

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Tomkow offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

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

39.905 Domestic violence centers.—

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

(h) Demonstrate local need and ability to sustain operations through a history of 18 consecutive months' operation as a domestic violence center, including 12 months' operation of an emergency shelter as provided in paragraph (c), and a

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business plan which addresses future operations and funding of future operations. The department may waive this requirement if there is an emergency need for a new domestic violence center to provide services in an area and no other viable options exist to ensure continuity of services. If there is such an emergency need, the department may issue a provisional certificate to the domestic violence center as long as the domestic violence center meets all other criteria in this subsection. The department may adopt rules to provide minimum standards for a provisional certificate, including increased monitoring and site visits and the time period such provisional certificate is valid.

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

402.305 Licensing standards; child care facilities.—

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

(a) Good moral character based upon screening as defined in s. 402.302(15). This screening shall be conducted as provided in chapter 435, using the level 2 standards for screening set forth in that chapter, and include employment history checks, a search of criminal history records, sexual predator and sexual offender registries, and child abuse and neglect registry of any state in which the current or prospective child care personnel resided during the preceding 5 years.

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

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

43 (c) ~~(d)~~ Minimum age requirements. Such minimum standards  
44 shall prohibit a person under the age of 21 from being the  
45 operator of a child care facility and a person under the age of  
46 16 from being employed at such facility unless such person is  
47 under direct supervision and is not counted for the purposes of  
48 computing the personnel-to-child ratio.

49 (d) ~~(e)~~ Minimum training requirements for child care  
50 personnel.

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

55 a. State and local rules and regulations which govern  
56 child care.

57 b. Health, safety, and nutrition.

58 c. Identifying and reporting child abuse and neglect.

59 d. Child development, including typical and atypical  
60 language, cognitive, motor, social, and self-help skills  
61 development.

62 e. Observation of developmental behaviors, including using

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63 a checklist or other similar observation tools and techniques to  
64 determine the child's developmental age level.

65 f. Specialized areas, including computer technology for  
66 professional and classroom use and early literacy and language  
67 development of children from birth to 5 years of age, as  
68 determined by the department, for owner-operators and child care  
69 personnel of a child care facility.

70 g. Developmental disabilities, including autism spectrum  
71 disorder and Down syndrome, and early identification, use of  
72 available state and local resources, classroom integration, and  
73 positive behavioral supports for children with developmental  
74 disabilities.

75  
76 Within 90 days after employment, child care personnel shall  
77 begin training to meet the training requirements. Child care  
78 personnel shall successfully complete such training within 1  
79 year after the date on which the training began, as evidenced by  
80 passage of a competency examination. Successful completion of  
81 the 40-clock-hour introductory course shall articulate into  
82 community college credit in early childhood education, pursuant  
83 to ss. 1007.24 and 1007.25. Exemption from all or a portion of  
84 the required training shall be granted to child care personnel  
85 based upon educational credentials or passage of competency  
86 examinations. Child care personnel possessing a 2-year degree or  
87 higher that includes 6 college credit hours in early childhood

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88 development or child growth and development, or a child  
89 development associate credential or an equivalent state-approved  
90 child development associate credential, or a child development  
91 associate waiver certificate shall be automatically exempted  
92 from the training requirements in sub-subparagraphs b., d., and  
93 e.

94 2. The introductory course in child care shall stress, to  
95 the extent possible, an interdisciplinary approach to the study  
96 of children.

97 3. The introductory course shall cover recognition and  
98 prevention of shaken baby syndrome; prevention of sudden infant  
99 death syndrome; recognition and care of infants and toddlers  
100 with developmental disabilities, including autism spectrum  
101 disorder and Down syndrome; and early childhood brain  
102 development within the topic areas identified in this paragraph.

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

109 5. Child care personnel shall be required to complete 0.5  
110 continuing education unit of approved training or 5 clock hours  
111 of equivalent training, as determined by the department, in  
112 early literacy and language development of children from birth

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113 to 5 years of age one time. The year that this training is  
114 completed, it shall fulfill the 0.5 continuing education unit or  
115 5 clock hours of the annual training required in subparagraph 4.

116 6. Procedures for ensuring the training of qualified child  
117 care professionals to provide training of child care personnel,  
118 including onsite training, shall be included in the minimum  
119 standards. It is recommended that the state community child care  
120 coordination agencies (central agencies) be contracted by the  
121 department to coordinate such training when possible. Other  
122 district educational resources, such as community colleges and  
123 career programs, can be designated in such areas where central  
124 agencies may not exist or are determined not to have the  
125 capability to meet the coordination requirements set forth by  
126 the department.

