



**Children's Home Society  
of Florida**

# **2023 LEGISLATIVE IMPACT REPORT**

**#CHSADVOCACY**



## CHS Advocates Making an IMPACT

Special thanks to each of YOU - CHS State and Regional Board Members, Team Members, Advocates and our CHS Lobbyist Team for your ability to be flexible and implement a variety of advocacy tools during the 2023 Legislative Session. Without your determination and advocacy to legislators, we would not have been so successful this Session. We thank you and look to your continued advocacy presence in the future.

***This Final Legislative Impact Report is dedicated to the Memory of Sam Bell, a fierce and tireless advocate for all children.***



For copies of this Report, legislative priorities and advocacy information, please see the Advocacy Page of the CHS website at [www.chsfl.org/advocate](http://www.chsfl.org/advocate).

If you have any questions regarding this Report please contact Summer Pfeiffer, Vice President of Governmental Relations, at 850.339.5463 or [Summer.Pfeiffer@chsfl.org](mailto:Summer.Pfeiffer@chsfl.org)

# 2023 Senate Page Program

CHS has collaborated with the Florida Senate for over 13 years to bring 120+ CHS youth to experience one week in Tallahassee serving as a Senate Page. Sixteen CHS youth participated during the 2023 Legislative Sessions. As part of a packed week, our Pages also had a chance to meet with Capital City Bank Leadership, FSU Veteran Affairs, Southern Scholarship Foundation and much more. We had a total of 9 Host Families and a few parents/chaperones who made this possible for the students and we are greatly appreciative. We couldn't offer this program without the support of our generous donors.







## South Woods Elementary Student Leadership Council & House Speaker Renner



Sen. Calatayud & Arthur Polly Mays Tour

# 2023 Session - Bills That Passed

*Excerpts from the 2023 Senate Session Summaries*

## **CS/CS/HB 121 – Florida Kidcare Program Eligibility**

by Health Care Appropriations Subcommittee; Healthcare Regulation Subcommittee; and Reps. Bartleman, Trabulsy, and others (CS/CS/SB 246 by Fiscal Policy Committee; Appropriations Committee on Health and Human Services; and Senators Calatayud, Perry, Osgood, and Rodriguez)

The bill raises the income eligibility limits for the subsidized MediKids, Florida Healthy Kids, and Children's Medical Services Network programs within the Florida Kidcare program from 200 percent to 300 percent of the federal poverty level (FPL), effective January 1, 2024. The bill also requires the Florida Healthy Kids Corporation to revise the monthly premiums for enrollees in households over 150 percent of the FPL who are not otherwise exempt from premiums, based on a minimum of three, but not more than six, income-based tiers.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

*Vote: Senate 38-0; House 105-0*

## **CS/SB 204 – Task Force on the Monitoring of Children in Out-of-Home Care**

by Fiscal Policy and Senators Rouson and Garcia

The bill establishes the Task Force on the Monitoring of Children in Out-of-Home Care (Task Force) adjunct to the Florida Department of Law Enforcement (FDLE). The Task Force is required to identify and counter the root causes of why children go missing while in out-of-home care and to ensure prompt and effective action to address such causes. The Task Force must examine and recommend improvements to current policies, procedures, programs, and initiatives and to ensure that timely and comprehensive steps are taken to find children who are missing for any reason, including, but not limited to, running away, human trafficking, and abduction by or absconding with a parent or an individual who does not have care or custody of the child.

The bill details the composition of the Task Force to be 13 members, including, but not limited to, a member of the Senate, a member of the House of Representatives, and representatives from the FDLE, the Guardian ad Litem program, and the community-based care lead agencies, a licensed foster parent, and a young adult who has aged out of the foster care system. Dates are specified for member appointments and the initial meeting of the Task Force.

The bill requires the Department of Children and Families to submit monthly reports through October 1, 2024, to assist the Task Force in fulfilling its duties and requires the Florida Institute for Child Welfare to conduct focus groups or individual interviews with children in out-of-home care and young adults who have aged out of the foster care system to examine why children leave their out-of-home placements and how to prevent them from leaving.

The bill requires the Task Force to submit a report with findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1, 2024.

The bill includes a date for repeal of the Task Force on June 30, 2025, unless reviewed and saved from repeal by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023. *Vote: Senate 38-0; House 117-0*

## HB 267 – Telehealth Practice Standards

by Rep. Fabricio and others (SB 298 by Senator Boyd)

The bill (Chapter 2023-63, L.O.F.) amends s. 456.47, F.S., to revise the definition of “telehealth.” Under the bill, the use of audio-only telephone calls is no longer excluded from the definition.

These provisions were approved by the Governor and take effect July 1, 2023.

*Vote: Senate 39-0; House 115-0*

## CS/CS/HB 443 – Education

by Education and Employment Committee; Choice and Innovation Subcommittee; and Rep. Valdes and others (CS/CS/CS/SB 986 by Fiscal Policy Committee; Appropriations Committee on Education; Education Pre-K - 12 Committee; and Senator Burgess)

The bill modifies provisions related to charter schools, the Florida Teachers Classroom Supply Assistance Program, private tutoring, and other education-related areas.

The bill includes a number of provisions related to charter schools that:

- Authorize a charter school to give enrollment preference to students who are the children of a safe-school school officer assigned to the school.
- Authorizes a not-for-profit entity to loan certain assets to other charter schools in the state that are operated by the same entity, provided the loan is repaid within five years.
- Include charter school personnel in certain school district training.
- Require the sponsor to annually provide a report on the services provided to charter schools from the administrative fee.
- Require the sponsor to make timely payments and reimbursement, defined as 60 days, of eligible federal grant funds.
- Require the State Board of Education to adopt rules for a standard charter school monitoring tool.
- Require a charter school to place a student on a progress monitoring plan for at least one semester before dismissing the student when the school limits enrollment based on academic, artistic or other standards.

