

1 A bill to be entitled
2 An act relating to child welfare; amending s. 16.56,
3 F.S.; authorizing the Office of Statewide Prosecution
4 in the Department of Legal Affairs to investigate and
5 prosecute specified violations; amending s. 39.01,
6 F.S.; revising the definition of the term "child who
7 is found to be dependent"; defining the term "legal
8 custodian"; amending s. 39.206, F.S.; authorizing
9 certain persons to petition the court to release a
10 reporter's identity in order to file a lawsuit for
11 civil damages; authorizing the court to issue an order
12 for an in-camera inspection of certain records;
13 prohibiting the Department of Children and Families
14 from being made a party to such action; creating s.
15 39.3011, F.S.; defining the term "Family Advocacy
16 Program"; requiring the department to enter into
17 agreements with certain military installations for
18 child protective investigations involving military
19 families; providing requirements for such agreements;
20 amending s. 39.401, F.S.; authorizing a law
21 enforcement officer or an authorized agent of the
22 department to take a child into custody who is the
23 subject of a specified court order; amending s.
24 39.5075, F.S.; authorizing, rather than requiring, the
25 department or a community-based care provider to

26 | petition the court for a specified order; providing
27 | that a certain order may only be issued if a certain
28 | petition is filed by specified entities; creating s.
29 | 39.5077, F.S.; defining the term "unaccompanied alien
30 | child"; requiring any natural person who meets certain
31 | criteria to submit a specified report with the
32 | department; requiring such report be submitted within
33 | a specified time period; requiring any natural person
34 | who meets certain criteria to verify his or her
35 | relationship with an unaccompanied alien child in
36 | certain ways; requiring the person verifying his or
37 | her relationship with such child to pay for DNA
38 | testing; requiring such person to verify his or her
39 | relationship within a specified time period; requiring
40 | certain entities to submit a specified report to the
41 | department within a specified time period; requiring a
42 | specified attestation; providing criminal penalties
43 | and civil fines; requiring the department to notify
44 | certain persons or entities of certain requirements;
45 | requiring the department to notify the Department of
46 | Law Enforcement, the Office of Refugee Resettlement,
47 | and the Immigration and Customs Enforcement under
48 | certain circumstances; authorizing the department to
49 | adopt certain rules; requiring certain persons or
50 | entities to submit a report to the central abuse

51 | hotline under certain circumstances; amending s.
52 | 39.905, F.S.; authorizing the department to waive a
53 | specified requirement if there is an emergency need
54 | for a new domestic violence center, to issue a
55 | provisional certification to such center under certain
56 | circumstances, and to adopt rules relating to
57 | provisional certifications; amending s. 125.901, F.S.;
58 | revising membership requirements for certain
59 | independent special districts; amending s. 402.305,
60 | F.S.; authorizing the department to grant certain
61 | exemptions from disqualification for certain persons;
62 | amending s. 409.145, F.S.; requiring the department to
63 | establish a fee schedule for daily room and board
64 | rates for certain children by a date certain, which
65 | may include different rates based on a child's acuity
66 | level or the geographic location of the residential
67 | child-caring agency; requiring the department to adopt
68 | rules; amending s. 409.175, F.S.; authorizing the
69 | department to grant certain exemptions from
70 | disqualification for certain persons; authorizing the
71 | department to extend the expiration date of a license
72 | by a specified amount of time for a certain purpose;
73 | amending s. 419.001, F.S.; providing that certain
74 | residential child-caring agencies are not subject to
75 | certain proximity requirements; requiring a local

76 government to exclude certain residential child-caring
 77 agencies from proximity limitations; amending s.
 78 553.73, F.S.; prohibiting the Florida Building
 79 Commission from mandating the installation of fire
 80 sprinklers or a fire suppression system in certain
 81 agencies licensed by the department; amending s.
 82 633.208, F.S.; providing that certain residential
 83 child-caring agencies are not required to install fire
 84 sprinklers or a fire suppression system under certain
 85 circumstances; amending s. 937.0201, F.S.; revising
 86 the definition of "missing child"; amending s.
 87 937.021, F.S.; specifying the entity with jurisdiction
 88 for accepting missing child reports under certain
 89 circumstances; authorizing law enforcement agencies to
 90 use reasonable force to take certain children into
 91 custody; amending ss. 402.30501, 1002.57, and 1002.59,
 92 F.S.; conforming cross-references; providing effective
 93 dates.

94
 95 Be It Enacted by the Legislature of the State of Florida:

96
 97 **Section 1. Effective January 1, 2026, paragraph (a) of**
 98 **subsection (1) of section 16.56, Florida Statutes, is amended to**
 99 **read:**

100 16.56 Office of Statewide Prosecution.—

101 (1) There is created in the Department of Legal Affairs an
 102 Office of Statewide Prosecution. The office shall be a separate
 103 "budget entity" as that term is defined in chapter 216. The
 104 office may:

105 (a) Investigate and prosecute the offenses of:

106 1. Bribery, burglary, criminal usury, extortion, gambling,
 107 kidnapping, larceny, murder, prostitution, perjury, robbery,
 108 carjacking, home-invasion robbery, and patient brokering;

109 2. Any crime involving narcotic or other dangerous drugs;

110 3. Any violation of the Florida RICO (Racketeer Influenced
 111 and Corrupt Organization) Act, including any offense listed in
 112 the definition of racketeering activity in s. 895.02(8)(a),
 113 providing such listed offense is investigated in connection with
 114 a violation of s. 895.03 and is charged in a separate count of
 115 an information or indictment containing a count charging a
 116 violation of s. 895.03, the prosecution of which listed offense
 117 may continue independently if the prosecution of the violation
 118 of s. 895.03 is terminated for any reason;

