

1 A bill to be entitled
2 An act relating to homelessness; amending s. 320.02, F.S.;
3 requiring the motor vehicle registration form and
4 registration renewal form to include an option to make a
5 voluntary contribution to aid the homeless; amending s.
6 322.08, F.S.; requiring the driver license application
7 form to include an option to make a voluntary contribution
8 to aid the homeless; amending s. 322.18, F.S.; requiring
9 the driver license application form for renewal issuance
10 or renewal extension to include an option to make a
11 voluntary contribution to aid the homeless; providing for
12 such contributions to be deposited into the Grants and
13 Donations Trust Fund of the Department of Children and
14 Family Services and used by the State Office on
15 Homelessness for certain purposes; providing that
16 voluntary contributions for the homeless are not income of
17 a revenue nature for the purpose of applying certain
18 service charges; creating s. 414.161, F.S.; establishing a
19 homelessness prevention grant program; requiring grant
20 applicants to be ranked competitively; providing
21 preference for certain grant applicants; providing
22 eligibility requirements; providing grant limitations and
23 restrictions; requiring lead agencies for local homeless
24 assistance continuum of care to track, monitor, and report
25 on assisted families for a specified period of time;
26 amending s. 420.507, F.S.; conforming a cross-reference;
27 amending s. 420.621, F.S.; conforming a cross-reference;
28 revising, providing, and deleting definitions; amending s.

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29 420.622, F.S.; increasing and revising membership on the
30 Council on Homelessness; removing a member from an
31 obsolete organization; correcting the name of a member
32 organization on the council; revising the date of an
33 annual report; amending s. 420.625, F.S.; deleting a
34 cross-reference to conform; creating s. 420.6275, F.S.;
35 creating the Housing First program; providing legislative
36 findings and intent; requiring the State Office on
37 Homelessness to create specified procedures; providing
38 methodology; providing components of the program; creating
39 s. 420.628, F.S.; providing legislative findings and
40 intent with respect to children and young adults leaving
41 the child welfare system; amending s. 1003.01, F.S.;
42 revising a definition; amending s. 1003.21, F.S.;
43 conforming terminology; providing a school attendance
44 exemption for certain children in foster care; amending s.
45 1003.22, F.S.; conforming terminology; providing a school
46 certification of a school-entry health examination
47 exemption for certain children in foster care; repealing
48 s. 414.16, F.S., relating to the emergency assistance
49 program for families with children that have lost shelter
50 or face loss of shelter due to an emergency; providing an
51 effective date.

52
53 Be It Enacted by the Legislature of the State of Florida:

54
55 Section 1. Paragraph (h) is added to subsection (15) of
56 section 320.02, Florida Statutes, to read:

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57 320.02 Registration required; application for
58 registration; forms.--

59 (15)

60 (h) Notwithstanding s. 320.023, the application form for
61 motor vehicle registration and renewal of registration must
62 include language permitting a voluntary contribution of \$1 per
63 applicant to aid the homeless. Contributions made pursuant to
64 this paragraph shall be deposited into the Grants and Donations
65 Trust Fund of the Department of Children and Family Services and
66 used by the State Office on Homelessness to supplement grants
67 made under s. 420.622(4) and (5), provide information to the
68 public about homelessness in the state, and provide literature
69 for homeless persons seeking assistance.

70

71 For the purpose of applying the service charge provided in s.
72 215.20, contributions received under this subsection are not
73 income of a revenue nature.

74 Section 2. Subsection (6) of section 322.08, Florida
75 Statutes, is amended to read:

76 322.08 Application for license.--

77 (6) The application form for a driver's license or
78 duplicate thereof shall include language permitting the
79 following:

80 (a) A voluntary contribution of \$1 per applicant, which
81 contribution shall be deposited into the Health Care Trust Fund
82 for organ and tissue donor education and for maintaining the
83 organ and tissue donor registry.

84 (b) A voluntary contribution of \$1 per applicant, which
 85 contribution shall be distributed to the Florida Council of the
 86 Blind.

87 (c) A voluntary contribution of \$2 per applicant, which
 88 shall be distributed to the Hearing Research Institute,
 89 Incorporated.