The bill also:

- Expands the Florida Teachers Classroom Supply Assistance Program to include less-than-full-time teachers.
- Requires the district to post step-by-step instructions on how to provide first aid for choking in each public school cafeteria within the district.
- Provides zoning flexibility for private tutoring facilities of up to 25 students.
- Requires the Department of Children and Families to report every 5 years, beginning December 1, 2024, on training requirements and coursework offered to child care personnel.
- Requires the Department of Education to include, as part of the statewide early learning information system, a way for a parent to find early learning programs online.
- Clarifies that a child care provider must not have 3 or more of the same Class 2 violations within 2 years to apply or maintain its status as a Gold Seal Quality Care Provider.
- Adds priority funding under the Community School Grant Program for expanding a program based on the feeder pattern of an existing community school.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023. *Vote: Senate 35-4; House 109-0*

## CS/CS/SB 272 – Children and Young Adults in Out-of-home Care

by Appropriations Committee on Health and Human Services; Children, Families, and Elder Affairs Committee; and Senators Garcia, Osgood, Perry, Book, and Berman

The bill is cited as the “Nancy C. Detert Champion for Children Act.” The bill makes several changes to statutes that enhance support for children and young adults who are currently or have formerly been in out-of-home care. The bill requires case managers and other staff to provide children in out-of-home care certain education and information about topics, rights, policies, and procedures related to their protection and safety. The bill also requires the DCF to consult with these youth when creating or revising any print or digital information used to educate and inform these youth to ensure the information is understandable and age-appropriate.

The bill establishes the Office of the Children’s Ombudsman within the DCF and details the role of that office. Additionally, the bill requires case managers and other child welfare professionals to ensure that youth in out-of-home care receive information and education about certain topics related to laws, expectations, and goals of the out-of-home care system.

The bill also expands eligibility for the Keys to Independence program that removes barriers for foster and former foster youth to obtain a driver’s license. The bill removes the criteria for a youth that is in a specified program, to have also been in licensed care upon his or her 18th birthday. This change will allow approximately 450 additional young adults to be eligible to participate in the Keys program.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.

*Vote: Senate 39-0; House 116-0*

## CS/CS/HB 1577– Homeless Youth

by Health and Human Services Committee; Children, Families, and Seniors Subcommittee; and Rep. Woodson and others (SB 1708 by Senators Garcia, Jones, and Book)

The bill addresses the needs of children and young adults who are experiencing homelessness, including those who are certified by the local school district liaison under current Florida law, and amends provisions that will improve access for youth who are currently in, or were formerly in, foster care.

Specifically, the bill:

- Requires district school boards to issue a homeless youth certified under s. 743.067, F.S., a card that includes information on his or her rights and available benefits, and allows health care providers to accept the issued card as proof of the young adult’s status as a certified homeless youth.
- Expands the Keys-to-Independence program that provides assistance with the costs of driver education, licensure, and motor vehicle insurance to children in foster care to include certified homeless youth who meet certain requirements.
- Waives fees for certified copies of a birth certificate for certified homeless youth and young adults who aged out of foster care.
- Requires postsecondary institutions to have knowledgeable, accessible, and responsive liaisons to assist children and young adults who were formerly in foster care and those experiencing homelessness with issues related to the use of a tuition and fee exemption.
- Requires postsecondary institutions to retain original documents on a student’s tuition and fee exemption and prohibits additional request for such documentation.
- Clarifies provisions related to homeless youth who are certified under s. 743.067, F.S., and updates the definition and criteria for certification to align with federal law.



- Amends the definition of which students qualify for a tuition and fee exemption as homeless children and youth to align this definition with federal law.
- Requires any student determined to be eligible for a tuition and fee exemption as a result of being a homeless child or youth for a preceding year to be presumed homeless for subsequent years unless an institution has conflicting information.
- Directs the Office of Program Policy Analysis and Government Accountability to evaluate the effectiveness of campus liaisons and of local school districts' delivery of benefits and services available under the federal McKinney-Vento Homeless Assistance Act.

If approved by the Governor, these provisions take effect July 1, 2022.

*Vote: Senate 36-0; House 117-0*

## **HB 477 – Term Limits for District School Board Members**

by Rep. Rizo and others (CS/CS/SB 1110 by Community Affairs Committee; Ethics and Elections Committee; and Senator Ingoglia)

This bill (Chapter 2023-37, L.O.F.) reduces the length of the term limit for school board members to 8 years from 12 years. The term limit applies to terms of office beginning on or after November 8, 2022.

These provisions were approved by the Governor and take effect July 1, 2023.

*Vote: Senate 30-7; House 79-29*

## **CS/CS/HB 625 – Children's Initiative Projects**

by Health and Human Services Committee; Children, Families and Seniors Subcommittee and Reps. Bracy Davis and others (CS/SB 1578 by Children, Families, and Elder Affairs Committee and Senator Thompson)

The bill makes numerous changes to s. 409.147, F.S., to restructure, streamline, and clarify the requirements and objectives of children's initiatives in Florida.

