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LEGISLATIVE ACTION

Senate

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House

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

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

3 Delete lines 572 - 573

4 and insert:

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

7 63.092 Report to the court of intended placement by an
8 adoption entity; at-risk placement; preliminary study.—

9 (3) PRELIMINARY HOME STUDY.—Before placing the minor in the
10 intended adoptive home, a preliminary home study must be



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

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



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40 (d) A determination of the financial security of the
41 intended adoptive parents;

42 (e) Documentation of counseling and education of the
43 intended adoptive parents on adoptive parenting as determined by
44 the entity conducting the preliminary home study. The department
45 shall not require training as specified in s. 409.175(14);

46 (f) Documentation that information on adoption and the
47 adoption process has been provided to the intended adoptive
48 parents;

49 (g) Documentation that information on support services
50 available in the community has been provided to the intended
51 adoptive parents; and

52 (h) A copy of each signed acknowledgment of receipt of
53 disclosure required by s. 63.085.

54 If the preliminary home study is favorable, a minor may be
55 placed in the home pending entry of the judgment of adoption. A
56 minor may not be placed in the home if the preliminary home
57 study is unfavorable. If the preliminary home study is
58 unfavorable, the adoption entity may, within 20 days after
59 receipt of a copy of the written recommendation, petition the
60 court to determine the suitability of the intended adoptive
61 home. A determination as to suitability under this subsection
62 does not act as a presumption of suitability at the final
63 hearing. In determining the suitability of the intended adoptive
64 home, the court must consider the totality of the circumstances
65 in the home. A minor may not be placed in a home in which there
66 resides any person determined by the court to be a sexual
67 predator as defined in s. 775.21 or to have been convicted of an
68 offense listed in s. 63.089(4)(b)2.



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

And the title is amended as follows:

Delete line 609

and insert:

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