90 (d) A voluntary contribution of \$1 per applicant, which
 91 shall be distributed to the Juvenile Diabetes Foundation
 92 International.

93 (e) A voluntary contribution of \$1 per applicant, which
 94 shall be distributed to the Children's Hearing Help Fund.

95 (f) A voluntary contribution of \$1 per applicant, which
 96 shall be distributed to Family First, a nonprofit organization.

97 (g) Notwithstanding s. 322.081, a voluntary contribution
 98 of \$1 per applicant to aid the homeless. Contributions made
 99 pursuant to this paragraph shall be deposited into the Grants
 100 and Donations Trust Fund of the Department of Children and
 101 Family Services and used by the State Office on Homelessness to
 102 supplement grants made under s. 420.622(4) and (5), provide
 103 information to the public about homelessness in the state, and
 104 provide literature for homeless persons seeking assistance.

105
 106 A statement providing an explanation of the purpose of the trust
 107 funds shall also be included. For the purpose of applying the
 108 service charge provided in s. 215.20, contributions received
 109 under paragraphs (b), (c), (d), (e), ~~and (f)~~, and (g) and under
 110 s. 322.18(9) ~~(a)~~ are not income of a revenue nature.

111 Section 3. Paragraph (c) is added to subsection (9) of

112 section 322.18, Florida Statutes, to read:

113 322.18 Original applications, licenses, and renewals;
 114 expiration of licenses; delinquent licenses.--

115 (9)

116 (c) The application form for a renewal issuance or renewal
 117 extension shall include language permitting a voluntary
 118 contribution of \$1 per applicant to aid the homeless.

119 Contributions made pursuant to this paragraph shall be deposited
 120 into the Grants and Donations Trust Fund of the Department of
 121 Children and Family Services and used by the State Office on
 122 Homelessness to supplement grants made under s. 420.622(4) and
 123 (5), provide information to the public about homelessness in the
 124 state, and provide literature for homeless persons seeking
 125 assistance. For the purpose of applying the service charge
 126 provided in s. 215.20, contributions received under this
 127 paragraph are not income of a revenue nature.

128 Section 4. Section 414.161, Florida Statutes, is created
 129 to read:

130 414.161 Homelessness prevention grants.--

131 (1) ESTABLISHMENT OF PROGRAM.--There is hereby created a
 132 grant program to provide emergency financial assistance to
 133 families facing the loss of their current home due to a
 134 financial or other crisis. The State Office on Homelessness,
 135 with the concurrence of the Council on Homelessness, may accept
 136 and administer moneys appropriated to it to provide homelessness
 137 prevention grants annually to lead agencies for local homeless
 138 assistance continuum of care, as recognized by the State Office
 139 on Homelessness. These moneys shall consist of any sums that the

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140 state may appropriate, as well as money received from donations,
141 gifts, bequests, or otherwise from any public or private source
142 that is intended to assist families to prevent them from
143 becoming homeless.

144 (2) GRANT APPLICATIONS.--Grant applicants shall be ranked
145 competitively. Preference shall be given to applicants who
146 leverage additional private funds and public funds, who
147 demonstrate the effectiveness of their homelessness prevention
148 programs in keeping families housed, and who demonstrate the
149 commitment of other assistance and services to address the
150 family's health, employment, and education needs.

151 (3) ELIGIBILITY.--In order to qualify for a grant, a lead
152 agency must develop and implement a local homeless assistance
153 continuum of care plan for its designated catchment area. The
154 homelessness prevention program must be included in the
155 continuum of care plan.

156 (4) GRANT LIMITS.--The maximum grant amount per lead
157 agency may not exceed \$300,000. The grant assistance may be used
158 to pay past due rent or mortgage payments, past due utility
159 costs, other past due bills creating the family's financial
160 crisis, provision of case management services, and program
161 administration costs not to exceed 3 percent of the grant award.
162 The homelessness prevention program must develop a case plan for
163 each family to be assisted setting forth which costs will be
164 covered and the maximum level of assistance to be offered.