Specifically, the bill:

- Renames s. 409.147, F.S., from "Children's Initiatives" to "Florida Children's Initiatives".
- Renames the "Parramore Kidz Zone" to the "Orlando Kidz Zones" and expands the reach of the initiative to encompass the Orlando neighborhoods of Parramore, Mercy Drive, and Englewood.
- Renames the "Tampa Sulphur Springs Neighborhood of Promise Success Zone" to the "Tampa Sulphur Springs Neighborhood of Promise."
- Removes the specification that existing children's initiatives are 10-year projects and makes changes throughout to extend current requirements and exemptions enumerated for children's initiatives to all Florida Children's Initiatives, including requirements for public records and meetings and procurement of commodities or contractual services.
- Expands the ways in which a county or municipality must recognize a not-for-profit corporation that will serve as a children's initiative to allow a county to identify an existing, qualified not-for-profit corporation, as a children's initiative instead of creating one.
- Grants counties that do not currently have a children's initiative and are trying to establish an initiative priority for designation as a children's initiative.
- Expands the youth support objectives of the children's initiative working group to include increasing "postsecondary enrollment, and postsecondary completion rates among neighborhood youth" not just "increasing high school graduation" and the safety objectives of the working group to "reduce youth incarceration" in addition to the currently required "reduce youth violence, crime, and recidivism."
- Makes technical and conforming changes throughout to implement the substantive changes of the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

*Vote: Senate 40-0; House 115-0*

## **CS/SB 664 – Contracts Entered into by the Department of Children and Families**

by Children, Families, and Elder Affairs Committee and Senator Burgess

The bill expands the contract requirements of the Department of Children and Families requiring a lead agency to annually provide and publish operating procedures detailing timelines and procedures to maximize the use of concurrent planning, minimize the time to complete preliminary and final adoptive home studies, streamline data entry into the statewide child welfare information system, and reduce time to permanency.

The bill also requires a lead agency to gather all information required and complete the child specific information section of the unified home study, excluding information related to any prospective caregiver, no later than 90 days after the filing of a petition for termination of parental rights.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

*Vote: Senate 39-0; House 116-0*

## **CS/SB 676 – Level 2 Background Screenings**

by Appropriations Committee and Senator Grall

The bill amends s. 435.04, F.S., to require all employees required by law to be screened under Level 2 screening standards in this section and persons with an affiliation with a qualified entity for whom the qualified entity chooses to conduct screening under s. 943.0542, F.S., to undergo a Level 2 security background investigation as a condition of employment or continued employment. This investigation must include a search of the sexual predator and sexual offender registries of any state in which the current or prospective employee resided during the immediate preceding 5 years. The bill also amends the list of disqualifying offenses to reference aggravated assault, aggravated battery, battery on staff of a detention or commitment facility or on a juvenile probation officer, female genital mutilation, and certain offenses against students by authority figures.

For purposes of background screening, the bill amends s. 435.02, F.S., to provide definitions for "affiliation" and "qualified entity."

The bill amends s. 435.07, F.S., to authorize the head of a qualified entity to grant an exemption to a person otherwise disqualified from employment, subject to the exemption requirements of this section. The bill also specifies when disqualification from affiliation may not be removed. The bill also references a "person with an affiliation" in provisions relevant to the process for seeking an exemption.

The bill amends s. 435.12, F.S. Beginning January 1, 2026, or a later date as determined by the Agency for Health Care Administration (AHCA), the Care Provider Background Screening Clearinghouse (Clearinghouse) must allow results of criminal history checks to be shared among qualified entities participating in the Clearinghouse for screening of care providers and other specified persons. Beginning January 1, 2025, or a later date as determined by the AHCA, the AHCA shall review and determine eligibility for all criminal history checks submitted to the Clearinghouse for the Department

of Education (DOE). The Clearinghouse shall share eligibility determinations with the DOE and qualified entities.

Effective January 1, 2026, or a later date as determined by the AHCA, a person with a break in service of more than 90 days from a position for which a background screening is conducted by a qualified entity participating in the Clearinghouse must submit to a national screening if the person returns to a position for which screening is required by such entity.

A qualified entity participating in the Clearinghouse must register with the Clearinghouse and maintain the employment or affiliation status of all persons included in the Clearinghouse. The bill specifies dates for reporting initial status and changes in status. The qualified entity must also register with and initiate all criminal history checks through the Clearinghouse before referring an employee or potential employee or a person with a current or potential affiliation with a qualified entity for electronic fingerprint submission to the Florida Department of Law Enforcement (FDLE).

The bill updates the schedule for employees of specified educational entities to be rescreened.

The bill amends s. 943.0438, F.S., to revise background screening requirements for athletic coaches to require these individuals, including managers, to increase the level of background screening from a Level 1 to a Level 2 background screening. The bill also removes the 20 hour minimum work requirement. These changes mean that all youth athletic coaches, assistant coaches, managers, and referees must undergo a Level 2 background screening, regardless of hours worked.

Before January 1, 2026, or a later date as determined by the AHCA, an independent sanctioning authority shall disqualify any person from acting as an athletic coach as provided in s. 435.04, F.S., (Level 2 standards). On or after January 1, 2026, or a later date as determined by the AHCA, an independent sanctioning authority shall not allow any person to act as an athletic coach if he or she does not pass the background screening qualifications in s. 435.04, F.S. However, the authority may allow a disqualified person to act as an athletic coach if the person has successfully completed the exemption for disqualification process under s. 435.07, F.S.

The bill amends s. 943.05, F.S., to require the Criminal Justice Information Program to search arrest fingerprint submissions received from qualified entities participating in the Clearinghouse. Additionally, the FDLE must develop a method for identifying or verifying an individual through automated biometrics for federal approval.

The bill amends s. 943.0542, F.S., to require a qualified entity conducting criminal history checks under s. 943.0542, F.S., to do the following:

- Require such entity to register with the FDLE before submitting a request for screening under this section.
- Before January 1, 2026, or a later date as determined by the AHCA, submit to the FDLE specified information relevant to a request for background screening. Effective January 1, 2026, the qualified entity registers with the AHCA instead of the FDLE.
- Effective January 1, 2026, or a later date as determined by the AHCA, comply with Level 2 screening requirements in s. 435.12, F.S. All fingerprints must be entered into the Clearinghouse.