119 4. Any violation of the Florida Anti-Fencing Act;

120 5. Any violation of the Florida Antitrust Act of 1980, as
 121 amended;

122 6. Any crime involving, or resulting in, fraud or deceit
 123 upon any person;

124 7. Any violation of s. 847.0135, relating to computer
 125 pornography and child exploitation prevention, or any offense

126 related to a violation of s. 847.0135 or any violation of
 127 chapter 827 where the crime is facilitated by or connected to
 128 the use of the Internet or any device capable of electronic data
 129 storage or transmission;

130 8. Any violation of chapter 815;

131 9. Any violation of chapter 825;

132 10. Any criminal violation of part I of chapter 499;

133 11. Any violation of the Florida Motor Fuel Tax Relief Act
 134 of 2004;

135 12. Any criminal violation of s. 409.920 or s. 409.9201;

136 13. Any criminal violation of the Florida Money Laundering
 137 Act;

138 14. Any criminal violation of the Florida Securities and
 139 Investor Protection Act;

140 15. Any violation of chapter 787, as well as any and all
 141 offenses related to a violation of chapter 787; ~~or~~

142 16. Any criminal violation of chapter 24, part II of
 143 chapter 285, chapter 546, chapter 550, chapter 551, or chapter
 144 849; or

145 17. Any violation of s. 39.5077;

146
 147 or any attempt, solicitation, or conspiracy to commit any of the
 148 crimes specifically enumerated above. The office shall have such
 149 power only when any such offense is occurring, or has occurred,
 150 in two or more judicial circuits as part of a related

151 transaction, or when any such offense is connected with an
152 organized criminal conspiracy affecting two or more judicial
153 circuits. Informations or indictments charging such offenses
154 shall contain general allegations stating the judicial circuits
155 and counties in which crimes are alleged to have occurred or the
156 judicial circuits and counties in which crimes affecting such
157 circuits or counties are alleged to have been connected with an
158 organized criminal conspiracy.

159 **Section 2. Subsection (15) of section 39.01, Florida**
160 **Statutes, is amended to read:**

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

163 (15) "Child who is found to be dependent" means a child
164 who, pursuant to this chapter, is found by the court:

165 (a) To have been abandoned, abused, or neglected by the
166 child's parent or parents or legal custodians;

167 (b) To have been surrendered to the department, the former
168 Department of Health and Rehabilitative Services, or a licensed
169 child-placing agency for purpose of adoption;

170 (c) To have been voluntarily placed with a licensed child-
171 caring agency, a licensed child-placing agency, an adult
172 relative, the department, or the former Department of Health and
173 Rehabilitative Services, after which placement, under the
174 requirements of this chapter, a case plan has expired and the
175 parent or parents or legal custodians have failed to

- 176 substantially comply with the requirements of the plan;
- 177 (d) To have been voluntarily placed with a licensed child-
- 178 placing agency for the purposes of subsequent adoption, and a
- 179 parent or parents have signed a consent pursuant to the Florida
- 180 Rules of Juvenile Procedure;
- 181 (e) To have no parent or legal custodians capable of
- 182 providing supervision and care;
- 183 (f) To be at substantial risk of imminent abuse,
- 184 abandonment, or neglect by the parent or parents or legal
- 185 custodians; or
- 186 (g) To have been sexually exploited and to have no parent,
- 187 legal custodian, or responsible adult relative currently known
- 188 and capable of providing the necessary and appropriate
- 189 supervision and care.

190

191 For purposes of this subsection, the term "legal custodian"

192 includes a sponsor to whom an unaccompanied alien child, as

193 defined in s. 39.5077(1), has been released by the Office of

194 Refugee Resettlement of the Department of Health and Human

195 Services. Notwithstanding any other provision of law, an

196 unaccompanied alien child may not be found to have been

197 abandoned, abused, or neglected based solely on allegations of

198 abandonment, abuse, or neglect that occurred before placement in

199 this state or by a parent who is not in the United States.

200 **Section 3. Subsection (10) of section 39.206, Florida**

201 **Statutes, is amended to read:**

202 39.206 Administrative fines for false report of abuse,
203 abandonment, or neglect of a child; civil damages.—

204 (10) A person who knowingly and willfully makes a false
205 report of abuse, abandonment, or neglect of a child, or a person
206 who counsels another to make a false report may be civilly
207 liable for damages suffered, including reasonable attorney fees
208 and costs, as a result of the filing of the false report. If
209 there has not been a prior determination by the department that
210 a person has filed a false report and the name of the person who
211 filed the false report or counseled another to do so has not
212 been disclosed under subsection (9), the person who alleges he
213 or she is the subject of a false report may petition the court
214 in the circuit in which the petitioner resides for a
215 determination that the reporter's identity be released for the
216 purpose of proceeding with a lawsuit for civil damages. Upon
217 filing a legally sufficient petition by the petitioner that he
218 or she is the subject of a false report, the court may issue a
219 written order to the department to produce the report and
220 records relating to such false report for an in-camera
221 inspection. If ~~department as custodian of the records may be~~
222 named as a party in the suit until the dependency court
223 determines in a written order upon an in-camera ~~in-camera~~
224 inspection of the records and report the court finds that there
225 is a reasonable basis for believing that the report was false,

226 ~~and that~~ the identity of the reporter may be disclosed for the
227 purpose of proceeding with a lawsuit for civil damages resulting
228 from the filing of the false report. The person who was the
229 subject of the alleged false report ~~alleged perpetrator~~ may
230 submit witness affidavits to assist the court in making this
231 initial determination. The department may not be made a party to
232 such action.