165 (5) PERFORMANCE.--The lead agency shall be required to
166 track, monitor, and report on the families assisted for at least
167 12 months after the last assistance provided to the family. The

168 goal for the homelessness prevention program shall be to enable
 169 at least 85 percent of the families assisted to remain in their
 170 home and avoid becoming homeless during the ensuing year.

171 Section 5. Paragraph (a) of subsection (22) of section
 172 420.507, Florida Statutes, is amended to read:

173 420.507 Powers of the corporation.--The corporation shall
 174 have all the powers necessary or convenient to carry out and
 175 effectuate the purposes and provisions of this part, including
 176 the following powers which are in addition to all other powers
 177 granted by other provisions of this part:

178 (22) To develop and administer the State Apartment
 179 Incentive Loan Program. In developing and administering that
 180 program, the corporation may:

181 (a) Make first, second, and other subordinated mortgage
 182 loans including variable or fixed rate loans subject to
 183 contingent interest for all State Apartment Incentive Loans
 184 provided for in this chapter based upon available cash flow of
 185 the projects. The corporation shall make loans exceeding 25
 186 percent of project cost available only to nonprofit
 187 organizations and public bodies which are able to secure grants,
 188 donations of land, or contributions from other sources and to
 189 projects meeting the criteria of subparagraph 1. Mortgage loans
 190 shall be made available at the following rates of interest:

191 1. Zero to 3 percent interest for sponsors of projects
 192 that set aside at least 80 percent of their total units for
 193 residents qualifying as farmworkers as defined in this part, or
 194 commercial fishing workers as defined in this part, or the

195 homeless as defined in s. 420.621(6)~~(4)~~ over the life of the
 196 loan.

197 2. Zero to 3 percent interest based on the pro rata share
 198 of units set aside for homeless residents if the total of such
 199 units is less than 80 percent of the units in the borrower's
 200 project.

201 3. One to 9 percent interest for sponsors of projects
 202 targeted at populations other than farmworkers, commercial
 203 fishing workers, and the homeless.

204 Section 6. Section 420.621, Florida Statutes, is amended
 205 to read:

206 420.621 Definitions; ss. 420.621-420.628 ~~420.621-~~
 207 ~~420.627.~~--As used in ss. 420.621-420.628 ~~420.621-420.627~~, the
 208 ~~term following terms shall have the following meanings, unless~~
 209 ~~the context otherwise requires:~~

210 (1) "Children and youths who are experiencing
 211 homelessness," for programs authorized under the federal
 212 Education for Homeless Children and Youths program, Subtitle B
 213 of Title VII of the McKinney-Vento Homeless Assistance Act, 42
 214 U.S.C. ss. 11431 et seq., means children and youths who lack a
 215 fixed, regular, and adequate nighttime residence, and includes:

216 (a) Children and youths who are sharing the housing of
 217 other persons due to loss of housing, economic hardship, or a
 218 similar reason; are living in motels, hotels, travel trailer
 219 parks, or camping grounds due to the lack of alternative
 220 adequate accommodations; are living in emergency or transitional
 221 shelters; are abandoned in hospitals; or are awaiting foster
 222 care placement.

223 (b) Children and youths who have a primary nighttime
 224 residence that is a public or private place not designed for or
 225 ordinarily used as a regular sleeping accommodation for human
 226 beings.

227 (c) Children and youths who are living in cars, parks,
 228 public spaces, abandoned buildings, bus or train stations, or
 229 similar settings.

230 (d) Migratory children who are living in circumstances
 231 described in paragraphs (a)-(c).

232 (2) "Continuum of care" means a community plan to organize
 233 and deliver housing and services to meet the specific needs of
 234 people who are homeless as they move to stable housing and
 235 maximum self-sufficiency. It includes action steps to end
 236 homelessness and prevent a return to homelessness.

237 (3) "Council on Homelessness" means the council created in
 238 s. 420.622.

239 ~~(1) "AFDC" means Aid to Families with Dependent Children~~
 240 ~~as administered under chapter 409.~~

241 ~~(4)-(2)~~ "Department" means the Department of Children and
 242 Family Services.

243 ~~(5)-(3)~~ "District" means a service district of the
 244 department of Children and Family Services, as set forth in s.
 245 20.19.

