

# FLORIDA HOUSE OF REPRESENTATIVES

## FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

<b>BILL #:</b> <a href="#">CS/CS/HB 879</a> <b>TITLE:</b> Young Adults who are Homeless or were in the Child Welfare System <b>SPONSOR(S):</b> Rizo, Woodson	<b>COMPANION BILL:</b> <a href="#">CS/CS/SB 584</a> (Garcia) <b>LINKED BILLS:</b> None <b>RELATED BILLS:</b> None
<b>FINAL HOUSE FLOOR ACTION:</b> 116 Y's 0 N's	<b>GOVERNOR'S ACTION:</b> Pending

### SUMMARY

#### Effect of the Bill:

The bill requires each state college and university to develop a plan prioritizing placement of students who are or were formerly in foster care or who are homeless or at risk of experiencing homelessness in residence halls owned by the institution. If a state college or university implements a priority system for assigning students to housing or work-study opportunities, it must give first priority to students who are eligible for a tuition and fee exemption due to their involvement with the child welfare system or classification as a homeless child or youth. State colleges and universities are prohibited from requiring students receiving specified housing support from needing a cosigner or guarantor to obtain housing.

The Department of Children and Families (DCF), community-based care lead agencies (CBCs), and housing authorities are required to administer the federal Foster Youth to Independence initiative and other federal programs and vouchers offered by the United State Department of Housing and Urban Development. DCF, CBCs, and their subcontracted service providers that administer housing funds for young adults in the child welfare system must document actions taken to facilitate a young adult's acquisition of a residential lease.

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is required to conduct a study of the barriers young adults who are homeless or were formerly in foster care face when trying to obtain housing and issue its findings, including recommendations, by December 1, 2026.

#### Fiscal or Economic Impact:

The bill has no fiscal impact on Florida College System and State University System institutions or the DCF.

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### ANALYSIS

#### EFFECT OF THE BILL:

CS/CS/HB 879 passed as [CS/CS/SB 584](#).

The bill requires each State University System (SUS) and Florida College System (FCS) institution to develop a plan to prioritize the placement of students in residence halls owned by the institution who:

- are or were formerly in foster care;
- are experiencing homelessness or are at risk of experiencing homelessness; or
- are eligible for the [tuition and fee exemption](#) currently authorized in state statute<sup>1</sup> due to their involvement with the [child welfare system](#) or classification as a homeless child or youth.

The plan must be developed in consultation with the State Office of Homelessness, located within the Florida Department of Children and Families (DCF). The DCF's [Office of Continuing Care](#)<sup>2</sup> would be responsible for determining if a student is or was formerly in foster care. Each SUS or FCS institution is responsible for

<sup>1</sup> Section [1009.25\(1\)\(c\)1.-4. or \(1\)\(e\), F.S.](#)

<sup>2</sup> Section [414.56, F.S.](#)

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determining whether a student meets the definition of a homeless child or youth by using the process for determining whether a student is eligible for a tuition or fee exemption under existing statute.<sup>3</sup>

If a SUS or FCS institution implements a priority system for the assignment of students to or award of housing operated by the institution, year-round housing, or work-study opportunities, then it must give first priority to students who are eligible for the tuition and fee exemption due to their involvement with the child welfare system or classification as a homeless child or youth.<sup>4</sup> Residence halls or dormitory residences are more often found at state universities than state colleges because the latter typically have more students who commute to campus. FCS institutions and state universities are prohibited from requiring a student to have a cosigner or guarantor to obtain housing if the student receives housing support under the [Road-to-Independence Program](#)<sup>5</sup> or is receiving continuing care through [extended foster care](#). (Section [1](#)).

DCF, [community-based care lead agencies \(CBCs\)](#), and housing authorities<sup>6</sup> must administer the federal [Foster Youth to Independence \(FYI\) initiative](#) and other [federal programs](#) and vouchers offered by the United States Department of Housing and Urban Development (HUD). This may require DCF, CBCs, and their subcontracted service providers to do any of the following:

- Enter into a memorandum of understanding or letter of intent with each housing authority located within the service area of the DCF or a CBC.
- Provide or secure supportive services for participating young adults for the duration of the FYI initiative voucher.
- Provide a written certification to the housing authority verifying the young adult's child welfare history.
- Identify each young adult eligible for an FYI initiative voucher within each CBC's caseload and communicate such eligibility to each young adult.

DCF, CBCs, and their subcontracted service providers that administer housing funds for young adults in the child welfare system must document actions taken to facilitate a young adult's acquisition of a residential lease, including, but not limited to, providing assurances to a landlord that funding will be provided on a monthly basis through a housing voucher. This requirement applies to entities that serve young adults receiving postsecondary educational services and support or aftercare services under the Road-to-Independence Program or young adults receiving continuing care.<sup>7</sup> (Section [2](#)).