127 7. Training requirements shall not apply to certain  
128 occasional or part-time support staff, including, but not  
129 limited to, swimming instructors, piano teachers, dance  
130 instructors, and gymnastics instructors.

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

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

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

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The department may grant limited exemptions to the minimum standards provided in this subsection which authorize a person to work in a specified role or with a specified population.

**Section 3. Paragraph (b) of subsection (5) and paragraph (e) of subsection (14) of section 409.175, Florida Statutes, are amended to read:**

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

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

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

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

2. The provision of food, clothing, educational opportunities, services, equipment, and individual supplies to

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162 assure the healthy physical, emotional, and mental development  
163 of the children served.

164 3. The appropriateness, safety, cleanliness, and general  
165 adequacy of the premises, including fire prevention and health  
166 standards, to provide for the physical comfort, care, and well-  
167 being of the children served.

168 4. The ratio of staff to children required to provide  
169 adequate care and supervision of the children served and, in the  
170 case of family foster homes, the maximum number of children in  
171 the home.

172 5. The good moral character based upon screening,  
173 education, training, and experience requirements for personnel  
174 and family foster homes.

175 ~~6. The department may grant exemptions from~~  
176 ~~disqualification from working with children or the~~  
177 ~~developmentally disabled as provided in s. 435.07.~~

178 ~~6.7.~~ The provision of preservice and inservice training  
179 for all foster parents and agency staff.

180 ~~7.8.~~ Satisfactory evidence of financial ability to provide  
181 care for the children in compliance with licensing requirements.

182 ~~8.9.~~ The maintenance by the agency of records pertaining  
183 to admission, progress, health, and discharge of children  
184 served, including written case plans and reports to the  
185 department.

186 ~~9.10.~~ The provision for parental involvement to encourage

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187 preservation and strengthening of a child's relationship with  
188 the family.

189 ~~10.11.~~ The transportation safety of children served.

190 ~~11.12.~~ The provisions for safeguarding the cultural,  
191 religious, and ethnic values of a child.

192 ~~12.13.~~ Provisions to safeguard the legal rights of  
193 children served.

194 ~~13.14.~~ Requiring signs to be conspicuously placed on the  
195 premises of facilities maintained by child-caring agencies to  
196 warn children of the dangers of human trafficking and to  
197 encourage the reporting of individuals observed attempting to  
198 engage in human trafficking activity. The signs must advise  
199 children to report concerns to the local law enforcement agency  
200 or the Department of Law Enforcement, specifying the appropriate  
201 telephone numbers used for such reports. The department shall  
202 specify, at a minimum, the content of the signs by rule.

203  
204 The department may grant limited exemptions to the requirements  
205 provided in this paragraph which authorize a person to work in a  
206 specified role or with a specified population.

207 (14)

208 (e)1. In addition to any other preservice training  
209 required by law, foster parents, as a condition of licensure,  
210 and agency staff must successfully complete preservice training

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related to human trafficking which must be uniform statewide and must include, but need not be limited to:

a. Basic information on human trafficking, such as an understanding of relevant terminology, and the differences between sex trafficking and labor trafficking;

b. Factors and knowledge on identifying children at risk of human trafficking; and

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

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

**Section 4. Paragraph (c) of subsection (4) of section 409.987, Florida Statutes, is amended to read:**

409.987 Lead agency procurement; boards; conflicts of interest.—

(4) In order to serve as a lead agency, an entity must:

(c) Demonstrate financial responsibility through an organized plan for regular fiscal audits and, the posting of a performance bond; ~~and the posting of a fidelity bond to cover any costs associated with reprocurement and the assessed penalties related to a failure to disclose a conflict of interest under subsection (7).~~

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**Section 5. Paragraph (b) of subsection (3) of section 409.993, Florida Statutes, is redesignated as paragraph (c), paragraph (a) is amended, and a new paragraph (b) is added to that subsection, to read:**