Through December 31, 2025, or a later date as determined by the AHCA, all of the following occurs:

- The FDLE provides directly to the qualified entity non-exempt state criminal history records. Effective January 1, 2026, or a later date as determined by the AHCA, the Clearinghouse provides such records only if a person who is a subject of a criminal history record challenges the record.
- The FDLE provides national criminal history data to qualified entities for the purpose of screening employees and volunteers as authorized by written waiver required for submission of a request. Effective January 1, 2026, or a later date as determined by the AHCA, the

Clearinghouse provides such record only if the person requests an exemption from such entity under s. 435.07, F.S.

- The qualified entity making the determination regarding a background screening applies the Level 2 background screening criteria under s. 435.04(2), F.S., to the state and national criminal history record information received from the FDLE for those persons subject to screening. Beginning January 1, 2026, or a later date determined by the AHCA, the AHCA determines the eligibility of the employee or volunteer of a qualified entity.
- The qualified entity, provides written notification to a person of his or her right to obtain a copy of any background screening report, including criminal history records, if any, contained in the report, and the right to challenge the accuracy and completeness of information contained in the report and obtain a determination on its validity before a final determination regarding the person is made by the qualified entity reviewing the information. Effective January 1, 2026, or a later date determined the AHCA, the AHCA is responsible for this process.

The bill amends ss. 1012.315 and 1012.467, F.S. Beginning January 1, 2025, or a later date determined by the AHCA, all of the following occurs:

- The AHCA determines the eligibility of employees in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program. A person may not be employed in such position if determined to be ineligible based on a security background investigation under s. 435.04(2), F.S.
- The AHCA conducts background screenings under s. 435.12, F.S., to determine the eligibility of noninstructional contractors who are permitted access to school grounds when students are present.
- Background screenings relevant to school districts sharing criminal history information through secured electronic means are conducted through the Clearinghouse under s. 435.12, F.S.

The changes made to s. 435.12, F.S., in the bill must be implemented by January 1, 2025, or a later date as determined by the AHCA.

The bill provides that, for the 2023-2024 fiscal year, the sums of \$400,000 in recurring funds from the Health Care Trust Fund and \$4 million in nonrecurring funds from the Health Care Trust Fund are appropriated to the AHCA. The effective date of the appropriations section of the bill is July 1, 2023.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except where otherwise provided.

*Vote: Senate 39-0; House 115-0*

## **CS/CS/CS/SB 1064 – Children Removed from Caregivers**

by Fiscal Policy Committee; Appropriations Committee on Health and Human Services; Children, Families, and Elder Affairs Committee; and Senator Yarborough

The bill amends s. 39.523, F.S., to integrate a trauma screen into the assessment of a child removed from his or her home.

The bill adds to findings and intent that the timely identification of and response to acute presentation of symptoms indicative of trauma can reduce adverse outcomes for a child, aid in the identification of services to enhance initial placement stability and of supports to caregivers, and reduce placement disruption.

The bill adds a requirement for the Department of Children and Families (DCF) to adopt rules that require the DCF or community-based care lead agency to conduct a trauma screening as soon as practicable after a child's removal but no later than 21 days after the shelter hearing. The bill also

requires any indicated trauma assessment, services, or interventions to be provided within 30 days of the shelter hearing. To the extent possible, the screening, assessment, services, or intervention must be integrated into the child's overall behavioral health treatment planning and services.

The bill further requires the DCF or the CBC to provide information and support to a caregiver of a child placed out-of-home to help that caregiver respond to and care for the child in a trauma-informed and therapeutic manner. Support and information may include but need not be limited to, consultation, coaching, training, and referral.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

*Vote: Senate 39-0; House 114-2*

## **CS/CS/HB 1069 – Education**

by Education and Employment Committee; Education Quality Subcommittee; and Reps. McClain, Anderson, and others (CS/SB 1320 by Education Pre-K -12 Committee and Senators Yarborough and Perry)

The bill includes provisions designed to protect children in public schools. The bill includes requirements for age-appropriate and developmentally appropriate instruction for all students in prekindergarten through grade 12. The bill:

- Includes requirements for specific terminology and instruction relative to health and reproductive education in schools and requires that all materials used for such instruction be approved by the Department of Education.
- Extends the prohibition on classroom instruction on sexual orientation or gender identity to prekindergarten through grade 8.

The bill prohibits district school boards from imposing or enforcing requirements that personnel or students be referenced with pronouns that do not correspond with biological sex as defined in the bill, subject to specified exceptions.

The bill enhances the process for transparency and review of library and classroom materials available to students in public schools and the process for parents to limit student access to materials and make objections to materials. The bill requires the suspension of materials alleged to contain pornography or obscene depictions of sexual conduct, as identified in current law, pending resolution of an objection to the material. A district school board must also discontinue the use of any material the board does not allow a parent to read aloud.

The bill requires that meetings of committees to resolve objections must be noticed and open to the public, and provides an appeals process through a special magistrate.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

*Vote: Senate 27-12; House 77-35*

## **CS/SB 1190 – Step into Success Workforce Education and Internship Pilot Program**

by Children, Families, and Elder Affairs Committee and Senators Garcia, Osgood, Perry, and Rouson

The bill creates s. 409.1455, F.S., cited as the "Step into Success Act," establishing the Step into Success Workforce Education and Internship Program (program) as a three-year pilot administered by



the Department of Children and Families' (DCF) Office of Continuing Care (OCC). The purpose of the program is to assist foster youth transitioning to adulthood to:

- Develop essential workforce and professional skills;
- Transition from the custody of the DCF to independent living; and
- Become best prepared for an independent and successful future.

The program must consist of an independent living professionalism and workforce education component and, for youth that complete that component, an onsite workforce training internship component that uses employees of participating organizations as mentors. The bill details numerous requirements for the operation of each component of the program as well as for participating organizations, mentors, and foster and former foster youth who participate. Some of the specific requirements are:

- The program is available to foster and former foster youth between the ages of 16 and 25 who are currently or were previously in foster care. A foster youth may participate in the education component at age 16 years of age or older, but may not begin the internship portion until turning 18 years of age.
- The internship component matches mentors in participating organizations with participating youth and are provided a \$1,200 per year payment with a limitation on the number of interns a mentor may be paired with in a given year.
- The DCF is required to include specific information about the program and recommendations for improvement in an annual report.