The Office of Program Policy Analysis and Government Accountability (OPPAGA) must conduct a study of the barriers that young adults who are homeless or were formerly in foster care face when trying to obtain housing. The study must include recommendations for overcoming those barriers. In conducting the study, OPPAGA is required to consult with the DCF, the Board of Governors (BOG) of the SUS, the FCS, the Department of Commerce, public housing authorities, affected young adults, and other stakeholders. OPPAGA must report its findings by December 1, 2026, to the Governor, the President of the Senate, and the Speaker of the House of Representatives. (Section [3](#)).

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2025. (Section [4](#)).

## **FISCAL OR ECONOMIC IMPACT:**

### **STATE GOVERNMENT:**

The bill has no fiscal impact on FCS and SUS institutions or the DCF. It requires FCS and SUS institutions to create plans for prioritizing eligible students in housing owned or operated by the institutions, year-round housing, and work-study opportunities. This function can be absorbed using each institution's existing resources. Duties

<sup>3</sup> Section [1009.25\(1\)\(c\)1.-4. or \(1\)\(e\), F.S.](#); r. 6A-10.087, F.A.C.; BOG 7.008

<sup>4</sup> *Id.*

<sup>5</sup> Section [409.1451, F.S.](#)

<sup>6</sup> Section [421.04, F.S.](#)

<sup>7</sup> Section [39.6251, F.S.](#)

required of the DCF, CBCs, their subcontracted providers, and housing authorities can also be absorbed using existing resources.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [Tuition and Fee Exemption](#)

In Florida, young adults who meet certain criteria can have their tuition and fees waived at school districts that provide workforce education programs, state colleges, and state universities.<sup>8</sup>

Among those criteria, a student is eligible if he or she was the subject of a shelter proceeding, a dependency proceeding, or a termination of parental rights proceeding, and:<sup>9</sup>

- Is, or was at the time he or she reached 18 years of age, in out-of-home care.
- Is, or was at the time he or she reached 18 years of age, in the custody of a relative or nonrelative.<sup>10</sup>
- After spending at least six months in the custody of the Department after reaching 16 years of age, was placed in a guardianship by the court.
- After reaching 14 years of age and thereafter spending at least 18 months in out-of-home care, was reunited with his or her parent or parents who were the subject of the dependency proceeding before he or she reaches 18 years of age.<sup>11</sup> Such a student must be Pell Grant-eligible and the entity imposing the tuition and fees must verify such eligibility.
- Was adopted from the Department after May 5, 1997.
- Was placed in a permanent guardianship, regardless of whether the caregiver participates or participated in the Relative Caregiver Program,<sup>12</sup> and remains in such guardianship until the student either reaches 18 years of age or, if before reaching 18 years of age, he or she enrolls in an eligible institution.

The exemption includes fees associated with enrollment in applied academics for adult education instruction and remains valid until a student reaches 28 years of age.<sup>13</sup>

A student who meets the definition of a homeless child or youth under federal law<sup>14</sup> is also eligible to have tuition and fees waived. Florida uses the same criteria as in federal law to identify students experiencing homelessness, and also includes individuals who would otherwise meet the definition but for their residence in college or university dormitory housing.<sup>15</sup>

#### [Florida's Child Welfare System](#)

Administered by the DCF, Florida's child welfare system seeks to:

- Provide for the care, safety, and protection of children in an environment that fosters healthy social, emotional, intellectual, and physical development;
- Ensure secure and safe custody;
- Promote the health and well-being of all children under the state's care; and
- Prevent the occurrence of child abuse, neglect, and abandonment.<sup>16</sup>

#### [Community-Based Care Lead Agencies \(CBCs\)](#)

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<sup>8</sup> Section [1009.25\(1\), F.S.](#)

<sup>9</sup> Section [1009.25\(1\)\(c\)1.-6., F.S.](#)

<sup>10</sup> See ss. [39.5085](#) and [39.6225, F.S.](#)

<sup>11</sup> See [s. 39.8155, F.S.](#)

<sup>12</sup> Section [s. 39.5085, F.S.](#)

<sup>13</sup> Section [1009.25\(1\)\(c\), F.S.](#)

<sup>14</sup> McKinney-Vento Homeless Assistance Act, s. 725 (42 U.S.C. s. 11434a(2)).