246 ~~(6)-(4)~~ "Homeless," applied to an individual, or
 247 "individual experiencing homelessness" means "Homeless" refers
 248 to an individual who lacks a fixed, regular, and adequate
 249 nighttime residence and includes or an individual who has a
 250 primary nighttime residence that is:

251 (a) Is sharing the housing of other persons due to loss of
 252 housing, economic hardship, or a similar reason;

253 (b) Is living in a motel, hotel, travel trailer park, or
 254 camping ground due to a lack of alternative adequate
 255 accommodations;

256 (c) Is living in an emergency or transitional shelter; A
 257 ~~supervised publicly or privately operated shelter designed to~~
 258 ~~provide temporary living accommodations, including welfare~~
 259 ~~hotels, congregate shelters, and transitional housing for the~~
 260 ~~mentally ill;~~

261 ~~(b) An institution that provides a temporary residence for~~
 262 ~~individuals intended to be institutionalized; or~~

263 ~~(d)-(e)~~ Has a primary nighttime residence that is a public
 264 or private place not designed for, or ordinarily used as, a
 265 regular sleeping accommodation for human beings;

266 (e) Is living in a car, park, public space, abandoned
 267 building, bus or train station, or similar setting; or

268 (f) Is a migratory individual who qualifies as homeless
 269 because he or she is living in circumstances described in
 270 paragraphs (a)-(e).

271
 272 The terms defined in this subsection do ~~term does~~ not refer to
 273 any individual imprisoned ~~or otherwise detained~~ pursuant to
 274 state or federal law. The terms also do not include individuals
 275 or families who are sharing housing due to cultural preferences,
 276 voluntary arrangements, and traditional networks of support. The
 277 terms include an individual who has been released from jail,
 278 prison, the juvenile justice system, the child welfare system, a

279 mental health and developmental disability facility, a
 280 residential addiction treatment program, or a hospital, for whom
 281 no subsequent residence has been identified, and who lacks the
 282 resources and support network to obtain housing.

283 (7)-(5) "Local coalition for the homeless" means a
 284 coalition established pursuant to s. 420.623.

285 (8)-(6) "New and temporary homeless" means those
 286 individuals or families who are homeless due to societal
 287 ~~external factors, such as unemployment or other loss of income,~~
 288 ~~personal or family-life crises, or the shortage of low-income~~
 289 ~~housing.~~

290 (9) "Societal causes of homelessness" means factors such
 291 as lack of housing for individuals and families with low
 292 incomes, lack of employment opportunities for those with a high
 293 school education or less, and lack of day care, transportation,
 294 and other institutional supports.

295 (10)-(7) "State Office on Homelessness" means the state
 296 office created in s. 420.622 ~~"Secretary" means the secretary of~~
 297 ~~the Department of Children and Family Services.~~

298 Section 7. Subsections (2) and (9) of section 420.622,
 299 Florida Statutes, are amended to read:

300 420.622 State Office on Homelessness; Council on
 301 Homelessness.--

302 (2) The Council on Homelessness is created to consist of a
 303 17-member ~~15-member~~ council of public and private agency
 304 representatives who shall develop policy and advise the State
 305 Office on Homelessness. The council members shall be: the
 306 Secretary of Children and Family Services, or his or her

307 | designee; the Secretary of Community Affairs, or his or her
 308 | designee; the State Surgeon General, or his or her designee; the
 309 | Executive Director of Veterans' Affairs, or his or her designee;
 310 | the Secretary of Corrections, or his or her designee; the
 311 | Secretary of Health Care Administration, or his or her designee;
 312 | the Commissioner of Education, or his or her designee; the
 313 | Director of Workforce Florida, Inc., or his or her designee; one
 314 | representative of the Florida Association of Counties; one
 315 | representative from the Florida League of Cities; one
 316 | representative of the Florida ~~Coalition for~~ Supportive Housing
 317 | Coalition; the Executive Director of the Florida Housing Finance
 318 | Corporation, or his or her designee; one representative of the
 319 | Florida Coalition for the Homeless; ~~one representative of the~~
 320 | ~~Florida State Rural Development Council;~~ and four members
 321 | appointed by the Governor. The council members shall be
 322 | volunteer, nonpaid persons and shall be reimbursed for travel
 323 | expenses only. The appointed members of the council shall serve
 324 | staggered 2-year terms, and the council shall meet at least four
 325 | times per year. The importance of minority, gender, and
 326 | geographic representation must be considered when appointing
 327 | members to the council.