The bill provides a monthly financial assistance payment of \$1,517 to former foster youth participating in the internship component and ensures that the payment does not count toward income in the determination of federal and state benefit eligibility. Further, the bill provides a specified increase in the stipend payment amount if the youth does have a loss or reduction of any benefits.

The bill also requires the Board of Governors and State Board of Education to adopt rules and regulations to award postsecondary credit or career education clock hours to program participants.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

*Vote: Senate 39-0; House 117-0*

## **S/CS/SB 1322 – Adoption**

*by Rules Committee; Judiciary Committee, and Senator Grall*

The bill provides that a parent's right to intervene in a ch. 39, F.S., dependency proceeding and change the prospective adoptive parents of a dependent child becomes increasingly limited as a dependency case proceeds closer to the termination of the parent's rights. The bill provides legislative findings and intent to reduce the disruption of stable and bonded long-term placements that have been identified as prospective adoptive placements.

The bill limits a dependency-involved parent's ability to execute a valid and binding consent to adoption with an adoption entity to the pendency of the ch. 39, F.S., proceeding up to and including the 30th day after the filing of the petition for termination of parental rights.

The bill creates a rebuttable presumption that a placement is stable and it is in the best interests of a child to remain in that placement if the child has been placed with the prospective adoptive parents for at least 9 continuous months, or 15 of the last 24 months. To rebut the presumption, an intervenor must show by clear and convincing evidence that it is in the best interests of the child to disrupt the current stable placement. The court must make this determination by evaluating the best interest factors enumerated in the statute.

The bill updates the factors a court must consider when making a determination of best interests for a child to align with practice and conform with the substantive changes of the bill.

The bill requires a reasonable time for transition in accordance with a transition plan developed by the DCF and other stakeholders if a change of placement is found to be in the best interests of the child.

The bill makes multiple changes in other sections of ch. 63, F.S., to conform statutes to practice and clean up terminology and citations. Specifically, the bill:

- Amends s. 63.087(3), F.S., to revise the clerk of court's responsibilities in adoption proceedings by requiring the clerk to issue a separate case number and also maintain a court file for a petition for adoption that is separate from the termination of the parental rights file. This strengthens the confidentiality of the adoption proceeding by ensuring that the adoption information is not available to a parent who has had his or her parental rights terminated. To conform with this substantive change, the bill also requires that the petition for adoption include a copy of the original birth certificate of the child before the final hearing is held to terminate parental rights. Currently, there is no requirement for this filing and it will ensure the court is aware of any fathers whose rights may be addressed in the ch. 63, F.S., adoption proceeding.
- Amends s. 63.122(2), F.S., to require notice for an adoption proceeding under ch. 63, F.S., be provided as prescribed by the Florida Family Law Rules of Procedure, not the Florida Rules of Civil Procedure, to conform with current practice.
- Amends s. 63.212(1)(c), F.S., to delete the "medical needs" limiting language referring to certain expenses that are payable to a mother within 6 weeks after the birth of the child. Currently, to pay for certain expenses to a mother for up to 6 weeks after the birth of the child, the law required medical need to require such support.

Finally, the bill creates an unnumbered section of law requiring the Office of Program Policy Analysis and Government Accountability (OPPAGA) to update a certain report and include an analysis of time to permanency by adoption; provide a general overview of adoptions; conduct a national comparative analysis of state processes that allow private adoption entities to intervene or participate in dependency cases and requires the DCF and licensed child-caring and child-placing agencies to provide OPPAGA with certain data by dates certain. The analysis and report is due to the President of the Senate and Speaker of the House of Representatives by January 1, 2024.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

*Vote: Senate 39-0; House 116-0*

## **HB 1349 – Mental Health Treatment**

by Reps. Melo and others (CS/SB 1412 by Children, Families, and Elder Affairs Committee and Senators Bradley and Davis)

The bill authorizes the Department of Children and Families (DCF) to issue conditional designations for Baker Act receiving and treatment facilities as an alternative to the suspension or withdrawal of a standard facility designation as a result of a violation of licensure requirements. This will result in the facility continuing to be able to operate while taking corrective action to cure the basis of the violation.

The bill also modifies ch. 916, F.S., regarding competency determination, treatment options, and restoration by:

- Requiring local sheriffs or the DCF to administer psychotropic medications to forensic clients in jails prior to their admission to forensic facilities if clinically indicated;
- Requiring expert evaluators and courts to consider alternative, community-based treatment options before ordering the placement of a defendant to a forensic facility;

- Requiring administrators of forensic facilities to provide notification to courts no more than 60 days, rather than six months as in current law, from the time a defendant is competent to proceed or no longer meets commitment criteria;
- Reducing the maximum amount of time patients may wait to be transported from a forensic facility to the committing jurisdiction once they are competent to proceed or no longer meet commitment criteria, from 30 days to 7 days;
- Requiring competency determinations to be made at a competency hearing within 30 days of notification from forensic facilities that patients have gained competency or no longer meet commitment criteria;
- Requiring forensic facilities to transfer defendants back to the committing jurisdiction with up to 30 days of medication and assist in discharge planning with medical teams at the receiving county jail; and
- Reenacting and making conforming changes to several existing sections of statute.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

*Vote: Senate 40-0; House 116-0*

## **SB 1438 – Protection of Children**

by Senators Yarborough and Perry

The bill prohibits a person from knowingly admitting a child to an adult live performance. In broad, general terms, an adult live performance is a presentation that depicts or simulates nudity, sexual conduct, or specific sexual activities. A person who violates this prohibition commits a first degree misdemeanor, which is punishable by imprisonment that does not exceed 1 year and a fine that does not exceed \$1,000.