<sup>15</sup> Section [1009.25\(1\)\(e\), F.S.](#); r. 6A-10.087, F.A.C.; BOG 7.008

<sup>16</sup> Section [39.001\(1\)\(a\), F.S.](#)

DCF outsources some child protection and child welfare services to 16 CBCs.<sup>17</sup> CBCs organize services such as family preservation, mental health services, case management, emergency shelter, foster care, residential group care, postplacement supervision, independent living, and permanency.<sup>18</sup>

CBCs may subcontract case management and direct care services to other provider groups under certain conditions.<sup>19</sup> Meanwhile, DCF retains direct control over a number of child welfare functions, including operating the central abuse hotline, performing child protective investigations, and providing children's legal services.<sup>20</sup> Ultimately, DCF must ensure children receive appropriate, quality care.<sup>21</sup> For Fiscal Year (FY) 2023-24, DCF served 55,092 children with family support services, in-home child protective services, or out-of-home care.<sup>22</sup>

### [Transition Planning and the Office of Continuing Care \(OCC\)](#)

Some children in out-of-home care do not receive a permanent placement and age out of the child welfare system. Current law requires DCF and the CBCs to assist an older foster youth to develop a transition plan during the year after his or her 16<sup>th</sup> birthday. A transition plan targets the state's independent living programs to help older foster youth access housing, health insurance, financial literacy, a driver's license, workforce support, and employment services.<sup>23</sup> DCF must regularly review the transition plan, and the court must approve it before the older youth's 18<sup>th</sup> birthday.<sup>24</sup>

The DCF OCC helps individuals who have aged out of the child welfare system until age 26. OCC provides ongoing support and care coordination needed for young adults to achieve self-sufficiency through food assistance, behavioral health services, housing, Medicaid, educational services, and workforce development.<sup>25</sup>

OCC uses state and federal funding for independent living programs and services for youth aging out of foster care. These programs include:

- John H. Chafee Foster Care Program for Successful Transition to Adulthood (Chafee).
- Road-to-Independence Program.
- Extended Foster Care (EFC).

### [Road-to-Independence Program](#)

The Postsecondary Education Supports and Services (PESS) and Aftercare Services programs help eligible young adults who were in the child welfare system. PESS is a room-and-board stipend (typically \$1,720/month) available to former foster youth who are enrolled in postsecondary education. Aftercare services include mentoring and tutoring, mental health services, substance abuse counseling, life skills classes, parenting classes, job and career skills training, counselor consultations, financial literacy skills training, emergency financial assistance for auto repairs or large medical expenses, and temporary financial assistance for basic living necessities (e.g., education supplies, transportation expenses, security deposits, furnishings, household goods).<sup>26</sup>

During FY 2022-23, 837 young adults received PESS stipends and 468 young adults received aftercare services. During FY 2023-24, 879 young adults received PESS stipends and 609 young adults received aftercare services.<sup>27</sup>

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<sup>17</sup> See [s. 20.19\(1\), F.S.](#)

<sup>18</sup> Section [409.986\(3\), F.S.](#)

<sup>19</sup> Section [409.988\(1\)\(j\), F.S.](#) Current law requires a CBC to recruit other provider groups when the CBC seeks DCF's approval for an exemption to exceed the 35% cap on the direct provision of child welfare services. Current law conditions the exemption upon a showing that the CBC's geographic service area still lacks a qualified provider after the CBC's good faith recruitment efforts.

<sup>20</sup> Section [409.996, F.S.](#)

<sup>21</sup> Sections [409.986\(1\)\(b\)](#), [409.996](#), and [409.997, F.S.](#)

<sup>22</sup> Department of Children and Families, *A Comprehensive, Multi-Year Review of the Revenues, Expenditures, and Financial Position of All Community-Based Care Lead Agencies with System of Care Analysis: State Fiscal Years 2022-2023 and 2023-2024*, p. 12 (Dec. 1, 2024), available at [2024 Multi-Year Review of Financial Position for Lead Agencies Report.pdf](#).

<sup>23</sup> Sections [39.6035](#) and [409.14515, F.S.](#)

<sup>24</sup> Section [39.6035\(3\)-\(4\), F.S.](#)

<sup>25</sup> Section [414.56, F.S.](#)

<sup>26</sup> Section [409.1451, F.S.](#)

<sup>27</sup> Department of Children and Families, *Independent Living Services Annual Report 2023-2024*, p. 8 (Jan. 31, 2025), available at [Independent Living Services Report 2024.pdf](#).

