



Health & Human Services Access Subcommittee

Action Packet

Tuesday, January 24, 2012

2:00 – 5:00 PM

Webster Hall (212 Knott)

**Dean Cannon
Speaker**

**Dennis K. Baxley
Chair**

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee
1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

Summary:

Health & Human Services Access Subcommittee

Tuesday January 24, 2012 02:00 pm

HB 277	Favorable	Yeas: 10	Nays: 5
	Amendment 241875	Not Considered	
		Point of Order based on Rule 12.8; Sponsor Berman speaks to the point seeks Rule 2.3	
HB 839	Favorable	Yeas: 9	Nays: 5
HB 1077	Favorable With Committee Substitute	Yeas: 15	Nays: 0
	Amendment 851683	Adopted Without Objection	
	Amendment 509405	Adopted Without Objection	
HB 1163	Favorable With Committee Substitute	Yeas: 14	Nays: 1
	Amendment 045259	Adopted Without Objection	
	Amendment 335249	Adopted Without Objection	
HB 1327	Favorable	Yeas: 9	Nays: 5
HB 1351	Favorable	Yeas: 15	Nays: 0
HB 4179	Favorable	Yeas: 13	Nays: 0

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee
1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dennis Baxley (Chair)	X		
Lori Berman	X		
Michael Bileca	X		
Jason Brodeur	X		
Gwyndolen Clarke-Reed	X		
Jeff Clemens	X		
Jose Diaz	X		
Shawn Harrison	X		
Mike Horner	X		
Ana Logan	X		
Mark Pafford	X		
Steven Perman	X		
Kenneth Roberson	X		
Charles Van Zant	X		
Dana Young	X		
Totals:	15	0	0

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 277 : Abortions

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Lori Berman		X			
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed		X			
Jeff Clemens		X			
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X				
Mark Pafford		X			
Steven Perman		X			
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young	X				
Dennis Baxley (Chair)	X				
Total Yeas: 10 Total Nays: 5					

HB 277 Amendments

Amendment 241875

Not Considered

Appearances:

Waive in Opposition - Amendment 1
 Warren, Bill (Lobbyist) - Waive In Support
 Florida Family Action
 4853 S. Orange Avenue
 Orlando Florida 32806
 Phone: (850) 567-8143

HB 277
 Fladie, Yvonne (General Public) - Proponent
 9 Pine PL
 Ocala FL 34472
 Phone: (352)425-6510

Testimony - Pro Life
 Johnson, Donna (General Public) - Proponent
 Myself
 10407 Williams Rd
 Thonotosassa FL 33592
 Phone: (813)500-9712

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 277 : Abortions (continued)

Appearances: (continued)

HB 277

Colicchio, Carol (General Public) - Proponent
2278 Nuremberg Blvd
Punta Gorda FL 33983
Phone: (941)204-7156

Restrictions and Regulations to Abortion

Wells, Mary (General Public) - Proponent
Pro-life
326 Carriage Crossing Circle
Barndon FL 33510
Phone: (813)657-2844

Abortion

DeVane, Barbara (Lobbyist) - Waive In Opposition
Florida NOW National Organization for Women, Inc
625 E Brevard St
Tallahssee FL 32308
Phone: (850)222-3969

Abortion

Ahern, Maureen - Proponent
3201 70th Way N
St Petersburg FL
Phone: (727) 381-2166

HB 277

Lezcano, Michelle (General Public) - Waive In Opposition
League of Women Voters of Florida
2700 W Pensacola St Apt 1322
Tallahassee FL 32304
Phone: (305) 790-9188

HB 277

Warren, Bill (Lobbyist) - Waive In Support
Florida Family Action
4853 S. Orange Avenue
Orlando Florida 32806
Phone: (850) 567-8143

Abortion

Hopkins, Sheila (Lobbyist) - Proponent
Florida Catholic Conference
201 W Park Ave
Tallahassee FL 32301-7715
Phone: (850)205-6826

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 277 : Abortions (continued)

Appearances: (continued)

Abortion

Caponetti, Emily (Lobbyist) - Opponent

Florida Alliance of Planned Parenthood Affiliates

1327 Hermitage Blvd Apt 12303

Tallahassee FL

Phone: (850) 559-2223

Abortion

Burch Fort, Pamela (Lobbyist) - Opponent

ACLU

104 S Monroe St

Tallahassee FL 32301

Phone: (850) 425-1344

Abortions

Segura, Katherine (General Public) - Opponent

Tallahassee FL 32312

HB 277

Patrick, Ron (General Public) - Waive In Opposition

1503 China Grove

Tallahassee FL 32301

HB 277

Patrick, Eileen (General Public) - Waive In Opposition

Women

1503 China Grove

Tallahassee FL 32301

Phone: (850) 671-7208

HB 277

Hendrix, Joan E. (General Public) - Waive In Opposition

All Women especially my Granddaughters & Greatgranddaughters

438 Beechwood

Crawfordville FL 32327

Phone: (850)926-7473

HB 277

Jones, Jane F. (General Public) - Waive In Opposition

All Women

354 White Oak Dr.

Crawfordville FL 32327

Phone: (850) 926-1177

HB 277

Wilson, Diane (General Public) - Waive In Opposition

P.O. Box 206

Panacea FL 32346

Phone: (850) 984-4768

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 277 : Abortions (continued)