328 | (9) The council shall, by June 30 ~~December 31~~ of each
 329 | year, beginning in 2010, issue to the Governor, the President of
 330 | the Senate, the Speaker of the House of Representatives, and the
 331 | Secretary of Children and Family Services an evaluation of the
 332 | executive director's performance in fulfilling the statutory
 333 | duties of the office, a report summarizing the council's
 334 | recommendations to the office and the corresponding actions

335 taken by the office, and any recommendations to the Legislature
 336 for proposals to reduce homelessness in this state.

337 Section 8. Paragraph (d) of subsection (3) of section
 338 420.625, Florida Statutes, is amended to read:

339 420.625 Grant-in-aid program.--

340 (3) ESTABLISHMENT.--There is hereby established a grant-
 341 in-aid program to help local communities in serving the needs of
 342 the homeless through a variety of supportive services, which may
 343 include, but are not limited to:

344 (d) Emergency financial assistance for persons who are
 345 totally without shelter or facing loss of shelter, ~~but who are~~
 346 ~~not eligible for such assistance under s. 414.16.~~

347 Section 9. Section 420.6275, Florida Statutes, is created
 348 to read:

349 420.6275 Housing First.--

350 (1) LEGISLATIVE FINDINGS AND INTENT.--

351 (a) The Legislature finds that many communities plan to
 352 manage homelessness rather than plan to end it.

353 (b) The Legislature also finds that for most of the past
 354 two decades public and private solutions to homelessness have
 355 focused on providing individuals and families who are
 356 experiencing homelessness with emergency shelter, transitional
 357 housing, or a combination of both. While emergency shelter
 358 programs may provide critical access to services for individuals
 359 and families in crisis, they often fail to address the long-term
 360 needs of those who are homeless.

361 (c) The Legislature further finds that Housing First is an
 362 alternative approach to the current system of emergency shelter

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363 or transitional housing which tends to reduce the length of time
364 of homelessness and has proven to be cost-effective to homeless
365 programs.

366 (d) It is therefore the intent of the Legislature to
367 encourage local coalitions for the homeless continuums of care,
368 established pursuant to s. 420.623, to adopt the Housing First
369 approach to ending homelessness for individuals and families.

370 (2) HOUSING FIRST METHODOLOGY.--

371 (a) The Housing First approach to homelessness differs
372 from traditional approaches by providing housing assistance,
373 case management, and support services responsive to individual
374 or family needs after housing is obtained. By using the Housing
375 First approach when appropriate, communities can significantly
376 reduce the amount of time that individuals and families are
377 homeless and prevent further episodes of homelessness. Housing
378 First emphasizes that social services provided to enhance
379 individual and family well-being can be more effective when
380 people are in their own home, and:

381 1. The housing is not time-limited.
382 2. The housing is not contingent on compliance with
383 services. Instead, participants must comply with a standard
384 lease agreement and are provided with the services and support
385 that are necessary to help them do so successfully.

386 (b) The Housing First approach addresses the societal
387 causes of homelessness and advocates for the immediate return of
388 individuals and families back into housing and communities.
389 Housing First provides a critical link between the emergency and
390 transitional housing system and community-based social service,

391 educational, and health care organizations and consists of four
 392 components:

- 393 1. Crisis intervention and short-term stabilization.
- 394 2. Screening, intake, and needs assessment.
- 395 3. Provision of housing resources.
- 396 4. Provision of case management.

397 Section 10. Section 420.628, Florida Statutes, is created
 398 to read:

399 420.628 Children and young adults leaving the child
 400 welfare system; legislative findings and intent.--

401 (1) The Legislature finds that the transition from
 402 childhood to adulthood is filled with opportunity and risk. Most
 403 young people who receive adequate support make this transition
 404 successfully and will become healthy adults who will be prepared
 405 for work and be able to become responsible, fulfilled members of
 406 their families and communities.

