

26 | 39.522, F.S.; authorizing certain persons to remove a
27 | child from a court-ordered placement under certain
28 | circumstances; requiring the Department of Children
29 | and Families to file a specified motion, and the court
30 | to set a hearing, within specified timeframes under
31 | certain circumstances; requiring a certain
32 | determination by the court to support immediate
33 | removal of a child; authorizing the court to base its
34 | determination on certain evidence; requiring the court
35 | to enter certain orders and conduct certain hearings
36 | under certain circumstances; amending s. 39.6221,
37 | F.S.; revising a requisite condition for placing a
38 | child in a permanent guardianship; amending s.
39 | 39.6225, F.S.; revising eligibility for payments under
40 | the Guardianship Assistance Program; amending s.
41 | 39.801, F.S.; providing that service of process is not
42 | necessary under certain circumstances; amending s.
43 | 39.812, F.S.; authorizing the court to review the
44 | Department of Children and Families' denial of an
45 | application to adopt a child; requiring the department
46 | to file written notification of its denial with the
47 | court and provide copies to certain persons within a
48 | specified timeframe; authorizing a denied applicant to
49 | file a motion to review such denial within a specified
50 | timeframe; requiring the court to hold a hearing

51 within a specified timeframe; providing standing to
52 certain persons; authorizing certain persons to
53 participate in the hearing under certain
54 circumstances; requiring the court to enter an order
55 within a specified timeframe; providing an exception
56 to authorize the department to remove a child from his
57 or her foster home or custodian; amending s. 63.062,
58 F.S.; conforming provisions to changes made by the
59 act; amending s. 63.093, F.S.; requiring an adoptive
60 home study to be updated every 12 months after the
61 date on which the first study was approved; requiring
62 the department to adopt certain rules; amending s.
63 409.1451, F.S.; revising the age requirements for
64 receiving postsecondary education services and
65 support; revising the requirements for receiving
66 aftercare services; amending s. 409.166, F.S.;
67 revising the age requirements for receiving adoption
68 assistance; amending s. 409.167, F.S.; providing
69 requirements for the statewide adoption exchange and
70 its photo listing component and description of
71 children placed on such exchange; authorizing only
72 certain persons to access the statewide adoption
73 exchange; authorizing certain children to make certain
74 requests and requiring them to be consulted on certain
75 decisions; conforming provisions to changes made by

76 | the act; providing an effective date.

77 |

78 | Be It Enacted by the Legislature of the State of Florida:

79 |

80 | Section 1. Subsection (88) is added to section 39.01,
81 | Florida Statutes, to read:

82 | 39.01 Definitions.—When used in this chapter, unless the
83 | context otherwise requires:

84 | (88) "Visitor" means a person who:

85 | (a) Provides care or supervision to a child in the home;

86 | or

87 | (b) Is 12 years of age or older, other than a child in
88 | care, and who will be in the child's home at least:

89 | 1. Five consecutive days; or

90 | 2. Seven days or more in 1 month.

91 | Section 2. Subsections (1) and (5) of section 39.0138,
92 | Florida Statutes, are amended to read:

93 | 39.0138 Criminal history and other records checks; limit
94 | on placement of a child.—

95 | (1) The department shall conduct a records check through
96 | the Comprehensive State Automated Child Welfare Information
97 | System ~~(SACWIS)~~ and a local and statewide criminal history
98 | records check on all persons, including parents, being
99 | considered by the department for placement of a child under this
100 | chapter, including all nonrelative placement decisions, and all

101 members of the household, 12 years of age and older, of the
102 person being considered. For purposes of this section, a
103 criminal history records check may include, but is not limited
104 to, submission of fingerprints to the Department of Law
105 Enforcement for processing and forwarding to the Federal Bureau
106 of Investigation for state and national criminal history
107 information, and local criminal records checks through local law
108 enforcement agencies of all household members 18 years of age
109 and older and other visitors 18 years of age and older to the
110 home. An out-of-state criminal history records check must be
111 initiated for any person 18 years of age or older who resided in
112 another state if that state allows the release of such records.
113 The department must complete the records check within 14
114 business days after receiving a person's criminal history
115 results, unless additional information is required to complete
116 the processing. The department shall establish by rule standards
117 for evaluating any information contained in the automated system
118 relating to a person who must be screened for purposes of making
119 a placement decision.