233 **Section 4. Section 39.3011, Florida Statutes, is created**
234 **to read:**

235 39.3011 Protective investigations involving military
236 families.—

237 (1) For purposes of this section, the term "Family
238 Advocacy Program" means the program established by the United
239 States Department of Defense to address child abuse, neglect,
240 and domestic abuse in military families.

241 (2) The department shall enter into an agreement for child
242 protective investigations involving military families with the
243 Family Advocacy Program, or any successor program, of each
244 United States military installation located in this state. Such
245 agreement must include procedures for all of the following:

246 (a) Identifying the military personnel alleged to have
247 committed the child abuse, neglect, or domestic abuse.

248 (b) Notifying and sharing information with the military
249 installation when a child protective investigation implicating
250 military personnel has been initiated.

251 (c) Maintaining confidentiality as required under state
252 and federal law.

253 **Section 5. Paragraph (b) of subsection (1) of section**
254 **39.401, Florida Statutes, is amended to read:**

255 39.401 Taking a child alleged to be dependent into
256 custody; law enforcement officers and authorized agents of the
257 department.—

258 (1) A child may only be taken into custody:

259 (b) By a law enforcement officer, or an authorized agent
260 of the department, if the officer or authorized agent has
261 probable cause to support a finding that the:

262 1. ~~That the~~ Child has been abused, neglected, or
263 abandoned, or is suffering from or is in imminent danger of
264 illness or injury as a result of abuse, neglect, or abandonment;

265 2. Child is the subject of a court order to take the child
266 into the custody of the department;

267 3.2. ~~That the~~ Parent or legal custodian of the child has
268 materially violated a condition of placement imposed by the
269 court; or

270 4.3. ~~That the~~ Child has no parent, legal custodian, or
271 responsible adult relative immediately known and available to
272 provide supervision and care.

273 **Section 6. Subsection (4) of section 39.5075, Florida**
274 **Statutes, is amended to read:**

275 39.5075 Citizenship or residency status for immigrant

276 children who are dependents.—

277 (4) If the child may be eligible for special immigrant
278 juvenile status, the department or community-based care provider
279 may ~~shall~~ petition the court for an order finding that the child
280 meets the criteria for special immigrant juvenile status. The
281 ruling of the court on this petition must include findings as to
282 the express wishes of the child, if the child is able to express
283 such wishes, and any other circumstances that would affect
284 whether the best interests of the child would be served by
285 applying for special immigrant juvenile status. An order finding
286 that a child meets the criteria for special immigrant juvenile
287 status may be issued only upon a petition filed by the
288 department or a community-based care provider under this
289 section.

290 **Section 7. Effective January 1, 2026, section 39.5077,**
291 **Florida Statutes, is created to read:**

292 39.5077 Unaccompanied alien children.—

293 (1) For purposes of this section, the term "unaccompanied
294 alien child" means a child who has no lawful immigration status
295 in the United States, has not attained 18 years of age, and with
296 respect to whom:

297 (a) There is no parent or legal guardian in the United
298 States; or

299 (b) No parent or legal guardian in the United States is
300 available to provide care and physical custody.

301 (2) (a) Any natural person who obtains or has obtained
302 physical custody of an unaccompanied alien child through a
303 corporation, public or private agency other than the department,
304 or person other than the child's biological or adoptive parent,
305 legal guardian, or court-appointed custodian; who retains such
306 physical custody of the child for 10 or more consecutive days;
307 and who is not the biological or adoptive parent, legal
308 guardian, or court-appointed custodian of the child, must report
309 such physical custody to the department and initiate proceedings
310 under chapter 63, chapter 744, or chapter 751 to determine legal
311 custody of the child.

312 (b)1. A person who obtains custody of an unaccompanied
313 alien child on or after January 1, 2026, must comply with this
314 subsection within 30 days after obtaining physical custody of
315 such child.

316 2. A person who obtains custody of an unaccompanied alien
317 child before January 1, 2026, must comply with this subsection
318 within 90 days after January 1, 2026.

319 (3) (a) Any natural person who obtains or has obtained
320 physical custody of an unaccompanied alien child through a
321 corporation, a public or private agency other than the
322 department, or any other person and who is the biological or
323 adoptive parent, legal guardian, or court-appointed custodian of
324 the child must verify his or her relationship to the child by
325 submitting to the department a DNA test or other adequate

326 documentation as determined by the department. The cost of DNA
327 testing is borne by the person verifying his or her relationship
328 to the child.

329 (b)1. A person who obtains custody of an unaccompanied
330 alien child on or after January 1, 2026, must comply with this
331 subsection within 30 days after obtaining physical custody of
332 such child.

333 2. A person who obtains custody of an unaccompanied alien
334 child before January 1, 2026, must comply with this subsection
335 within 90 days after January 1, 2026.

336 (4) An entity that takes placement of or transfers, or
337 assists in the transfer of, physical custody of an unaccompanied
338 alien child to any natural person or entity must report to the
339 department within 30 days after such placement or transfer all
340 identifying information of the unaccompanied alien child and the
341 natural person or entity that received such placement or
342 transfer of physical custody of the child. An entity that takes
343 placement of or transfers, or assists in the transfer of,
344 physical custody of an unaccompanied alien child must attest to
345 notifying the natural person or entity obtaining physical
346 custody of the child of all applicable requirements of this
347 section.

