

By the Committee on Children, Families, and Elder Affairs; and  
Senators Berman, Perry, and Bracy

586-02808-22

2022306c1

1 A bill to be entitled

2 An act relating to fetal alcohol spectrum disorders;  
3 amending s. 393.063, F.S.; revising the definition of  
4 the term "developmental disability" to include fetal  
5 alcohol spectrum disorders; defining the term "fetal  
6 alcohol spectrum disorders"; amending s. 1002.394,  
7 F.S.; conforming provisions to changes made by the  
8 act; providing an effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12 Section 1. Present subsections (18) through (46) of section  
13 393.063, Florida Statutes, are redesignated as subsections (19)  
14 through (47), respectively, a new subsection (18) is added to  
15 that section, and subsection (12) of that section is amended, to  
16 read:

17 393.063 Definitions.—For the purposes of this chapter, the  
18 term:

19 (12) "Developmental disability" means a disorder or  
20 syndrome that is attributable to intellectual disability,  
21 cerebral palsy, autism, spina bifida, Down syndrome, Phelan-  
22 McDermid syndrome, ~~or~~ Prader-Willi syndrome, or a fetal alcohol  
23 spectrum disorder; that manifests before the age of 18; and that  
24 constitutes a substantial handicap that can reasonably be  
25 expected to continue indefinitely.

26 (18) "Fetal alcohol spectrum disorders" means the range of  
27 adverse effects that can occur in an individual who is  
28 prenatally exposed to alcohol and that may include physical,  
29 mental, behavioral, and learning disabilities associated with

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30 possible lifelong implications.

31 Section 2. Paragraph (d) of subsection (2) of section  
32 1002.394, Florida Statutes, is amended to read:

33 1002.394 The Family Empowerment Scholarship Program.—

34 (2) DEFINITIONS.—As used in this section, the term:

35 (d) "Disability" means, for a 3- or 4-year-old child or for  
36 a student in kindergarten to grade 12, autism spectrum disorder,  
37 as defined in the Diagnostic and Statistical Manual of Mental  
38 Disorders, Fifth Edition, published by the American Psychiatric  
39 Association; cerebral palsy, as defined in s. 393.063; Down  
40 syndrome, as defined in s. 393.063; an intellectual disability,  
41 as defined in s. 393.063; a speech impairment; a language  
42 impairment; an orthopedic impairment; an other health  
43 impairment; an emotional or a behavioral disability; a specific  
44 learning disability, including, but not limited to, dyslexia,  
45 dyscalculia, or developmental aphasia; Phelan-McDermid syndrome,  
46 as defined in s. 393.063; Prader-Willi syndrome, as defined in  
47 s. 393.063; spina bifida, as defined in s. 393.063; a fetal  
48 alcohol spectrum disorder, as defined in s. 393.063; being a  
49 high-risk child, as defined in s. 393.063(24)(a) ~~s.~~  
50 ~~393.063(23)(a)~~; muscular dystrophy; Williams syndrome; rare  
51 diseases which affect patient populations of fewer than 200,000  
52 individuals in the United States, as defined by the National  
53 Organization for Rare Disorders; anaphylaxis; a hearing  
54 impairment, including deafness; a visual impairment, including  
55 blindness; traumatic brain injury; hospital or homebound; or  
56 identification as dual sensory impaired, as defined by rules of  
57 the State Board of Education and evidenced by reports from local  
58 school districts. The term "hospital or homebound" includes a

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59 student who has a medically diagnosed physical or psychiatric  
60 condition or illness, as defined by the state board in rule, and  
61 who is confined to the home or hospital for more than 6 months.

62 Section 3. This act shall take effect July 1, 2023.