120 (5)(a) If a child has been sheltered pursuant to s. 39.402
121 and must be placed in out-of-home care due to an emergency, the
122 department must conduct a name-based check of criminal history
123 records to ascertain if the person with whom placement of the
124 child is being considered and any other adult household members
125 of such person are disqualified.

126 (b) The department may place a child in the a home if the
127 person with whom placement of the child is being considered and
128 any other adult household members or visitors of the home are
129 not disqualified by the name-based check, but, unless exempt,
130 such persons must submit a full set of fingerprints to the
131 department or to a vendor, an entity, or an agency authorized
132 under s. 943.053(13). Unless exempt, within 7 calendar days
133 after the name-based check, the department, vendor, entity, or
134 agency must submit the fingerprints to the Department of Law
135 Enforcement for state processing. Within 15 calendar days after
136 the name-based check was conducted, the Department of Law
137 Enforcement must forward the fingerprints to the Federal Bureau
138 of Investigation for national processing ~~that otherwise meets~~
139 ~~placement requirements if a name check of state and local~~
140 ~~criminal history records systems does not disqualify the~~
141 ~~applicant and if the department submits fingerprints to the~~
142 ~~Department of Law Enforcement for forwarding to the Federal~~
143 ~~Bureau of Investigation and is awaiting the results of the state~~
144 ~~and national criminal history records check.~~

145 (c) The department shall seek a court order to immediately
146 remove the child from the home if the person with whom the child
147 was placed or any other adult household members or visitors of
148 the home fail to provide their fingerprints within 15 calendar
149 days after the name-based check is conducted and such persons
150 are not exempt from a criminal history records check.

151 Section 3. Section 39.5035, Florida Statutes, is created
 152 to read:

153 39.5035 Deceased parents; special procedures.-

154 (1)(a)1. If both parents of a child are deceased or the
 155 last known living parent of a child is deceased and a legal
 156 custodian has not been appointed for the child through a probate
 157 or guardianship proceeding, then an attorney for the department
 158 or any other person who has knowledge of the facts alleged or is
 159 informed of the alleged facts, and believes them to be true, may
 160 initiate a proceeding by filing a petition for adjudication and
 161 permanent commitment.

162 2. If a child has been placed in shelter status by order
 163 of the court but has not yet been adjudicated, a petition for
 164 adjudication and permanent commitment must be filed within 21
 165 days after the shelter hearing. In all other cases, the petition
 166 must be filed within a reasonable time after the date the
 167 petitioner first becomes aware of the facts that support the
 168 petition for adjudication and permanent commitment.

169 (b) If both parents die or the last known living parent
 170 dies after a child has already been adjudicated dependent, an
 171 attorney for the department or any other person who has
 172 knowledge of the facts alleged or is informed of the alleged
 173 facts, and believes them to be true, may file a petition for
 174 permanent commitment. The petition must be filed within a
 175 reasonable time after the petitioner first becomes aware of the

176 facts that support the petition for permanent commitment.

177 (2) The petition must be:

178 (a) In writing, identify the alleged deceased parents, and
179 provide facts that establish that both parents of the child are
180 deceased or the last known living parent is deceased and that a
181 legal custodian has not been appointed for the child through a
182 probate or guardianship proceeding.

183 (b) Signed by the petitioner under oath stating the
184 petitioner's good faith in filing the petition.

185 (3) When a petition for adjudication and permanent
186 commitment or a petition for permanent commitment has been
187 filed, the clerk of court must set the case before the court for
188 an adjudicatory hearing. The adjudicatory hearing must be held
189 as soon as practicable after the petition is filed, but no later
190 than 30 days after the filing date.