If a licensed public lodging or public food service establishment or any premises that has a beverage license knowingly admits a child to an adult live performance, the establishment or premises is subject to having that license suspended or revoked and being fined. The fine for a first violation is \$5,000, and the fine for a second or subsequent violation is \$10,000.

A governmental entity, as defined in the bill, may not issue a permit or authorize a person to conduct an adult live performance who will knowingly admit a child. If a child is admitted, the individual who was issued the permit or other authorization commits a first degree misdemeanor, which is punishable by imprisonment that does not exceed 1 year and a fine that does not exceed \$1,000.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law. *Vote: Senate 28-12; House 82-32*

## **CS/HB 1521 – Facility Requirements Based on Sex**

by Regulatory Reform and Economic Development Subcommittee and Rep. Plakon and others (CS/SB 1674 by Fiscal Policy Committee and Senators Grall and Perry)

The bill creates s. 553.865, F.S., the "Safety in Private Spaces Act," and states the legislative purpose and intent of the bill as providing restrooms and changing facilities for exclusive use by females or males, respective to their sex, in order to maintain public safety, decency, decorum, and privacy.

The bill:

- Establishes a procedure for individuals to notify authorized persons for the public sector entities subject to the bill (the covered entities described below), that a person of the opposite sex has entered into a restroom or changing facility designated for exclusive use for females or males. The bill does not apply to persons born with a medically verifiable genetic disorder of sexual development under treatment by a physician, with specified conditions.

- Defines these terms:
  - “Female” means “a person belonging, at birth, to the biological sex which has the specific reproductive role of producing eggs”; and
  - “Male” means “a person belonging, at birth, to the biological sex which has the specific reproductive role of producing sperm.”
- Specifies the term “covered entities” means state adult correctional institutions, educational facilities (K-12 to university level), juvenile correctional facilities and secure detention centers, county and city detention facilities (jails), and public buildings that are owned or leased by the state, a state agency, or a county, city, or special district.
- Sets forth the circumstances in which entry to a restroom or changing facility designated for the opposite sex on the premises of a covered entity is appropriate:
  - To accompany a person of the opposite sex to assist or chaperone a child under 12 years of age, an elderly person, or a person with a disability or developmental disability;
  - For law enforcement or governmental regulatory purposes;
  - For rendering emergency medical assistance or intervening in any other emergency situation where the health or safety of another person is at risk;
  - For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or
  - If the appropriate designated restroom or changing facility is out of order or under repair, and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex.
- Specifies by type of covered entity, the persons who are authorized to request another person depart from restrooms or changing facilities designated for the opposite sex on the premises of a covered entity.
- Requires covered entities that maintain a water closet (toilet or urinal) or a changing facility (dressing room, fitting room, locker room, changing room, or shower room) to have, at a minimum:
  - Restrooms or changing facilities that are designated for exclusive use by females and for exclusive use by males; or
  - A unisex restroom or changing facility (intended for a single-occupant or a family in which a person may be in a state of undress, enclosed in floor-to-ceiling walls and accessed by a full door with a secure lock that prevents someone from entering while the room is in use).
- Requires each type of covered entity to apply existing disciplinary procedures or establish disciplinary procedures or policies, as applicable, for employees, certain persons under its control, and other personnel described in the bill who willfully enter a restroom or changing facility designated for the opposite sex on the premises of the covered entity, for a purpose other than the authorized uses listed in the bill, and who refuse to depart when asked to do so by an authorized person.
- Provides that any person who willfully enters a restroom or changing facility designated for the opposite sex on the premises of a covered entity, for a purpose other than the authorized uses listed in the bill, who refuses to depart when asked to do so by a person authorized to make such a request, commits the criminal offense of trespass. Certain employees, staff, and others authorized to be on the premises of a covered entity are not subject to this provision.
- Requires each educational institution to establish in its code of student conduct disciplinary procedures for any student who willfully enters a restroom or changing facility designated for the opposite sex on the premises of the educational institution, for a purpose other than the authorized uses listed in the bill, and refuses to depart when asked to do so by an authorized person.
- Requires covered entities to submit documentation regarding compliance with the minimum requirements for restrooms and changing facilities, if applicable, within one year after being established or, if the institution or facility was established before July 1, 2023, no later than April 1, 2024, to the Board of Governors, the Department of Corrections, the Department of Juvenile Justice, or the State Board of Education, as applicable.
- Provides that beginning July 1, 2024, a person may submit a complaint to the Attorney General alleging that a covered entity failed to meet the minimum requirements for restrooms and

changing facilities required by the bill, and that failure to comply with the minimum requirements for restrooms and changing facilities subjects a covered entity to licensure or regulatory disciplinary action.

- Authorizes the Attorney General to take enforcement action against covered entities through the judicial system beginning July 1, 2024, by seeking injunctive relief, and by seeking a fine of up to \$10,000 for any covered entity found to have willfully violated the requirements in the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

*Vote: Senate 26-12; House 80-36*

## **CS/CS/CS/SB 1690 – Sexual Exploitation and Human Trafficking**

by Fiscal Policy Committee; Appropriations Committee on Health and Human Services; Children, Families, and Elder Affairs Committee; and Senator Ingoglia

The bill requires the Services and Resources Committee of the Statewide Council on Human Trafficking to conduct a study and make recommendations regarding the regulation of adult safe houses. The study must:

- Survey operators of existing adult safe houses regarding operation and certain information.
- Identify and review standards recommended by national organizations or experts specializing in adult safe house service provision or shelter or housing for adult survivors of human trafficking.
- Obtain recommendations from adult survivors of human trafficking and law enforcement agencies regarding regulation of adult safe homes.
- Recommend regulations for adult safe houses in Florida based on, at a minimum, the information obtained by the committee.