348 (5) A natural person or an entity that willfully violates
349 subsections (2) and (3) commits a felony of the third degree,
350 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

351 If the natural person or entity is convicted, the court shall
352 impose a fine of \$1,000 on the natural person or a fine of
353 \$10,000 on an entity.

354 (6) If the department believes that a natural person or an
355 entity has failed to report as required by this section, the
356 department must notify in writing such person or entity of the
357 obligation to report and the requirements of this section.

358 (7) The department shall notify the Department of Law
359 Enforcement, the Office of Refugee Resettlement, and the
360 Immigration and Customs Enforcement if a natural person or an
361 entity fails to report information required under this section
362 within 30 days after receipt of the written notification
363 required in subsection (6).

364 (8) The department may adopt rules to implement this
365 section, including rules relating to:

366 (a) The specific information that must be reported to the
367 department.

368 (b) Verifying biological or adoptive parentage, legal
369 guardianship, or court-appointed custody as required under
370 subsections (2) and (3).

371 (c) The creation of forms for all reports required under
372 this section.

373 (9) A natural person or an entity that is involved with or
374 interacts with an unaccompanied alien child and suspects abuse,
375 abandonment, or neglect of such child must immediately submit a

376 report to the central abuse hotline.

377 **Section 8. Paragraph (h) of subsection (1) of section**
378 **39.905, Florida Statutes, is amended to read:**

379 39.905 Domestic violence centers.—

380 (1) Domestic violence centers certified under this part
381 must:

382 (h) Demonstrate local need and ability to sustain
383 operations through a history of 18 consecutive months' operation
384 as a domestic violence center, including 12 months' operation of
385 an emergency shelter as provided in paragraph (c), and a
386 business plan which addresses future operations and funding of
387 future operations. The department may waive this requirement if
388 there is an emergency need for a new domestic violence center to
389 provide services in an area, and no other viable options exist
390 to ensure continuity of services. If there is an emergency need,
391 the department may issue a provisional certification to the
392 domestic violence center as long as the center meets all other
393 criteria in this subsection. The department may adopt rules to
394 provide minimum standards for a provisional certificate,
395 including increased monitoring and site visits and the time
396 period such certificate is valid.

397 **Section 9. Paragraphs (a) and (b) of subsection (1) of**
398 **section 125.901, Florida Statutes, are amended to read:**

399 125.901 Children's services; independent special district;
400 council; powers, duties, and functions; public records

401 exemption.—

402 (1) Each county may by ordinance create an independent
403 special district, as defined in ss. 189.012 and 200.001(8)(e),
404 to provide funding for children's services throughout the county
405 in accordance with this section. The boundaries of such district
406 shall be coterminous with the boundaries of the county. The
407 county governing body shall obtain approval at a general
408 election, as defined in s. 97.021, by a majority vote of those
409 electors voting on the question, to annually levy ad valorem
410 taxes which shall not exceed the maximum millage rate authorized
411 by this section. Any district created pursuant to the provisions
412 of this subsection shall be required to levy and fix millage
413 subject to the provisions of s. 200.065. Once such millage is
414 approved by the electorate, the district shall not be required
415 to seek approval of the electorate in future years to levy the
416 previously approved millage. However, a referendum to increase
417 the millage rate previously approved by the electors must be
418 held at a general election, and the referendum may be held only
419 once during the 48-month period preceding the effective date of
420 the increased millage.

421 (a) The governing body of the district shall be a council
422 on children's services, which may also be known as a juvenile
423 welfare board or similar name as established in the ordinance by
424 the county governing body. Such council shall consist of 10
425 members, including the superintendent of schools; a local school

426 board member; the district administrator from the appropriate
427 district of the Department of Children and Families, or his or
428 her designee who is a member of the Senior Management Service or
429 of the Selected Exempt Service; one member of the county
430 governing body; and the judge assigned to juvenile cases who
431 shall sit as a voting member of the board, except that said
432 judge shall not vote or participate in the setting of ad valorem
433 taxes under this section. If there is more than one judge
434 assigned to juvenile cases in a county, the chief judge shall
435 designate one of said juvenile judges to serve on the board. The
436 remaining five members shall be appointed by the Governor, ~~and~~
437 ~~shall, to the extent possible, represent the demographic~~
438 ~~diversity of the population of the county. After soliciting~~
439 ~~recommendations from the public,~~ The county governing body may
440 shall submit to the Governor recommendations ~~the names of at~~
441 ~~least three persons~~ for each vacancy and the Governor must make
442 a selection within 45 days after receipt of the recommendations
443 from the county governing body ~~occurring among the five members~~
444 ~~appointed by the Governor, and the Governor shall appoint~~
445 ~~members to the council from the candidates nominated by the~~
446 ~~county governing body. The Governor shall make a selection~~
447 ~~within a 45-day period or request a new list of candidates. All~~
448 members appointed by the Governor must ~~shall~~ have been residents
449 of the county for the previous 24-month period. Such members
450 shall be appointed for 4-year terms, except that the length of

451 the terms of the initial appointees shall be adjusted to stagger
452 the terms. The Governor may remove a member for cause or upon
453 the written petition of the county governing body. If any of the
454 members of the council required to be appointed by the Governor
455 under ~~the provisions of~~ this subsection resigns, dies, or is
456 removed from office ~~shall resign, die, or be removed from~~
457 ~~office~~, the vacancy thereby created shall, as soon as
458 practicable, be filled by appointment by the Governor, ~~using the~~
459 ~~same method as the original appointment~~, and such appointment to
460 fill a vacancy shall be for the unexpired term of the person who
461 resigns, dies, or is removed from office.