191 (4) Notice of the date, time, and place of the
192 adjudicatory hearing and a copy of the petition must be served
193 on the following persons:

194 (a) Any person who has physical custody of the child.

195 (b) A living relative of each parent of the child, unless
196 a living relative cannot be found after a diligent search or
197 inquiry.

198 (c) The guardian ad litem for the child or the
199 representative of the guardian ad litem program, if the program
200 has been appointed.

201 (5) The court shall conduct adjudicatory hearings without
202 a jury and apply the rules of evidence in use in civil cases,
203 adjourning the hearings as necessary. The court must determine
204 whether the petitioner has established by clear and convincing
205 evidence that both parents of the child are deceased, or that
206 the last known living parent is deceased and the other parent
207 cannot be found after a diligent search or inquiry, and that a
208 legal custodian has not been appointed for the child through a
209 probate or guardianship proceeding. A certified copy of the
210 death certificate for each parent is sufficient evidence of the
211 parents' deaths.

212 (6) Within 30 days after an adjudicatory hearing on a
213 petition for adjudication and permanent commitment:

214 (a) If the court finds that the petitioner has met the
215 clear and convincing standard, the court must enter a written
216 order adjudicating the child dependent and permanently
217 committing the child to the custody of the department for the
218 purpose of adoption. A disposition hearing must be scheduled no
219 later than 30 days after the entry of the order, in which the
220 department must provide a case plan that identifies the
221 permanency goal for the child to the court. Reasonable efforts
222 must be made to place the child in a timely manner in accordance
223 with the permanency plan and to complete all steps necessary to
224 finalize the permanent placement of the child. Thereafter, until
225 the adoption of the child is finalized or the child reaches the

226 age of 18 years, whichever occurs first, the court must hold
227 hearings every 6 months to review the progress being made toward
228 permanency for the child.

229 (b) If the court finds that clear and convincing evidence
230 does not establish that both parents of a child are deceased, or
231 that the last known living parent is deceased and the other
232 parent cannot be found after a diligent search or inquiry, and
233 that a legal custodian has not been appointed for the child
234 through a probate or guardianship proceeding, but that a
235 preponderance of the evidence establishes that the child does
236 not have a parent or legal custodian capable of providing
237 supervision or care, the court must enter a written order
238 adjudicating the child dependent. A disposition hearing must be
239 scheduled no later than 30 days after the entry of the order as
240 provided in s. 39.521.

241 (c) If the court finds that the petitioner has not met the
242 clear and convincing standard and that a preponderance of the
243 evidence does not establish that the child does not have a
244 parent or legal custodian capable of providing supervision or
245 care, the court must enter a written order so finding and
246 dismiss the petition.

247 (7) Within 30 days after an adjudicatory hearing on a
248 petition for permanent commitment:

249 (a) If the court finds that the petitioner has met the
250 clear and convincing standard, the court must enter a written

251 order permanently committing the child to the custody of the
252 department for purposes of adoption. A disposition hearing must
253 be scheduled no later than 30 days after the entry of the order,
254 in which the department must provide an amended case plan that
255 identifies the permanency goal for the child to the court.
256 Reasonable efforts must be made to place the child in a timely
257 manner in accordance with the permanency plan and to complete
258 all steps necessary to finalize the permanent placement of the
259 child. Thereafter, until the adoption of the child is finalized
260 or the child reaches the age of 18 years, whichever occurs
261 first, the court must hold hearings every 6 months to review the
262 progress being made toward permanency for the child.

263 (b) If the court finds that clear and convincing evidence
264 does not establish that both parents of a child are deceased or
265 that the last known living parent is deceased and the other
266 parent cannot be found after a diligent search or inquiry, the
267 court must enter a written order denying the petition. The order
268 has no effect on the child's prior adjudication. The order does
269 not bar the petitioner from filing a subsequent petition for
270 permanent commitment based on newly discovered evidence that
271 establishes that both parents of a child are deceased, or that
272 the last known living parent is deceased, and that a legal
273 custodian has not been appointed for the child through a probate
274 or guardianship proceeding.