### Extended Foster Care

The permanency goal for a young adult who chooses to remain in care past his or her 18th birthday is to transition to independence. To this end, current law gives these young adults the option to remain in DCF care under judicial supervision as long as they participate in a qualifying self-sufficiency activity (e.g., pursuing a high school diploma, GED, postsecondary education, vocational education, workforce development programs, or maintaining employment for at least 80 hours a month).<sup>28</sup> EFC ends on the young adult's 21<sup>st</sup> birthday (or 22<sup>nd</sup> for those with disabilities), when the young adult achieves a statutorily preferred permanency outcome, or when the young adult knowingly and voluntarily withdraws consent to participate in extended foster care, whichever is earliest.<sup>29</sup>

During FY 2022-23, 1,733 young adults participated in EFC. During FY 2023-24, 1,540 young adults participated in EFC.<sup>30</sup>

### Foster Youth to Independence Initiative

The United States Department of Housing and Urban Development's (HUD) Foster Youth to Independence (FYI) Initiative is a federal program aimed at preventing homelessness among young adults who are aging out of foster care or have prior foster care experience. Introduced in 2019, the FYI initiative provides time-limited rental assistance through the Housing Choice Voucher Program, connecting young adults to supportive services from local community resources to help them develop essential life skills and achieve self-sufficiency.<sup>31</sup>

The FYI Initiative is designed for young adults who are transitioning out of foster care or have prior foster care experience and are homeless or at risk of experiencing homelessness. Young adults who are transitioning out of foster care or have prior foster care experience and are homeless or at risk of experiencing homelessness may receive housing assistance and supportive services for up to 36 months.

In Florida, local public housing authorities contract directly with HUD to offer housing vouchers like the FYI initiative. There are currently over 90 public housing agencies in Florida that participate in public housing assistance.<sup>32</sup> There are currently 17 housing authorities in 11 counties that administer FYI vouchers, listed in the following table:<sup>33</sup>

<b>Housing Authorities with FYI Vouchers (3/22/25)</b>	<b>County</b>
Jacksonville Housing Authority	Duval
Housing Authority of the City of St. Petersburg	Pinellas
Tampa Housing Authority	Hillsborough
Miami-Dade Housing Agency	Miami-Dade

<sup>28</sup> However, the young adult may be excused from the self-sufficiency activities if the young adult documents a physical, intellectual, emotional, or a psychiatric condition that limits the young adult's full-time participation. S. [39.6251\(2\)\(e\), F.S.](#)

<sup>29</sup> Section [39.6251\(5\), F.S.](#)

<sup>30</sup> Department of Children and Families, *Independent Living Services Annual Report 2023-2024*, p. 8 (Jan. 31, 2025), available at [Independent Living Services Report 2024.pdf](#).

<sup>31</sup> U.S. Department of Housing and Urban Development, *FYI Brochure for Young Adults*, available at <https://www.hud.gov/sites/default/files/PIH/documents/FosterYouthInitiativeBrochure-YoungAdult.pdf>.

<sup>32</sup> U.S. Department of Housing and Urban Development, *Find Your Local Public Housing Agency (PHA), HA Contact Information by State: Florida*, [https://www.hud.gov/sites/dfiles/PIH/documents/PHA>Contact\\_Report\\_FL.pdf](https://www.hud.gov/sites/dfiles/PIH/documents/PHA>Contact_Report_FL.pdf)

<sup>33</sup> U.S. Department of Housing and Urban Development, *Foster Youth to Independence (FYI) Awards*, available at [FYI Program Effective Awards and Leasing 4.30.24.xlsx](#)



Sarasota Housing Authority	Sarasota
West Palm Beach Housing Authority	Palm Beach
Housing Authority of the City of Lakeland	Polk
Housing Authority of the City of Cocoa	Brevard
Housing Authority of Brevard County	Brevard
Housing Authority of New Smyrna Beach	Volusia
Hialeah Housing Authority	Miami-Dade
Alachua County Housing Authority	Alachua
Broward County Housing Authority	Broward
Palm Beach County Housing Authority	Palm Beach
Housing Authority of the City of Deerfield Beach	Broward
County of Volusia Dept. of Community Services	Volusia
Dania Beach Housing Authority	Broward

### [Additional Federal Programs](#)

#### *Chafee Grants*

The U.S. Congress annually appropriates \$143 million into Chafee, which provides states with flexible, supplemental funding to support young adults aging out of foster care in their transition to adulthood. A state may apply to the U.S. Department of Health and Human Services (HHS) with a responsive state plan and required Governor certifications, including a 30 percent cap on room and board expenditures from the state's allotment for the fiscal year. If HHS accepts, HHS awards a formula grant, based on the state's foster care ratio, to the state's child welfare agency.<sup>34</sup> In turn, the state must provide a 20 percent non-federal cash or in-kind match to receive their full allotment.<sup>35</sup>

For FY 2024-25, the Florida Legislature appropriated \$58.9 million in pass-through funding to the CBCs specifically for independent living programs.<sup>36</sup>

In 2023, Florida received a \$8.4 million Chafee allocation for "Successful Transition to Adulthood Programs." Florida's 20 percent contribution match was \$1.7 million, and the state allocated an additional \$8.0 million, for a total of \$18.1 million.<sup>37</sup>

A state child welfare agency may customize its service array offerings in connection with education, employment, financial management, housing, emotional support and assured connections to caring adults.<sup>38</sup> The minimum eligibility requirements for Chafee, as outlined in federal law, includes:

- Youth in foster care, ages 14 and older.

