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LEGISLATIVE ACTION

Senate

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House

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The Committee on Children, Families, and Elder Affairs (Bean) recommended the following:

1           **Senate Amendment to Amendment (820270) (with title**  
2 **amendment)**

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4           Delete lines 572 - 573  
5 and insert:

6           Section 8. Subsection (3) of section 63.092, Florida  
7 Statutes, is amended to read:

8           63.092 Report to the court of intended placement by an  
9 adoption entity; at-risk placement; preliminary study.—

10           (3) PRELIMINARY HOME STUDY.—Before placing the minor in the



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11 intended adoptive home, a preliminary home study must be  
12 performed by a licensed child-placing agency, a child-caring  
13 agency registered under s. 409.176, a licensed professional, or  
14 an agency described in s. 61.20(2), unless the adoptee is an  
15 adult or the petitioner is a stepparent or a relative. If the  
16 adoptee is an adult or the petitioner is a stepparent or a  
17 relative, a preliminary home study may be required by the court  
18 for good cause shown. The department is required to perform the  
19 preliminary home study only if there is no licensed child-  
20 placing agency, child-caring agency registered under s. 409.176,  
21 licensed professional, or agency described in s. 61.20(2), in  
22 the county where the prospective adoptive parents reside. The  
23 preliminary home study must be made to determine the suitability  
24 of the intended adoptive parents and may be completed prior to  
25 identification of a prospective adoptive minor. A favorable  
26 preliminary home study is valid for 1 year after the date of its  
27 completion. Upon its completion, a signed copy of the home study  
28 must be provided to the intended adoptive parents who were the  
29 subject of the home study. A minor may not be placed in an  
30 intended adoptive home before a favorable preliminary home study  
31 is completed unless the adoptive home is also a licensed foster  
32 home under s. 409.175. The preliminary home study must include,  
33 at a minimum:

- 34 (a) An interview with the intended adoptive parents;
- 35 (b) Records checks of the department's central abuse  
36 registry, which the department shall provide to the entity  
37 conducting the preliminary home study, and criminal records  
38 correspondence checks under s. 39.0138 through the Department of  
39 Law Enforcement on the intended adoptive parents;



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40 (c) An assessment of the physical environment of the home;  
41 (d) A determination of the financial security of the  
42 intended adoptive parents;  
43 (e) Documentation of counseling and education of the  
44 intended adoptive parents on adoptive parenting as determined by  
45 the entity conducting the preliminary home study. The department  
46 shall not require training as specified in s. 409.175(14) for  
47 cases involving children placed for adoption that are not in the  
48 custody or control of the department;  
49 (f) Documentation that information on adoption and the  
50 adoption process has been provided to the intended adoptive  
51 parents;  
52 (g) Documentation that information on support services  
53 available in the community has been provided to the intended  
54 adoptive parents; and  
55 (h) A copy of each signed acknowledgment of receipt of  
56 disclosure required by s. 63.085.  
57 If the preliminary home study is favorable, a minor may be  
58 placed in the home pending entry of the judgment of adoption. A  
59 minor may not be placed in the home if the preliminary home  
60 study is unfavorable. If the preliminary home study is  
61 unfavorable, the adoption entity may, within 20 days after  
62 receipt of a copy of the written recommendation, petition the  
63 court to determine the suitability of the intended adoptive  
64 home. A determination as to suitability under this subsection  
65 does not act as a presumption of suitability at the final  
66 hearing. In determining the suitability of the intended adoptive  
67 home, the court must consider the totality of the circumstances  
68 in the home. A minor may not be placed in a home in which there



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69 resides any person determined by the court to be a sexual  
70 predator as defined in s. 775.21 or to have been convicted of an  
71 offense listed in s. 63.089(4)(b)2.

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74 ===== T I T L E A M E N D M E N T =====

75 And the title is amended as follows:

76 Delete line 609

77 and insert:

78 conforming cross-references; amending s. 63.092, F.S.;  
79 requiring the Department of Children and Families to  
80 release specified records to entities conducting  
81 preliminary home studies; providing the department of  
82 Children and Families shall not require specified  
83 training for certain home studies; providing an  
84 effective.

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