275 Section 4. Subsection (7) is added to section 39.522,

276 Florida Statutes, to read:

277 39.522 Postdisposition change of custody.—

278 (7) Notwithstanding any other provision of this section, a
 279 child's case manager, an authorized agent of the department, or
 280 a law enforcement officer may, at any time, remove a child from
 281 a court-ordered placement and take the child into custody if the
 282 court-ordered caregiver of the child requests immediate removal
 283 of the child from the home. Additionally, an authorized agent of
 284 the department or a law enforcement officer may, at any time,
 285 remove a child from a court-ordered placement and take the child
 286 into custody if there is probable cause as required under s.
 287 39.401(1)(b).

288 (a) If, at the time of the removal, the child was not
 289 placed in licensed care in the department's custody, the
 290 department must file a motion to modify placement within 1
 291 business day after the child is taken into custody. The court
 292 must then set a hearing within 24 hours after the motion is
 293 filed unless all of the parties and the current caregiver agree
 294 to the change of placement. At the hearing, the court must
 295 determine if the department has established probable cause to
 296 support the immediate removal of the child from his or her
 297 current placement. The court may base its determination on a
 298 sworn petition or affidavit or on testimony and may hear all
 299 relevant and material evidence, including oral or written
 300 reports, to the extent of their probative value, even if such

301 evidence would not be competent evidence at an adjudicatory
 302 hearing.

303 (b) If the court finds that the department did not
 304 establish probable cause to support the removal of the child
 305 from his or her current placement, the court must enter an order
 306 that the child be returned to such placement. An order by the
 307 court to return the child to his or her current placement does
 308 not preclude a party from filing a subsequent motion pursuant to
 309 subsection (2).

310 (c) If the current caregiver admits that a change of
 311 placement is needed or the department establishes probable cause
 312 to support removal of the child, the court must enter an order
 313 changing the placement of the child. The new placement for the
 314 child must meet the home study criteria in this chapter if the
 315 child is not placed in foster care.

316 (d) If the court finds probable cause and modifies the
 317 child's placement, the court must conduct a hearing pursuant to
 318 subsection (2) or subsection (3), unless such hearing is waived
 319 by all parties and the caregiver.

320 Section 5. Paragraph (a) of subsection (1) of section
 321 39.6221, Florida Statutes, is amended to read:

322 39.6221 Permanent guardianship of a dependent child.—

323 (1) If a court determines that reunification or adoption
 324 is not in the best interest of the child, the court may place
 325 the child in a permanent guardianship with a relative or other

326 adult approved by the court if all of the following conditions
 327 are met:

328 (a) The child has been in the placement for not less than
 329 the preceding 6 months, or the preceding 3 months if the
 330 caregiver is already known by the child and such caregiver has
 331 been named as the successor guardian on the child's guardianship
 332 assistance agreement.

333 Section 6. Subsection (9) of section 39.6225, Florida
 334 Statutes, is amended to read:

335 39.6225 Guardianship Assistance Program.—

336 (9) Guardianship assistance payments may not ~~shall only~~ be
 337 made for a young adult unless the young adult's ~~whose~~ permanent
 338 guardian entered into a guardianship assistance agreement after
 339 the child attained 14 ~~16~~ years of age but before the child
 340 attained 18 years of age and if the child is:

341 (a) Completing secondary education or a program leading to
 342 an equivalent credential;

343 (b) Enrolled in an institution that provides postsecondary
 344 or vocational education;

345 (c) Participating in a program or activity designed to
 346 promote or eliminate barriers to employment;

347 (d) Employed for at least 80 hours per month; or

348 (e) Unable to participate in programs or activities listed
 349 in paragraphs (a)-(d) full time due to a physical, intellectual,
 350 emotional, or psychiatric condition that limits participation.