462 (b) However, any county as defined in s. 125.011(1) may
463 instead have a governing body consisting of 33 members,
464 including the superintendent of schools, or his or her designee;
465 two representatives of public postsecondary education
466 institutions located in the county; the county manager or the
467 equivalent county officer; the district administrator from the
468 appropriate district of the Department of Children and Families,
469 or the administrator's designee who is a member of the Senior
470 Management Service or the Selected Exempt Service; the director
471 of the county health department or the director's designee; the
472 state attorney for the county or the state attorney's designee;
473 the chief judge assigned to juvenile cases, or another juvenile
474 judge who is the chief judge's designee and who shall sit as a
475 voting member of the board, except that the judge may not vote

476 or participate in setting ad valorem taxes under this section;
477 an individual who is selected by the board of the local United
478 Way or its equivalent; a member of a locally recognized faith-
479 based coalition, selected by that coalition; a member of the
480 local chamber of commerce, selected by that chamber or, if more
481 than one chamber exists within the county, a person selected by
482 a coalition of the local chambers; a member of the early
483 learning coalition, selected by that coalition; a representative
484 of a labor organization or union active in the county; a member
485 of a local alliance or coalition engaged in cross-system
486 planning for health and social service delivery in the county,
487 selected by that alliance or coalition; a member of the local
488 Parent-Teachers Association/Parent-Teacher-Student Association,
489 selected by that association; a youth representative selected by
490 the local school system's student government; a local school
491 board member appointed by the chair of the school board; the
492 mayor of the county or the mayor's designee; one member of the
493 county governing body, appointed by the chair of that body; a
494 member of the state Legislature who represents residents of the
495 county, selected by the chair of the local legislative
496 delegation; an elected official representing the residents of a
497 municipality in the county, selected by the county municipal
498 league; and 4 members-at-large, appointed to the council by the
499 majority of sitting council members. The remaining seven members
500 shall be appointed by the Governor in accordance with procedures

501 set forth in paragraph (a), except that the Governor may remove
502 a member for cause or upon the written petition of the council.
503 ~~Appointments by the Governor must, to the extent reasonably~~
504 ~~possible, represent the geographic and demographic diversity of~~
505 ~~the population of the county.~~ Members who are appointed to the
506 council by reason of their position are not subject to the
507 length of terms and limits on consecutive terms as provided in
508 this section. The remaining appointed members of the governing
509 body shall be appointed to serve 2-year terms, except that those
510 members appointed by the Governor shall be appointed to serve 4-
511 year terms, and the youth representative and the legislative
512 delegate shall be appointed to serve 1-year terms. A member may
513 be reappointed; however, a member may not serve for more than
514 three consecutive terms. A member is eligible to be appointed
515 again after a 2-year hiatus from the council.

516 **Section 10. Subsection (2) of section 402.305, Florida**
517 **Statutes, is amended to read:**

518 402.305 Licensing standards; child care facilities.—

519 (2) PERSONNEL.—Minimum standards for child care personnel
520 shall include minimum requirements as to:

521 (a) Good moral character based upon screening as defined
522 in s. 402.302(15). This screening shall be conducted as provided
523 in chapter 435, using the level 2 standards for screening set
524 forth in that chapter, and include employment history checks, a
525 search of criminal history records, sexual predator and sexual

526 offender registries, and child abuse and neglect registry of any
527 state in which the current or prospective child care personnel
528 resided during the preceding 5 years.

529 (b) Fingerprint submission for child care personnel, which
530 shall comply with s. 435.12.

531 ~~(c) The department may grant exemptions from~~
532 ~~disqualification from working with children or the~~
533 ~~developmentally disabled as provided in s. 435.07.~~

534 (c)~~(d)~~ Minimum age requirements. Such minimum standards
535 shall prohibit a person under the age of 21 from being the
536 operator of a child care facility and a person under the age of
537 16 from being employed at such facility unless such person is
538 under direct supervision and is not counted for the purposes of
539 computing the personnel-to-child ratio.

540 (d)~~(e)~~ Minimum training requirements for child care
541 personnel.

542 1. Such minimum standards for training shall ensure that
543 all child care personnel take an approved 40-clock-hour
544 introductory course in child care, which course covers at least
545 the following topic areas:

546 a. State and local rules and regulations which govern
547 child care.

548 b. Health, safety, and nutrition.

549 c. Identifying and reporting child abuse and neglect.

550 d. Child development, including typical and atypical

551 language, cognitive, motor, social, and self-help skills
552 development.

553 e. Observation of developmental behaviors, including using
554 a checklist or other similar observation tools and techniques to
555 determine the child's developmental age level.

556 f. Specialized areas, including computer technology for
557 professional and classroom use and early literacy and language
558 development of children from birth to 5 years of age, as
559 determined by the department, for owner-operators and child care
560 personnel of a child care facility.

561 g. Developmental disabilities, including autism spectrum
562 disorder and Down syndrome, and early identification, use of
563 available state and local resources, classroom integration, and
564 positive behavioral supports for children with developmental
565 disabilities.