407 (2) The Legislature finds that there are also many young
 408 people who will enter adulthood without the knowledge, skills,
 409 attitudes, habits, and relationships that will enable them to be
 410 productive members of society. Those young people who, through
 411 no fault of their own, live in foster families, group homes, and
 412 institutions are among those at greatest risk.

413 (3) The Legislature finds that these young people face
 414 numerous barriers to a successful transition to adulthood. Those
 415 barriers include changes in foster care placements and schools,
 416 limited opportunities for participation in age-appropriate
 417 normal activities, and the inability to achieve economic
 418 stability, make connections with permanent supportive adults or

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419 family, and access housing. The main barriers to safe and
420 affordable housing for youth aging out of the foster care system
421 are cost, lack of availability, the unwillingness of many
422 landlords to rent to them, and their own lack of knowledge about
423 how to be good tenants.

424 (4) The Legislature also finds that young adults who
425 emancipate from the child welfare system are at risk of becoming
426 homeless and those who were formerly in the child welfare system
427 are disproportionately represented in the homeless population.
428 Only about two-fifths of eligible young people receive
429 independent living services and, of those who do, few receive
430 adequate housing assistance. Without the stability of safe
431 housing all other services, training, and opportunities may not
432 be effective.

433 (5) The Legislature further finds that research on young
434 people who emancipate from foster care suggests a nexus between
435 foster care involvement and later episodes of homelessness and
436 that interventions in the foster care system might help to
437 prevent homelessness. Responding to the needs of young people
438 leaving the foster care system with developmentally appropriate
439 supportive housing models organized in a continuum of decreasing
440 supervision may increase their ability to live independently in
441 the future.

442 (6) It is therefore the intent of the Legislature to
443 encourage the Department of Children and Family Services, its
444 agents, and community-based care providers operating pursuant to
445 s. 409.1671, to develop and implement procedures designed to

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446 reduce the number of young adults who become homeless after
447 leaving the child welfare system.

448 Section 11. Subsection (12) of section 1003.01, Florida
449 Statutes, is amended to read:

450 1003.01 Definitions.--As used in this chapter, the term:

451 (12) "Children and youths who are experiencing
452 homelessness," for programs authorized under the federal
453 Education for Homeless Children and Youths program, Subtitle B
454 of Title VII of the McKinney-Vento Homeless Assistance Act, 42
455 U.S.C. ss. 11431 et seq., means children and youths who lack a
456 fixed, regular, and adequate nighttime residence, and includes:

457 (a) Children and youths who are sharing the housing of
458 other persons due to loss of housing, economic hardship, or a
459 similar reason; are living in motels, hotels, travel trailer
460 parks, or camping grounds due to the lack of alternative
461 adequate accommodations; are living in emergency or transitional
462 shelters; are abandoned in hospitals; or are awaiting foster
463 care placement.

464 (b) Children and youths who have a primary nighttime
465 residence that is a public or private place not designed for or
466 ordinarily used as a regular sleeping accommodation for human
467 beings.

468 (c) Children and youths who are living in cars, parks,
469 public spaces, abandoned buildings, bus or train stations, or
470 similar settings.

471 (d) Migratory children who are living in circumstances
472 described in paragraphs (a)-(c).

473 ~~(12) "Homeless child" means:~~

474 ~~(a) One who lacks a fixed, regular nighttime residence;~~

475 ~~(b) One who has a primary nighttime residence that is:~~

476 ~~1. A supervised publicly or privately operated shelter~~
 477 ~~designed to provide temporary living accommodations, including~~
 478 ~~welfare hotels, congregate shelters, and transitional housing~~
 479 ~~for the mentally ill;~~

480 ~~2. An institution that provides a temporary residence for~~
 481 ~~individuals intended to be institutionalized; or~~

482 ~~3. A public or private place not designed for, or~~
 483 ~~ordinarily used as, a regular sleeping accommodation for human~~
 484 ~~beings; or~~

485 ~~(c) One who temporarily resides with an adult other than~~
 486 ~~his or her parent because the parent is suffering financial~~
 487 ~~hardship.~~