351 Any such barrier to participation must be supported by
352 documentation in the child's case file or school or medical
353 records of a physical, intellectual, emotional, or psychiatric
354 condition that impairs the child's ability to perform one or
355 more life activities.

356 Section 7. Paragraph (d) of subsection (3) of section
357 39.801, Florida Statutes, is redesignated as paragraph (e), and
358 a new paragraph (d) is added to that subsection to read:

359 39.801 Procedures and jurisdiction; notice; service of
360 process.—

361 (3) Before the court may terminate parental rights, in
362 addition to the other requirements set forth in this part, the
363 following requirements must be met:

364 (d) Personal appearance of a person at the advisory
365 hearing as provided in s. 39.013(13) obviates the necessity of
366 serving process on that person and the court may proceed with
367 the advisory hearing and any subsequently noticed hearing.

368 Section 8. Subsections (4), (5), and (6) of section
369 39.812, Florida Statutes, are amended to read:

370 39.812 Postdisposition relief; petition for adoption.—

371 (4) The court shall retain jurisdiction over any child
372 placed in the custody of the department until the child is
373 adopted. After custody of a child for subsequent adoption has
374 been given to the department, the court has jurisdiction for the
375 purpose of reviewing the status of the child and the progress

376 being made toward permanent adoptive placement. As part of this
377 continuing jurisdiction, ~~for good cause shown by the guardian ad~~
378 ~~litem for the child,~~ the court may:

379 (a) Review the appropriateness of the adoptive placement
380 of the child if good cause is shown by the guardian ad litem for
381 the child.

382 (b) Review the department's denial of an application to
383 adopt a child. The department's decision to deny an application
384 to adopt a child is only reviewable under this section and is
385 not subject to chapter 120.

386 1. If the department denies an application to adopt a
387 child, the department must file written notification of the
388 denial with the court and provide copies to all parties within
389 10 business days after the department's decision.

390 2. A denied applicant may file a motion to have the court
391 review the department's denial within 30 business days after the
392 issuance of the department's written notification of its
393 decision to deny the application to adopt a child. The motion to
394 review must allege that the department unreasonably denied the
395 application to adopt and request that the court allow the denied
396 applicant to file a petition to adopt the child under chapter 63
397 without the department's consent.

398 3. A denied applicant only has standing under this chapter
399 to file a motion to review the department's denial and to
400 present evidence in support of such motion. Such standing is

401 terminated upon the entry of the court's order.

402 4. The court shall hold a hearing within 30 business days
403 after the denied applicant files the motion to review. The court
404 may only consider whether the department's denial of the
405 application is consistent with its policies and if the
406 department made such decision in an expeditious manner. The
407 standard of review is whether the department's denial of the
408 application is an abuse of discretion.

409 5. If the department selected a different applicant to
410 adopt the child, the selected applicant may participate in the
411 hearing as a participant, as defined in s. 39.01, and may be
412 granted leave by the court to be heard without the need to file
413 a motion to intervene.

414 6. Within 15 business days after the conclusion of the
415 hearing, the court must enter a written order denying the motion
416 to review or finding that the department unreasonably denied the
417 application to adopt and authorizing the denied applicant to
418 file a petition to adopt the child under chapter 63 without the
419 department's consent.

420 (5) When a licensed foster parent or court-ordered
421 custodian has applied to adopt a child who has resided with the
422 foster parent or custodian for at least 6 months and who has
423 previously been permanently committed to the legal custody of
424 the department and the department does not grant the application
425 to adopt, the department may not, in the absence of a prior

426 court order authorizing it to do so, remove the child from the
427 foster home or custodian, except when:

428 (a) There is probable cause to believe that the child is
429 at imminent risk of abuse or neglect;

430 (b) Thirty business days have expired following written
431 notice to the foster parent or custodian of the denial of the
432 application to adopt, within which period no formal challenge of
433 the department's decision has been filed;

434 (c) A motion to review the department's denial of an
435 application to adopt a child under paragraph (4) (b) has been
436 denied; or

437 (d)-(e) The foster parent or custodian agrees to the
438 child's removal.