409.993 Lead agencies and subcontractor liability.—

(3) SUBCONTRACTOR LIABILITY.—

(a) A subcontractor of an eligible community-based care lead agency that is a direct provider of foster care and related services to children and families, and its employees or officers, except as otherwise provided in paragraph (c) ~~(b)~~, must, as a part of its contract, obtain a minimum of \$1 million per occurrence with a policy period aggregate limit of \$3 million in general liability insurance coverage. The subcontractor of a lead agency must also require that staff who transport client children and families in their personal automobiles in order to carry out their job responsibilities obtain minimum bodily injury liability insurance in the amount of \$100,000 per person in any one automobile accident, and subject to such limits for each person, \$300,000 for all damages resulting from any one automobile accident, on their personal automobiles. In lieu of personal motor vehicle insurance, the subcontractor's casualty, liability, or motor vehicle insurance carrier may provide nonowned automobile liability coverage. This insurance provides liability insurance for automobiles that the subcontractor uses in connection with the subcontractor's

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business but does not own, lease, rent, or borrow. This coverage includes automobiles owned by the employees of the subcontractor or a member of the employee's household but only while the automobiles are used in connection with the subcontractor's business. The nonowned automobile coverage for the subcontractor applies as excess coverage over any other collectible insurance. The personal automobile policy for the employee of the subcontractor shall be primary insurance, and the nonowned automobile coverage of the subcontractor acts as excess insurance to the primary insurance. The subcontractor shall provide a minimum limit of \$1 million in nonowned automobile coverage. In a tort action brought against such subcontractor or employee, net economic damages shall be limited to \$2 million per liability claim and \$200,000 per automobile claim, including, but not limited to, past and future medical expenses, wage loss, and loss of earning capacity, offset by any collateral source payment paid or payable. In a tort action brought against such subcontractor, noneconomic damages shall be limited to \$400,000 per claim. A claims bill may be brought on behalf of a claimant pursuant to s. 768.28 for any amount exceeding the limits specified in this paragraph. Any offset of collateral source payments made as of the date of the settlement or judgment shall be in accordance with s. 768.76.

(b) A subcontractor of a lead agency that is a direct provider of foster care and related services is not liable for

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the acts or omissions of the lead agency, the department, or the officers, agents, or employees of the lead agency or the department. The limitation on liability established in this paragraph applies to contracts entered into or renewed after July 1, 2025.

**Section 6. Subsection (11) is added to section 1004.615, Florida Statutes, to read:**

1004.615 Florida Institute for Child Welfare.—

(11) An incentive provided to state employees for participating in the institute's research or evaluation as required by the institute's statutory mission under this section may not be considered a violation of s. 112.313 or require reporting under s. 112.3148.

**Section 7. Section 402.30501, Florida Statutes, is amended to read:**

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

**Section 8. Subsections (3) and (4) of section 1002.57, Florida Statutes, are amended to read:**

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1002.57 Prekindergarten director credential.—

(3) The prekindergarten director credential must meet or exceed the requirements of the Department of Children and Families for the child care facility director credential under s. 402.305(2)(f) ~~s. 402.305(2)(g)~~, and successful completion of the prekindergarten director credential satisfies these requirements for the child care facility director credential.

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

**Section 9. Subsection (1) of section 1002.59, Florida Statutes, is amended to read:**

1002.59 Emergent literacy and performance standards training courses.—

(1) The department, in collaboration with the Just Read, Florida! Office, shall adopt minimum standards for courses in emergent literacy for prekindergarten instructors. Each course must consist of 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness,

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

**Section 10.** This act shall take effect July 1, 2025.

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**T I T L E   A M E N D M E N T**

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to child welfare; amending s. 39.905, F.S.; authorizing the department to waive a specified requirement if there is an emergency need for a new

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domestic violence center; authorizing the department to issue a provisional certificate under certain circumstances; authorizing the department to adopt rules; amending ss. 402.305 and 409.175, F.S.; removing authority for the department to grant exemptions from working with children or the developmentally disabled; authorizing the department to grant limited exemptions to certain minimum standards and requirements, respectively; amending s. 409.987, F.S.; removing the requirement that an entity post a specified fidelity bond in order to serve as a lead agency; amending s. 409.993, F.S.; providing immunity from liability for subcontractors of lead agencies for certain acts or omissions; providing applicability; amending s. 1004.615, F.S.; specifying that incentives provided to state employees for participating in research or evaluation with the Florida Institute for Child Welfare do not violate certain laws or require certain reporting; amending ss. 402.30501, 1002.57, and 1002.59, F.S.; conforming cross-references; providing an effective date.

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