<sup>34</sup> 42 U.S.C. § 677. The state foster care ratio means the ratio of the number of children in foster care under a program of the state in the most recent fiscal year (FY) for which the information is available to the total number of children in foster care in all states for the most recent FY.

<sup>35</sup> Patrick Landers, *John H. Chafee Foster Care Program for Successful Transition to Adulthood*, Congressional Research Service [John H. Chafee Foster Care Program for Successful Transition to Adulthood | Congress.gov | Library of Congress](#) (last visited Apr. 30, 2025); see 42 U.S.C. § 674(a)(4).

<sup>36</sup> Department of Children and Families, *A Comprehensive, Multi-Year Review of the Revenues, Expenditures, and Financial Position of All Community-Based Care Lead Agencies with System of Care Analysis: State Fiscal Years 2022-2023 and 2023-2024*, p. 7 (Dec. 1, 2024), available at [2024 Multi-Year Review of Financial Position for Lead Agencies Report.pdf](#).

<sup>37</sup> Administration for Children and Families, *Program Instruction 24-02: Attachment A: FY 2023 Allotment for Chafee Foster Care Program for Successful Transition to Adulthood Grants*, U.S. Department of Health and Human Services, p. 10, <https://www.acf.hhs.gov/cb/policy-guidance/pi-24-02> (last visited Apr. 30, 2025); United States Government Accountability Office, *Report to the Chairman, Committee on the Judiciary, U.S. Senate: Foster Care – HHS Should Help States Address Barriers to Using Federal Funds for Programs Serving Youth Transitioning to Adulthood*, GAO-25-107154, p. 19, <https://www.gao.gov/products/gao-25-107154> (last visited Apr. 30, 2025).

<sup>38</sup> United States Government Accountability Office, *Report to the Chairman, Committee on the Judiciary, U.S. Senate: Foster Care – HHS Should Help States Address Barriers to Using Federal Funds for Programs Serving Youth Transitioning to Adulthood*, GAO-25-107154, p. 1, <https://www.gao.gov/products/gao-25-107154> (last visited Apr. 30, 2025).

- Young people in or formerly in foster care, ages 18 to 21, or 23 in some jurisdictions.
- Youth who left foster care through adoption or guardianship at age 16 or older.
- Youth “likely to age out of foster care” to receive assistance to participate in age appropriate and normative activities.

States and tribes may have additional requirements for eligibility.<sup>39</sup>

*Pell Grants*

Federal Pell Grants are awarded to undergraduate students who display exceptional financial need and have not yet earned a bachelor’s, graduate, or professional degree. A Pell Grant does not have to be repaid, except under certain circumstances, and award amounts change yearly. The maximum amount for the 2025-26 award year is \$7,395. The amount of aid a student receives is based upon a student aid index, cost of attendance for a student’s specific program, part-time or full-time status, and plans to attend for a full-academic year or less. A student can receive a Pell Grant for no more than 12 full-time terms or the equivalent. To maintain a Pell Grant, a student must maintain enrollment in an undergraduate program and fill out the Free Application for Federal Student Aid (FAFSA) form every year.<sup>40</sup>

**RECENT LEGISLATION:**

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2022	<a href="#">CS/CS/HB 1577</a>	Woodson	Garcia	Took effect on July 1, 2022.
2022	<a href="#">CS/SB 7034</a>		Garcia	The bill did not have a House companion. Took effect July 1, 2022.

<sup>39</sup> United States Government Accountability Office, *Report to the Chairman, Committee on the Judiciary, U.S. Senate: Foster Care – HHS Should Help States Address Barriers to Using Federal Funds for Programs Serving Youth Transitioning to Adulthood*, GAO-25-107154, p. 1, <https://www.gao.gov/products/gao-25-107154> (last visited Apr. 30, 2025); s. [409.986\(3\), F.S.](#)

<sup>40</sup> U.S. Department of Education, Federal Student Aid Office, *Federal Pell Grants*, [Federal Pell Grants | Federal Student Aid](#) (last visited Apr. 30, 2025).