439 (6)-(5) The petition for adoption must be filed in the
440 division of the circuit court which entered the judgment
441 terminating parental rights, unless a motion for change of venue
442 is granted pursuant to s. 47.122. A copy of the consent to
443 adoption executed by the department must be attached to the
444 petition, unless such consent is waived under ~~pursuant to~~ s.
445 63.062(7). The petition must be accompanied by a statement,
446 signed by the prospective adoptive parents, acknowledging
447 receipt of all information required to be disclosed under s.
448 63.085 and a form provided by the department which details the
449 social and medical history of the child and each parent and
450 includes the social security number and date of birth for each

451 parent, if such information is available or readily obtainable.
452 The prospective adoptive parents may not file a petition for
453 adoption until the judgment terminating parental rights becomes
454 final. An adoption proceeding under this subsection is governed
455 by chapter 63.

456 (7) (a) ~~(6) (a)~~ Once a child's adoption is finalized, the
457 community-based care lead agency must make a reasonable effort
458 to contact the adoptive family by telephone 1 year after the
459 date of finalization of the adoption as a postadoption service.
460 For purposes of this subsection, the term "reasonable effort"
461 means the exercise of reasonable diligence and care by the
462 community-based care lead agency to make contact with the
463 adoptive family. At a minimum, the agency must document all of
464 the following:

465 1. The number of attempts made by the community-based care
466 lead agency to contact the adoptive family and whether those
467 attempts were successful. ~~;~~

468 2. The types of postadoption services that were requested
469 by the adoptive family and whether those services were provided
470 by the community-based care lead agency. ~~;~~ ~~and~~

471 3. Any feedback received by the community-based care lead
472 agency from the adoptive family relating to the quality or
473 effectiveness of the services provided.

474 (b) The community-based care lead agency must report
475 annually to the department on the outcomes achieved and

476 recommendations for improvement under this subsection.

477 Section 9. Subsection (7) of section 63.062, Florida
 478 Statutes, is amended to read:

479 63.062 Persons required to consent to adoption; affidavit
 480 of nonpaternity; waiver of venue.—

481 (7) If parental rights to the minor have previously been
 482 terminated, the adoption entity with which the minor has been
 483 placed for subsequent adoption may provide consent to the
 484 adoption. In such case, no other consent is required. If the
 485 minor has been permanently committed to the department for
 486 subsequent adoption, the department must consent to the adoption
 487 or the court order finding that the department unreasonably
 488 denied the application to adopt entered under s. 39.812(4) must
 489 be attached to the petition to adopt, and ~~The consent of the~~
 490 ~~department shall be waived upon a determination by the court~~
 491 ~~that such consent is being unreasonably withheld and if the~~
 492 petitioner must file ~~has filed~~ with the court a favorable
 493 preliminary adoptive home study as required under s. 63.092.

494 Section 10. Subsections (4) and (5) of section 63.093,
 495 Florida Statutes, are amended, and subsection (6) is added to
 496 that section, to read:

497 63.093 Adoption of children from the child welfare
 498 system.—

499 (4) Before a child is placed in an adoptive home, the
 500 community-based care lead agency or its subcontracted agency

501 must complete an adoptive home study of a prospective adoptive
502 parent that includes observation, screening, and evaluation of
503 the child and the prospective adoptive parent. An adoptive home
504 study must be updated every ~~is valid for~~ 12 months after the
505 date on which the first study was approved. If the child was
506 placed before the termination of parental rights, the updated
507 placement or licensing home study may serve as the adoption home
508 study. In addition, the community-based care lead agency or its
509 subcontracted agency must complete a preparation process, as
510 established by department rule, with the prospective adoptive
511 parent.