566
567 Within 90 days after employment, child care personnel shall
568 begin training to meet the training requirements. Child care
569 personnel shall successfully complete such training within 1
570 year after the date on which the training began, as evidenced by
571 passage of a competency examination. Successful completion of
572 the 40-clock-hour introductory course shall articulate into
573 community college credit in early childhood education, pursuant
574 to ss. 1007.24 and 1007.25. Exemption from all or a portion of
575 the required training shall be granted to child care personnel

576 based upon educational credentials or passage of competency
577 examinations. Child care personnel possessing a 2-year degree or
578 higher that includes 6 college credit hours in early childhood
579 development or child growth and development, or a child
580 development associate credential or an equivalent state-approved
581 child development associate credential, or a child development
582 associate waiver certificate shall be automatically exempted
583 from the training requirements in sub-subparagraphs b., d., and
584 e.

585 2. The introductory course in child care shall stress, to
586 the extent possible, an interdisciplinary approach to the study
587 of children.

588 3. The introductory course shall cover recognition and
589 prevention of shaken baby syndrome; prevention of sudden infant
590 death syndrome; recognition and care of infants and toddlers
591 with developmental disabilities, including autism spectrum
592 disorder and Down syndrome; and early childhood brain
593 development within the topic areas identified in this paragraph.

594 4. On an annual basis in order to further their child care
595 skills and, if appropriate, administrative skills, child care
596 personnel who have fulfilled the requirements for the child care
597 training shall be required to take an additional 1 continuing
598 education unit of approved inservice training, or 10 clock hours
599 of equivalent training, as determined by the department.

600 5. Child care personnel shall be required to complete 0.5

601 continuing education unit of approved training or 5 clock hours
602 of equivalent training, as determined by the department, in
603 early literacy and language development of children from birth
604 to 5 years of age one time. The year that this training is
605 completed, it shall fulfill the 0.5 continuing education unit or
606 5 clock hours of the annual training required in subparagraph 4.

607 6. Procedures for ensuring the training of qualified child
608 care professionals to provide training of child care personnel,
609 including onsite training, shall be included in the minimum
610 standards. It is recommended that the state community child care
611 coordination agencies (central agencies) be contracted by the
612 department to coordinate such training when possible. Other
613 district educational resources, such as community colleges and
614 career programs, can be designated in such areas where central
615 agencies may not exist or are determined not to have the
616 capability to meet the coordination requirements set forth by
617 the department.

618 7. Training requirements shall not apply to certain
619 occasional or part-time support staff, including, but not
620 limited to, swimming instructors, piano teachers, dance
621 instructors, and gymnastics instructors.

622 8. The child care operator shall be required to take basic
623 training in serving children with disabilities within 5 years
624 after employment, either as a part of the introductory training
625 or the annual 8 hours of inservice training.

626 (e)~~(f)~~ Periodic health examinations.

627 (f)~~(g)~~ A credential for child care facility directors. The
628 credential shall be a required minimum standard for licensing.

629
630 The department may grant limited exemptions authorizing a person
631 to work in a specified role or with a specified population.

632 **Section 11. Paragraph (e) is added to subsection (3) of**
633 **section 409.145, Florida Statutes, to read:**

634 409.145 Care of children; "reasonable and prudent parent"
635 standard.—The child welfare system of the department shall
636 operate as a coordinated community-based system of care which
637 empowers all caregivers for children in foster care to provide
638 quality parenting, including approving or disapproving a child's
639 participation in activities based on the caregiver's assessment
640 using the "reasonable and prudent parent" standard.

641 (3) ROOM AND BOARD RATES.—

642 (e) By July 1, 2026, the department shall, in coordination
643 with its providers, establish a fee schedule for daily room and
644 board rates for children in out-of-home care who are placed in a
645 residential child-caring agency as defined in s. 409.175(2)(1).
646 The fee schedule may include different payment rates based on
647 factors including, but not limited to, the acuity level of the
648 child being placed and the geographic location of the
649 residential child-caring agency. The department shall adopt
650 rules to implement this paragraph.

651 **Section 12. Paragraph (b) of subsection (5), subsection**
652 **(7), and paragraph (e) of subsection (14) of section 409.175,**
653 **Florida Statutes, are amended to read:**

654 409.175 Licensure of family foster homes, residential
655 child-caring agencies, and child-placing agencies; public
656 records exemption.—

657 (5) The department shall adopt and amend rules for the
658 levels of licensed care associated with the licensure of family
659 foster homes, residential child-caring agencies, and child-
660 placing agencies. The rules may include criteria to approve
661 waivers to licensing requirements when applying for a child-
662 specific license.

663 (b) The requirements for licensure and operation of family
664 foster homes, residential child-caring agencies, and child-
665 placing agencies shall include:

666 1. The operation, conduct, and maintenance of these homes
667 and agencies and the responsibility which they assume for
668 children served and the evidence of need for that service.

669 2. The provision of food, clothing, educational
670 opportunities, services, equipment, and individual supplies to
671 assure the healthy physical, emotional, and mental development
672 of the children served.

673 3. The appropriateness, safety, cleanliness, and general
674 adequacy of the premises, including fire prevention and health
675 standards, to provide for the physical comfort, care, and well-

676 being of the children served.

677 4. The ratio of staff to children required to provide
678 adequate care and supervision of the children served and, in the
679 case of family foster homes, the maximum number of children in
680 the home.

681 5. The good moral character based upon screening,
682 education, training, and experience requirements for personnel
683 and family foster homes.

684 ~~6. The department may grant exemptions from~~
685 ~~disqualification from working with children or the~~
686 ~~developmentally disabled as provided in s. 435.07.~~

687 6.7. The provision of preservice and inservice training
688 for all foster parents and agency staff.

689 7.8. Satisfactory evidence of financial ability to provide
690 care for the children in compliance with licensing requirements.

691 8.9. The maintenance by the agency of records pertaining
692 to admission, progress, health, and discharge of children
693 served, including written case plans and reports to the
694 department.

