual School, to obtain the monetary benefit provided in
1028 subsection (2). A veteran, ~~or servicemember,~~ or tax collector
1029 employee must apply to the department to obtain the benefit. A
1030 law enforcement officer must apply to the Department of Law
1031 Enforcement to obtain the benefit. A health care practitioner
1032 must apply to the Department of Health to obtain the benefit.

1033 Applications must be on forms approved by the department and
1034 must include a certified copy of the final order of adoption
1035 naming the applicant as the adoptive parent. Monetary benefits
1036 shall be approved on a first-come, first-served basis based upon
1037 the date that each fully completed application is received by
1038 the department.

1039 (4) This section does not preclude a qualifying adoptive
1040 employee, veteran, servicemember, health care practitioner, tax
1041 collector employee, or law enforcement officer from receiving
1042 adoption assistance for which he or she may qualify under s.
1043 409.166 or any other statute that provides financial incentives
1044 for the adoption of children.

603-03530-24

20241486c2

1045 (5) Parental leave for a qualifying adoptive employee must
1046 be provided in accordance with the personnel policies and
1047 procedures of his or her employer.

1048 (6) The department may adopt rules to administer this
1049 section. The rules may provide for an application process such
1050 as, but not limited to, an open enrollment period during which
1051 qualifying adoptive employees, veterans, servicemembers, health
1052 care practitioners, tax collector employees, or law enforcement
1053 officers may apply for monetary benefits under this section.

1054 (7) The Chief Financial Officer shall disburse a monetary
1055 benefit to a qualifying adoptive employee upon the department's
1056 submission of a payroll requisition. The Chief Financial Officer
1057 shall transfer funds from the department to a state university,
1058 a Florida College System institution, a school district unit, a
1059 charter school, the Florida Virtual School, or a water
1060 management district, as appropriate, to enable payment to the
1061 qualifying adoptive employee through the payroll systems as long
1062 as funds are available for such purpose.

1063 (8) To receive an approved monetary benefit under this
1064 section, a veteran or servicemember must be registered as a
1065 vendor with the state.

1066 (9) Each state agency shall develop a uniform procedure for
1067 informing employees about this benefit and for assisting the
1068 department in making eligibility determinations and processing
1069 applications. Any procedure adopted by a state agency is valid
1070 and enforceable if the procedure does not conflict with the
1071 express terms of this section.

1072 Section 21. Subsections (1) through (4) of section 409.167,
1073 Florida Statutes, are amended to read:

603-03530-24

20241486c2

1074 409.167 Statewide adoption exchange; establishment;
1075 responsibilities; registration requirements; rules.—

1076 (1) The Department of Children and Families shall
1077 establish, either directly or through purchase, a statewide
1078 adoption exchange, with a photo listing component, which serves
1079 ~~shall serve~~ all authorized licensed child-placing agencies in
1080 the state as a means of recruiting adoptive families for
1081 children who have been legally freed for adoption and who have
1082 been permanently placed with the department or a licensed child-
1083 placing agency. The statewide adoption exchange must shall
1084 provide, in accordance with rules adopted by the department,
1085 descriptions and photographs of such children, as well as any
1086 other information deemed useful in the recruitment of adoptive
1087 families for each child. The photo listing component of the
1088 statewide adoption exchange must be updated monthly and may not
1089 be accessible to the public, except to persons who have
1090 completed or are in the process of completing an adoption home
1091 study.

1092 (2) (a) Each district of the department shall refer each
1093 child in its care who has been legally freed for adoption to the
1094 statewide adoption exchange no later than 30 days after the date
1095 of acceptance by the department for permanent placement. The
1096 referral must be accompanied by a photo listing ~~photograph~~ and
1097 description of the child. Any child 12 years of age or older may
1098 request that a specific photo be used for their entry and must
1099 be consulted during the development of their description.

1100 (b) The department shall establish criteria by which a
1101 district may determine that a child need not be registered with
1102 the statewide adoption exchange. Within 30 days after the date

603-03530-24

20241486c2

1103 of acceptance by the department for permanent placement, the
1104 name of the child accepted for permanent placement must be
1105 forwarded to the statewide adoption exchange by the district
1106 together with reference to the specific reason why the child
1107 should not be placed on the statewide adoption exchange. If the
1108 child has not been placed for adoption within 3 months after the
1109 date of acceptance by the department for permanent placement,
1110 the district must ~~shall~~ provide the statewide adoption exchange
1111 with the necessary photograph and information for registration
1112 of the child with the statewide adoption exchange and the child
1113 must ~~shall~~ be placed on the statewide adoption exchange. The
1114 department shall establish procedures for monitoring the status
1115 of children who are not placed on the statewide adoption
1116 exchange within 30 days after the date of acceptance by the
1117 department for permanent placement.

1118 (3) In accordance with rules established by the department,
1119 the statewide adoption exchange may accept, from licensed child-
1120 placing agencies, information pertaining to children meeting the
1121 criteria of this section, and to prospective adoptive families,
1122 for registration with the statewide adoption exchange.

1123 (4) For purposes of facilitating family-matching between
1124 children and prospective adoptive parents, the statewide
1125 adoption exchange must ~~shall~~ provide the photo listing component
1126 ~~service~~ to all licensed child-placing agencies and, in
1127 accordance with rules adopted ~~established~~ by the department, to
1128 all appropriate citizen groups and other organizations and
1129 associations interested in children's services. The photo
1130 listing component of the statewide adoption exchange may not be
1131 accessible to the public, except to persons who have completed

603-03530-24

20241486c2

1132 or are in the process of completing an adoption home study.

1133 Section 22. Effective July 1, 2025, paragraph (a) of
1134 subsection (1) of section 409.988, Florida Statutes, is amended
1135 to read:

1136 409.988 Community-based care lead agency duties; general
1137 provisions.—

1138 (1) DUTIES.—A lead agency:

1139 (a)1. Shall serve+

1140 ~~a.~~ all children referred as a result of a report of abuse,
1141 neglect, or abandonment to the department's central abuse
1142 hotline, including, but not limited to, children who are the
1143 subject of verified reports and children who are not the subject
1144 of verified reports but who are at moderate to extremely high
1145 risk of abuse, neglect, or abandonment, as determined using the
1146 department's risk assessment instrument, regardless of the level
1147 of funding allocated to the lead agency by the state if all
1148 related funding is transferred.

1149 ~~b. Children who were adopted from the child welfare system
1150 and whose families require postadoption supports.~~

1151 2. May also serve children who have not been the subject of
1152 reports of abuse, neglect, or abandonment, but who are at risk
1153 of abuse, neglect, or abandonment, to prevent their entry into
1154 the child protection and child welfare system.

1155 Section 23. Except as otherwise expressly provided in this
1156 act, this act shall take effect July 1, 2024.