The bill requires the DCF to, after the completion of the study, initiate rulemaking to establish minimum standards for certification of adult safe houses to serve survivors of any form of human trafficking, such as labor trafficking and sex trafficking. The rules must include minimum standards regarding certain topics.

After rules are adopted, all adult safe houses must be certified and adult safe houses in operation as of the rules' effective date are granted six months to become certified. Adult safe houses must gain recertification every two years. The DCF must inspect adult safe houses no less than annually to ensure compliance with the requirements. The DCF may subject the adult safe house to disciplinary action, including, but not limited to, requiring a corrective action plan; imposing administrative fines; or denying, suspending, or revoking the certification of the adult safe house.

The bill allows adult safe houses to give the DCF a list of the names of the human trafficking advocates who are employed or who volunteer at the adult safe house who may claim a confidential communication privilege.

The bill also requires the following:

- Age-appropriate educational programming for children to include information regarding the signs and dangers of, and how to report, human trafficking.
- Security for safe houses and safe foster homes to provide for, at a minimum, the detection of possible trafficking activity, coordination with law enforcement, and be part of the emergency response to search for absent or missing children. Appropriate security for a safe house requires either the employment of or a contract with at least one individual with law enforcement, investigative, or similar training or the execution of a contract or memorandum of understanding with a law enforcement agency to perform the security functions.



The bill requires residential treatment centers for children and adolescents under s. 394.875 and facilities maintained by child-caring agencies under s. 409.175, F.S., to display signs warning youth of the dangers of human trafficking and to encourage the reporting of individuals observed attempting to engage in human trafficking activity.

The bill also shortens the time that a public lodging establishment has to correct training deficiencies from 90 to 45 days and makes the establishment ineligible for any correction period for a second or subsequent violation of the training and awareness requirements if the violation occurred after July 1, 2023.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023. *Vote: Senate 34-0; House 119-0*

## **HB 7061 – Sheriffs Providing Child Protective Investigative Services**

by Health and Human Services Committee and Rep. Koster (SB 7056 by Appropriations Committee on Health and Human Services)

The bill related to Sheriffs Providing Child Protective Investigative Services, requires the transfer of child protective investigation services from the seven sheriff's offices that provide those services back to the Department of Children and Families (DCF). Currently, the DCF contracts with Pinellas, Manatee, Broward, Pasco, Hillsborough, Seminole, and Walton counties to conduct child protective investigations for their respective counties. Ultimately, this transfer will make the DCF the sole entity performing child protective investigations in the State.

The bill specifies the timeframe and framework for the transfer, including sheriff employees' ability to transition to the DCF, the transfer of records, assets and finances, use of facilities, and a final grant accounting. The bill makes conforming changes to the statutes to remove references to sheriff's offices conducting child protective investigations.

The bill provides that all staff in good standing employed by each respective sheriff for the provision of child protective services, employed before the effective date of this legislation, will have the option to transfer their employment to the DCF.

The bill requires that any claim or cause of action brought against a sheriff in relation to child protective investigations before the applicable transfer date must be defended and indemnified in accordance with the provisions of the grant or agreement applicable at the time of the alleged incident. Any claim or cause of action brought after the applicable transfer date must be defended and indemnified by the DCF.

The bill has a significant fiscal impact to state government that is addressed in SB 2500, the General Appropriations Act for Fiscal Year 2023-2024.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2024, except where otherwise expressly provided.

*Vote: Senate 40-0; House 116-0*

## CHS Leadership @ Dade Days



## CHS Northeast Region at the Capitol



# FY 2023-2024

## Budget Highlights

Issue	Final Budget Amount
<b>CHS Legislative Priorities</b>	
Community School Grants (aka Community Partnership Schools)	\$11M
<b>Other Important Programs/Issues</b>	
Healthy Families Workforce Stabilization	\$2M
Additional Community Based Care funds	\$8.2M
CBC Risk Pool	\$0M
CBC Current Year Deficits (Back of the Bill)	\$18.5M
Children's Advocacy Centers & FL Network	\$642,751
Child Protection Team's Statewide Forensic Interview System Improvement	\$682,500
Early Steps Administrative System	\$3.2M TF
CINS/FINS –Direct Care Staff increase	\$5M
Rate increase for Behavioral Health Providers	\$29.7

*The Governor has not been presented with SB 2500 General Appropriations Act at this time.*

## CHS team visits with Rep. Chase Tramont



## Sabal Palm Elementary testifies at Leon County Delegation Hearing



# FY 2023-2024

## Proviso Language & Back of the Bill


157A SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY SCHOOL GRANT PROGRAM FROM GENERAL REVENUE FUND . . . . 11,000,000 From the funds provided in Specific Appropriation 157A, a maximum of \$2,000,000 may be used by the University of Central Florida Center for Community Schools to administer the Community School Grant Program (CSGP) pursuant to section 1003.64, Florida Statutes. These funds are for costs solely associated with the center to serve as statewide coordinating center to provide technical assistance, certification, assessment and evaluation, and grant administration in the establishment and support of community schools in Florida. From the funds provided in Specific Appropriation 157A, a maximum of \$550,000 may be used for data and reporting management technologies, evaluations and statewide sustainability convenings. The remaining funds in Specific Appropriation 157A are provided for CSGP implementation and planning grants pursuant section 1003.64, Florida Statutes. Indirect costs are unallowable, but up to eight percent of administrative costs may be used for direct administrative support.