488
 489 ~~A child who is imprisoned, detained, or in the custody of the~~
 490 ~~state pursuant to a state or federal law is not a homeless~~
 491 ~~child.~~

492 Section 12. Paragraph (f) of subsection (1) and paragraph
 493 (g) of subsection (4) of section 1003.21, Florida Statutes, are
 494 amended to read:

495 1003.21 School attendance.--

496 (1)

497 (f) Children and youths who are experiencing homelessness
 498 ~~Homeless children~~, as defined in s. 1003.01, must have access to
 499 a free public education and must be admitted to school in the
 500 school district in which they or their families live. School
 501 districts shall assist such ~~homeless~~ children to meet the

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502 requirements of subsection (4) and s. 1003.22, as well as local
 503 requirements for documentation.

504 (4) Before admitting a child to kindergarten, the
 505 principal shall require evidence that the child has attained the
 506 age at which he or she should be admitted in accordance with the
 507 provisions of subparagraph (1)(a)2. The district school
 508 superintendent may require evidence of the age of any child whom
 509 he or she believes to be within the limits of compulsory
 510 attendance as provided for by law. If the first prescribed
 511 evidence is not available, the next evidence obtainable in the
 512 order set forth below shall be accepted:

513 (g) If none of these evidences can be produced, an
 514 affidavit of age sworn to by the parent, accompanied by a
 515 certificate of age signed by a public health officer or by a
 516 public school physician, or, if neither of these is available in
 517 the county, by a licensed practicing physician designated by the
 518 district school board, which certificate states that the health
 519 officer or physician has examined the child and believes that
 520 the age as stated in the affidavit is substantially correct.
 521 Children and youths who are experiencing homelessness ~~A homeless~~
 522 ~~child~~, as defined in s. 1003.01, and children who are in foster
 523 care until the time of achieving either reunification or a
 524 permanent placement shall be given temporary exemption from this
 525 section for 30 school days.

526 Section 13. Subsection (1) and paragraph (e) of subsection
 527 (5) of section 1003.22, Florida Statutes, are amended to read:

528 1003.22 School-entry health examinations; immunization
529 against communicable diseases; exemptions; duties of Department
530 of Health.--

531 (1) Each district school board and the governing authority
532 of each private school shall require that each child who is
533 entitled to admittance to kindergarten, or is entitled to any
534 other initial entrance into a public or private school in this
535 state, present a certification of a school-entry health
536 examination performed within 1 year prior to enrollment in
537 school. Each district school board, and the governing authority
538 of each private school, may establish a policy that permits a
539 student up to 30 school days to present a certification of a
540 school-entry health examination. Children and youths who are
541 experiencing homelessness ~~A homeless child~~, as defined in s.
542 1003.01, and children who are in foster care until the time of
543 achieving either reunification or a permanent placement shall be
544 given a temporary exemption for 30 school days. Any district
545 school board that establishes such a policy shall include
546 provisions in its local school health services plan to assist
547 students in obtaining the health examinations. However, any
548 child shall be exempt from the requirement of a health
549 examination upon written request of the parent of the child
550 stating objections to the examination on religious grounds.

551 (5) The provisions of this section shall not apply if:

552 (e) An authorized school official issues a temporary
553 exemption, for a period not to exceed 30 school days, to permit
554 a student who transfers into a new county to attend class until
555 his or her records can be obtained. Children and youths who are

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556 experiencing homelessness ~~A homeless child~~, as defined in s.
557 1003.01, and children who are in foster care until the time of
558 achieving either reunification or a permanent placement shall be
559 given a temporary exemption for 30 school days. The public
560 school health nurse or authorized private school official is
561 responsible for followup of each such student until proper
562 documentation or immunizations are obtained. An exemption for 30
563 days may be issued for a student who enters a juvenile justice
564 program to permit the student to attend class until his or her
565 records can be obtained or until the immunizations can be
566 obtained. An authorized juvenile justice official is responsible
567 for followup of each student who enters a juvenile justice
568 program until proper documentation or immunizations are
569 obtained.

570 Section 14. Section 414.16, Florida Statutes, is repealed.

571 Section 15. This act shall take effect July 1, 2009.