695 9.10. The provision for parental involvement to encourage
696 preservation and strengthening of a child's relationship with
697 the family.

698 10.11. The transportation safety of children served.

699 11.12. The provisions for safeguarding the cultural,
700 religious, and ethnic values of a child.

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701 ~~12.13.~~ Provisions to safeguard the legal rights of
702 children served.

703 ~~13.14.~~ Requiring signs to be conspicuously placed on the
704 premises of facilities maintained by child-caring agencies to
705 warn children of the dangers of human trafficking and to
706 encourage the reporting of individuals observed attempting to
707 engage in human trafficking activity. The signs must advise
708 children to report concerns to the local law enforcement agency
709 or the Department of Law Enforcement, specifying the appropriate
710 telephone numbers used for such reports. The department shall
711 specify, at a minimum, the content of the signs by rule.

712

713 The department may grant limited exemptions authorizing a person
714 to work in a specified role or with a specified population.

715 (7) The department may extend a license expiration date
716 once for a period of up to 90 ~~30~~ days to allow for the
717 implementation of corrective measures. However, the department
718 may not extend a license expiration date more than once during a
719 licensure period.

720 (14)

721 (e)1. In addition to any other preservice training
722 required by law, foster parents, as a condition of licensure,
723 and agency staff must successfully complete preservice training
724 related to human trafficking which must be uniform statewide and
725 must include, but need not be limited to, all of the following:

726 a. Basic information on human trafficking, such as an
 727 understanding of relevant terminology, and the differences
 728 between sex trafficking and labor trafficking.~~†~~

729 b. Factors and knowledge on identifying children at risk
 730 of human trafficking.~~†~~and

731 c. Steps that should be taken to prevent at-risk youths
 732 from becoming victims of human trafficking.

733 2. Foster parents, before licensure renewal, and agency
 734 staff, during each full year of employment, must complete
 735 inservice training related to human trafficking to satisfy the
 736 training requirement under subparagraph (5) (b) 6 ~~(5) (b) 7~~.

737 **Section 13. Subsection (2), paragraph (c) of subsection**
 738 **(3), and subsection (4) of section 419.001, Florida Statutes,**
 739 **are amended to read:**

740 419.001 Site selection of community residential homes.—

741 (2) Homes of six or fewer residents which otherwise meet
 742 the definition of a community residential home are considered
 743 ~~shall be deemed~~ a single-family unit and a noncommercial,
 744 residential use for the purpose of local laws and ordinances.
 745 Homes of six or fewer residents which otherwise meet the
 746 definition of a community residential home must ~~shall~~ be allowed
 747 in single-family or multifamily zoning without approval by the
 748 local government, provided that such homes are not located
 749 within a radius of 1,000 feet of another existing such home with
 750 six or fewer residents or within a radius of 1,200 feet of

751 another existing community residential home. Such homes with six
752 or fewer residents are not required to comply with the
753 notification provisions of this section; provided that, before
754 licensure, the sponsoring agency provides the local government
755 with the most recently published data compiled from the
756 licensing entities that identifies all community residential
757 homes within the jurisdictional limits of the local government
758 in which the proposed site is to be located in order to show
759 that there is not a home of six or fewer residents which
760 otherwise meets the definition of a community residential home
761 within a radius of 1,000 feet and not a community residential
762 home within a radius of 1,200 feet of the proposed home. At the
763 time of home occupancy, the sponsoring agency must notify the
764 local government that the home is licensed by the licensing
765 entity. For purposes of local land use and zoning
766 determinations, this subsection does not affect the legal
767 nonconforming use status of any community residential home
768 lawfully permitted and operating as of July 1, 2016.

769 (3)

770 (c) The local government may ~~shall~~ not deny the siting of
771 a community residential home unless the local government
772 establishes that the siting of the home at the site selected:

- 773 1. Does not otherwise conform to existing zoning
774 regulations applicable to other multifamily uses in the area.
775 2. Does not meet applicable licensing criteria established

776 and determined by the licensing entity, including requirements
777 that the home be located to assure the safe care and supervision
778 of all clients in the home.

779 3. Would result in such a concentration of community
780 residential homes in the area in proximity to the site selected,
781 or would result in a combination of such homes with other
782 residences in the community, such that the nature and character
783 of the area would be substantially altered. A home that is
784 located within a radius of 1,200 feet of another existing
785 community residential home in a multifamily zone shall be an
786 overconcentration of such homes that substantially alters the
787 nature and character of the area. A home that is located within
788 a radius of 500 feet of an area of single-family zoning
789 substantially alters the nature and character of the area.

790 (4) Community residential homes, including homes of six or
791 fewer residents which would otherwise meet the definition of a
792 community residential home, which are licensed by the Department
793 of Children and Families as a residential child-caring agency as
794 defined in s. 409.175(2)(1) or located within a planned
795 residential community are not subject to the proximity
796 requirements of this section and may be contiguous to each
797 other. A planned residential community must comply with the
798 applicable local government's land development code and other
799 local ordinances. A local government may not impose proximity
800 limitations between homes within a planned residential community

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801 if such limitations are based solely on the types of residents
802 anticipated to be living in the community. A local government
803 shall exclude a home that has six or fewer residents licensed by
804 the Department of Children and Families as a residential child-
805 caring agency, as defined in s. 409.175(2)(1), when imposing
806 proximity limitations on community residential homes licensed by
807 another licensing entity.