328 SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY BASED CARE FUNDS FOR PROVIDERS OF CHILD WELFARE SERVICES FROM GENERAL REVENUE FUND . . . . 646,215,647 FROM CHILD WELFARE TRAINING TRUST FUND . . . . . 1,875,853 FROM FEDERAL GRANTS TRUST FUND . . . 284,931,960 FROM WELFARE TRANSITION TRUST FUND . 45,977,067 FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . . 8,979,209 FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . . 41,078,586 From the funds in Specific Appropriation 328, and as authorized by section 409.991(4), Florida Statutes, the following allocation of core service funds shall take into consideration appropriate case worker to case load ratios, and the cost of providing child welfare services, prevention services, and the cost of licensed residential placement. A lead agency's total allocation of core service funding shall be distributed as follows:

Big Bend CBC (Northwest Florida Health Network)-West.....	55,032,652
Big Bend CBC (Northwest Florida Health Network)-East.....	35,459,931
Partnership for Strong Families.....	31,401,300
Kids First of Florida.....	12,525,871
Family Support Services of North Florida.....	49,018,528
St Johns Board of County Commissioners (Family Integrity Program).....	7,683,739
Community Partnership for Children.....	43,440,511
Kids Central.....	54,912,909
Embrace Families.....	60,761,737
Heartland for Children.....	46,721,076
Community-Based Care of Brevard (Brevard Family Partnerships).....	29,292,110
Communities Connected for Kids.....	24,247,000
Family Support Services of Suncoast.....	87,553,887
Safe Children Coalition.....	34,861,493
Children's Network of Hillsborough.....	75,448,412
Children's Network of Southwest Florida.....	53,746,134
ChildNet (Palm Beach).....	38,086,728 95
ChildNet (Broward).....	60,952,428
Citrus Family Care Network.....	76,440,546

From the funds in Specific Appropriation 328, \$4,371,313 in recurring funds from the General Revenue Fund is provided to the community-based care lead agency that serves the Sixth Judicial Circuit and \$3,863,739 in recurring funds from the General Revenue Fund is provided to the community-based care lead agency that serves the Thirteenth Judicial Circuit to improve the safety, permanency, and wellbeing of children in the local child welfare system of care. From the funds provided in Specific Appropriation 328, each





lead agency shall submit a detailed spending plan, approved by its Board of Directors, to the Department for all projected expenditures for the fiscal year. The spending plan must demonstrate that core expenditures will not exceed the appropriated amount of core funding and reserves a certain amount of funding for unanticipated expenses. Each lead agency will receive its statutory two-month advance; however, the Department shall not release additional funds until the department has reviewed and approved the lead agency's spending plan. At any point in time during the year, if a lead agency's actual expenditures project an end of year deficit; the lead agency must submit a revised spending plan to the department. The revised spending plan must reflect actions to be taken to remain within appropriated core funding for the remainder of the fiscal year.

SECTION 19. The unexpended balance of funds provided to the Department of Education for the Community School Grant Program in Specific Appropriation 103 and section 18 of chapter 2022-156, Laws of Florida, shall revert and is appropriated for Fiscal Year 2023-2024 to the University of Central Florida for the same purpose.

SECTION 64. There is hereby appropriated for Fiscal Year 2022-2023, \$900,000 in nonrecurring funds from the General Revenue Fund to the University of Central Florida for additional expenses related to the implementation of the Community School Grant Program. This section shall take effect upon becoming a law.

SECTION 88. The nonrecurring sum of \$18,496,941 from the General Revenue Fund is appropriated to the Department of Children and Families for Fiscal Year 2022-2023 to address community-based care lead agency deficits. Lead agencies that project a deficit may submit a request for funds by submitting a completed risk pool application along with all specified supporting information by the date prescribed by the department. The department shall evaluate all completed submissions in accordance with the requirements in section 409.990(8), Florida Statutes. The department shall include in its evaluation the available cash and resources of each lead agency and its related parties. The department shall prioritize the distribution of funds to lead agencies that have exhausted all measures to reduce the projected deficit and have implemented mitigation steps to avoid future deficits. A lead agency's mitigation actions must minimize impacts to the children and families served. The unexpended balance of funds remaining on June 30 shall revert and is appropriated for Fiscal Year 2023-2024 to the Department of Children and Families for the same purpose. This section is effective upon becoming a law.

## Sen. Calatayud tours Caribbean K-8



Sabal Palm Student Leadership Council visits with Rep. Franklin



## CHS Miami Team meets with Rep. Garcia



## Sen. Calatayud tours Southridge Sr. High

# CHS Legislative Priorities Impact -2023



## Expand Community Partnership Schools

- IMPACT: CHS advocated with various partners to increase current funding at \$7.1 million to \$11 million. *CHS achieved the Legislative Priority to increase recurring funds from \$7.1M to \$11M in addition to the following:*
  - Budget was transferred to Higher Education under UCF from DOE K-12 - as requested
  - Legislature approved any unused funds from current FY to revert to UCF for same purpose – amount TBD
  - Legislature approved \$900,000 non-recurring funds to cover expenses due to DOE accounting error, which created a current-year deficit
  - CPS Policy – CHS successfully amended statute: Sec. 1003.64, FS contained in HB 443 (Governor approved)
    - Provide feeder pattern expansion as a priority in new planning grants
    - Established language for a data sharing agreement with DOE and participating school districts with the Center at UCF



## Improve System Accountability & Reduce Harm to Children

IMPACT: CHS advocated to legislative and executive branch leadership for statute changes to require all parties involved to be held liable for their own actions or omissions and prohibit any contract from requiring such indemnification to other parties. *CHS was unsuccessful in achieving this Legislative Priority but a variety of methods and attempts were conducted throughout its active advocacy work.*



## 2024 Legislative Session Dates

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### Interim Committee Meetings

**September 18-22, 2023**      *House Only*

**October 9-13, 2023**      *Senate Only*

**October 16-20, 2023**

**November 6-9, 2023**

**November 13-17, 2023**

**December 4-7, 2023**

**December 11-15, 2023**

**Session Begins – January 9, 2024**

**Session Ends – March 8, 2024**