512 (5) At the conclusion of the adoptive home study and
513 preparation process, a decision must ~~shall~~ be made about the
514 prospective adoptive parent's appropriateness to adopt. This
515 decision must ~~shall~~ be reflected in the final recommendation
516 included in the adoptive home study. If the recommendation is
517 for approval, the adoptive parent application file must be
518 submitted to the community-based care lead agency or its
519 subcontracted agency for approval. The community-based care lead
520 agency or its subcontracted agency must approve or deny the home
521 study within 14 business days after receipt of the
522 recommendation.

523 (6) The department shall adopt rules to eliminate
524 duplicative practices and delays in the adoption home study
525 process for a member of a uniformed service on active duty

526 seeking to adopt in the state, including, but not limited to,
 527 providing a credit for adoption classes that have been taken in
 528 another state which substantially cover the preservice training
 529 required under s. 409.175(14)(b).

530

531 Notwithstanding subsections (1) and (2), this section does not
 532 apply to a child adopted through the process provided in s.
 533 63.082(6).

534 Section 11. Paragraph (a) of subsection (2) and paragraph
 535 (a) of subsection (3) of section 409.1451, Florida Statutes, are
 536 amended to read:

537 409.1451 The Road-to-Independence Program.—

538 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

539 (a) A young adult is eligible for services and support
 540 under this subsection if he or she:

541 1. Was living in licensed care on his or her 18th birthday
 542 or is currently living in licensed care; or was at least 14 ~~16~~
 543 years of age and was adopted from foster care or placed with a
 544 court-approved dependency guardian after spending at least 6
 545 months in licensed care within the 12 months immediately
 546 preceding such placement or adoption;

547 2. Spent at least 6 months in licensed care before
 548 reaching his or her 18th birthday;

549 3. Earned a standard high school diploma pursuant to s.
 550 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent

551 pursuant to s. 1003.435;

552 4. Has been admitted for enrollment as a full-time student
553 or its equivalent in an eligible postsecondary educational
554 institution as provided in s. 1009.533. For purposes of this
555 section, the term "full-time" means 9 credit hours or the
556 vocational school equivalent. A student may enroll part-time if
557 he or she has a recognized disability or is faced with another
558 challenge or circumstance that would prevent full-time
559 attendance. A student needing to enroll part-time for any reason
560 other than having a recognized disability must get approval from
561 his or her academic advisor;

562 5. Has reached 18 years of age but is not yet 23 years of
563 age;

564 6. Has applied, with assistance from the young adult's
565 caregiver and the community-based lead agency, for any other
566 grants and scholarships for which he or she may qualify;

567 7. Submitted a Free Application for Federal Student Aid
568 which is complete and error free; and

569 8. Signed an agreement to allow the department and the
570 community-based care lead agency access to school records.

571 (3) AFTERCARE SERVICES.—

572 (a)1. Aftercare services are available to a young adult
573 who has reached 18 years of age but is not yet 23 years of age
574 and is:

575 a. Not in foster care.

576 b. Temporarily not receiving financial assistance under
577 subsection (2) to pursue postsecondary education.

578 c. Eligible for the Extended Guardianship Assistance
579 Program under s. 39.6225(9) or the extended adoption assistance
580 program under s. 409.166(4), but is not participating in either
581 program.

582 2. Subject to available funding, aftercare services as
583 specified in subparagraph (b)8. are also available to a young
584 adult who is between the ages of 18 and 22, is receiving
585 financial assistance under subsection (2), is experiencing an
586 emergency situation, and whose resources are insufficient to
587 meet the emergency situation. Such assistance shall be in
588 addition to any amount specified in paragraph (2)(b).