808 **Section 14. Paragraph (c) is added to subsection (20) of**
809 **section 553.73, Florida Statutes, to read:**

810 553.73 Florida Building Code.—

811 (20) The Florida Building Commission may not:

812 (c) Mandate the installation of fire sprinklers or a fire
813 suppression system in a residential child-caring agency licensed
814 by the Department of Children and Families under s. 409.175
815 which operates in a single-family residential property that is
816 licensed for a capacity of five or fewer children who are
817 unrelated to the licensee.

818 **Section 15. Subsection (12) is added to section 633.208,**
819 **Florida Statutes, to read:**

820 633.208 Minimum firesafety standards.—

821 (12) Notwithstanding subsection (8), a residential child-
822 caring agency licensed by the Department of Children and
823 Families under s. 409.175 which operates in a single-family
824 residential property that is licensed for a capacity of five or
825 fewer children who are unrelated to the licensee is not required

826 to install fire sprinklers or a fire suppression system as long
827 as the licensee meets the requirements for portable fire
828 extinguishers, fire alarms, and smoke detectors under this
829 chapter.

830 **Section 16. Subsection (3) of section 937.0201, Florida**
831 **Statutes, is amended to read:**

832 937.0201 Definitions.—As used in this chapter, the term:

833 (3) "Missing child" means a person younger than 18 years
834 of age whose temporary or permanent residence is in, or is
835 believed to be in, this state, whose location has not been
836 determined, and who has been reported as missing to a law
837 enforcement agency. The term includes a child who is the subject
838 of a court order to take the child into the custody of the
839 Department of Children and Families.

840 **Section 17. Subsection (3) of section 937.021, Florida**
841 **Statutes, is amended, and subsection (9) is added to that**
842 **section, to read:**

843 937.021 Missing child and missing adult reports.—

844 (3) A report that a child or adult is missing must be
845 accepted by and filed with the law enforcement agency having
846 jurisdiction in the county or municipality in which the child or
847 adult was last seen. The filing and acceptance of the report
848 imposes the duties specified in this section upon the law
849 enforcement agency receiving the report. This subsection does
850 not preclude a law enforcement agency from accepting a missing

851 child or missing adult report when agency jurisdiction cannot be
852 determined. If agency jurisdiction cannot be determined for
853 cases in which there is a child who is the subject of a court
854 order to take the child into the custody of the Department of
855 Children and Families, the sheriff's office of the county in
856 which the court order was entered must take jurisdiction.

857 (9) A law enforcement officer or agency may use reasonable
858 force as necessary to take a missing child who is already in the
859 custody of the Department of Children and Families or who is the
860 subject of a court order to take the child into the custody of
861 the Department of Children and Families.

862 **Section 18. Section 402.30501, Florida Statutes, is**
863 **amended to read:**

864 402.30501 Modification of introductory child care course
865 for community college credit authorized.—The Department of
866 Children and Families may modify the 40-clock-hour introductory
867 course in child care under s. 402.305 or s. 402.3131 to meet the
868 requirements of articulating the course to community college
869 credit. Any modification must continue to provide that the
870 course satisfies the requirements of s. 402.305(2)(d) ~~s.~~
871 ~~402.305(2)(e)~~.

872 **Section 19. Subsections (3) and (4) of section 1002.57,**
873 **Florida Statutes, are amended to read:**

874 1002.57 Prekindergarten director credential.—

875 (3) The prekindergarten director credential must meet or

876 exceed the requirements of the Department of Children and
 877 Families for the child care facility director credential under
 878 s. 402.305(2)(f) ~~s. 402.305(2)(g)~~, and successful completion of
 879 the prekindergarten director credential satisfies these
 880 requirements for the child care facility director credential.

881 (4) The department shall, to the maximum extent
 882 practicable, award credit to a person who successfully completes
 883 the child care facility director credential under s.
 884 402.305(2)(f) ~~s. 402.305(2)(g)~~ for those requirements of the
 885 prekindergarten director credential which are duplicative of
 886 requirements for the child care facility director credential.

887 **Section 20. Subsection (1) of section 1002.59, Florida**
 888 **Statutes, is amended to read:**

889 1002.59 Emergent literacy and performance standards
 890 training courses.—

891 (1) The department, in collaboration with the Just Read,
 892 Florida! Office, shall adopt minimum standards for courses in
 893 emergent literacy for prekindergarten instructors. Each course
 894 must consist of 5 clock hours and provide instruction in
 895 strategies and techniques to address the age-appropriate
 896 progress of prekindergarten students in developing emergent
 897 literacy skills, including oral communication, knowledge of
 898 print and letters, phonological and phonemic awareness,
 899 vocabulary and comprehension development, and foundational
 900 background knowledge designed to correlate with the content that

901 students will encounter in grades K-12, consistent with the
902 evidence-based content and strategies grounded in the science of
903 reading identified pursuant to s. 1001.215(7). The course
904 standards must be reviewed as part of any review of subject
905 coverage or endorsement requirements in the elementary, reading,
906 and exceptional student educational areas conducted pursuant to
907 s. 1012.586. Each course must also provide resources containing
908 strategies that allow students with disabilities and other
909 special needs to derive maximum benefit from the Voluntary
910 Prekindergarten Education Program. Successful completion of an
911 emergent literacy training course approved under this section
912 satisfies requirements for approved training in early literacy
913 and language development under ss. 402.305(2)(d)5. ~~ss.~~
914 ~~402.305(2)(e)5.~~, 402.313(6), and 402.3131(5).

915 **Section 21.** Except as otherwise expressly provided in this
916 act, this act shall take effect July 1, 2025.