589 Section 12. Paragraph (d) of subsection (4) of section
590 409.166, Florida Statutes, is amended to read:

591 409.166 Children within the child welfare system; adoption
592 assistance program.—

593 (4) ADOPTION ASSISTANCE.—

594 (d) Effective January 1, 2019, adoption assistance
595 payments may be made for a child whose adoptive parent entered
596 into an initial adoption assistance agreement after the child
597 reached 14 ~~16~~ years of age but before the child reached 18 years
598 of age. Such payments may be made until the child reaches age 21
599 if the child is:

600 1. Completing secondary education or a program leading to

601 an equivalent credential;

602 2. Enrolled in an institution that provides postsecondary
603 or vocational education;

604 3. Participating in a program or activity designed to
605 promote or eliminate barriers to employment;

606 4. Employed for at least 80 hours per month; or

607 5. Unable to participate in programs or activities listed
608 in subparagraphs 1.-4. full time due to a physical, an
609 intellectual, an emotional, or a psychiatric condition that
610 limits participation. Any such barrier to participation must be
611 supported by documentation in the child's case file or school or
612 medical records of a physical, an intellectual, an emotional, or
613 a psychiatric condition that impairs the child's ability to
614 perform one or more life activities.

615 Section 13. Subsections (1) through (4) of section
616 409.167, Florida Statutes, are amended to read:

617 409.167 Statewide adoption exchange; establishment;
618 responsibilities; registration requirements; rules.-

619 (1) The Department of Children and Families shall
620 establish, either directly or through purchase, a statewide
621 adoption exchange, with a photo listing component, which serves
622 ~~shall serve~~ all authorized licensed child-placing agencies in
623 the state as a means of recruiting adoptive families for
624 children who have been legally freed for adoption and who have
625 been permanently placed with the department or a licensed child-

626 placing agency. The statewide adoption exchange ~~must~~ shall
627 provide, in accordance with rules adopted by the department, a
628 description and photo listing component of each child
629 ~~descriptions and photographs of such children,~~ as well as any
630 other information deemed useful in the recruitment of adoptive
631 families for each child. The photo listing component of the
632 statewide adoption exchange must be updated monthly and may not
633 be accessible to the public, except to persons who have
634 completed or are in the process of completing an adoption home
635 study.

636 (2) (a) Each district of the department shall refer each
637 child in its care who has been legally freed for adoption to the
638 statewide adoption exchange no later than 30 days after the date
639 of acceptance by the department for permanent placement. The
640 referral must be accompanied by a photo listing component
641 ~~photograph~~ and description of the child. Any child who is 12
642 years of age or older may request that a specific photo be used
643 for that child's photo listing component and such child must be
644 consulted during the development of his or her description.

645 (b) The department shall establish criteria by which a
646 district may determine that a child need not be registered with
647 the statewide adoption exchange. Within 30 days after the date
648 of acceptance by the department for permanent placement, the
649 name of the child accepted for permanent placement must be
650 forwarded to the statewide adoption exchange by the district

651 together with reference to the specific reason why the child
652 should not be placed on the statewide adoption exchange. If the
653 child has not been placed for adoption within 3 months after the
654 date of acceptance by the department for permanent placement,
655 the district must ~~shall~~ provide the statewide adoption exchange
656 with the necessary photograph and information for registration
657 of the child with the statewide adoption exchange and the child
658 must ~~shall~~ be placed on the statewide adoption exchange. The
659 department shall establish procedures for monitoring the status
660 of children who are not placed on the statewide adoption
661 exchange within 30 days after the date of acceptance by the
662 department for permanent placement.

663 (3) In accordance with rules established by the
664 department, the statewide adoption exchange may accept, from
665 licensed child-placing agencies, information pertaining to
666 children meeting the criteria of this section, and to
667 prospective adoptive families, for registration with the
668 statewide adoption exchange.

669 (4) For purposes of facilitating family-matching between
670 children and prospective adoptive parents, the statewide
671 adoption exchange must ~~shall~~ provide the photo listing component
672 ~~service~~ to all licensed child-placing agencies and, in
673 accordance with rules adopted ~~established~~ by the department, to
674 all appropriate citizen groups and other organizations and
675 associations interested in children's services. The photo

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676 | listing component of the statewide adoption exchange may not be
677 | accessible to the public, except to persons who have completed
678 | or are in the process of completing an adoption home study.

679 | Section 14. This act shall take effect July 1, 2024.