Appearances: (continued)

HB 277

Strain, Helen (General Public) - Waive In Opposition
Gainesville FL

HB 277

Wells, Mallory (Lobbyist) - Waive In Opposition
Equality Florida
502 NW 15th Ave
Gainesville FL 32601
Phone: (407)617-6682

HB 277

Burr, Evelyn (General Public) - Waive In Opposition
774 Arkansas St
Tallahassee FL 32304
Phone: (407)620-1203

Abortions

Rolle, Jessica (General Public) - Waive In Opposition
Tallahassee FL 32312

HB 277

Benham, Lauren (General Public) - Waive In Opposition
Tallahassee FL 32312

Abortions

Gentile, Haley (General Public) - Waive In Opposition
Tallahassee
FL

HB 277

Hetu, Marjorie D (General Public) - Proponent
Pro-life
120 Lookout Dr
Apollo Beach FL 33572
Phone: (813)380-0334

HB 277

Harris, Heidi (General Public) - Proponent
Pro-life
1090 Black Swan Ct
Seffner FL 33584
Phone: (813)409-7797

HB 277

Sellers, Trinette (General Public) - Proponent
5950 NW CR 236
Bell FL 32619
Phone: (352) 221-0574

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 277 : Abortions (continued)

Appearances: (continued)

HB 277

McIntosh, Susan (General Public) - Proponent

P.O. Box 968

Tarpon Springs FL 34688

Phone: (805)698-3177

HB 277

Pitts, Brian - Proponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)

OTHER Point of order - Rule 12.8 - sponsor Berman sucks Rule 2.3

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Access Subcommittee

3 Representative Berman offered the following:

4
 5 **Amendment (with title amendment)**

6 Between lines 860 and 861, insert:

7 Section 16. Sections 16 and 17 of this act may be cited as
 8 the "Pregnancy Confidentiality Act."

9 Section 17. Pregnancy resource centers; release of client
 10 information.-

11 (1) As used in this section, the term:

12 (a) "Client" means an individual who is inquiring about or
 13 seeking services at a pregnancy resource center.

14 (b) "Client records" means any individually identifiable
 15 health information collected by a pregnancy resource center from
 16 an individual, including, but not limited to, demographic
 17 information; his or her name, address, phone number, e-mail
 18 address, date of birth, social security number, driver license
 19 number, or Florida identification card number; employer's name,

241875 - h277-line860.docx

Published On: 1/23/2012 5:45:29 PM

Amendment No.

20 address, or phone number; the names, addresses, and phone
21 numbers of any relatives or partners; and any personal or
22 health-related information collected by a pregnancy resource
23 center related to an individual client's past, present, or
24 future physical or mental health or condition; the provision of
25 health care to an individual; the past, present, or future
26 payment for the provision of health care to an individual; or
27 any other information related to the client's health care,
28 including, but not limited to, the results of any tests or
29 services provided by the pregnancy resource center.

30 (c) "Pregnancy resource center" means an organization or
31 facility that:

32 1. Provides pregnancy counseling or information as its
33 primary purpose, either for a fee or as a free service;

34 2. Does not provide abortions or refer a client who wishes
35 to obtain an abortion;

36 3. Does not furnish any contraceptive drug or device or
37 refer a client who wishes to obtain a contraceptive drug or
38 device approved by the federal Food and Drug Administration; and

39 4. Is not licensed or certified by the state or the
40 Federal Government to provide medical or health care services.

41 (2) The records of a client of a pregnancy resource center
42 may be disclosed only if the client or his or her legal
43 representative requests or consents, in writing, to the release
44 of such information.

45 (3) A person who violates subsection (2) commits a
46 misdemeanor of the first degree, punishable as provided in s.
47 775.082 or s. 775.083, Florida Statutes.

241875 - h277-line860.docx

Published On: 1/23/2012 5:45:29 PM

Amendment No.

48 (4) Any person injured as a result of a willful violation
49 of subsection (2) shall have a civil cause of action for
50 compensatory and punitive damages, reasonable attorney fees, and
51 costs.

52
53
54
55
56
57
58
59
60
61
62
63
64

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

Remove line 123 and insert:
penalties; creating the "Pregnancy Confidentiality
Act"; defining the terms "client," "client records,"
and "pregnancy resource center"; providing that
records of clients of pregnancy resource centers may
be disclosed only if the client or his or her legal
representative requests or consents, in writing, to
the release of such information; providing penalties;
providing for civil relief; providing for
severability; providing an

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee
1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 839 : Abortion

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman		X			
Michael Bileca	X				
Jason Brodeur			X		
Gwyndolen Clarke-Reed		X			
Jeff Clemens		X			
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X				
Mark Pafford		X			
Steven Perman		X			
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young	X				
Dennis Baxley (Chair)	X				
Total Yeas: 9		Total Nays: 5			

Appearances:

Abortion

Hopkins, Sheila (Lobbyist) - Waive In Support
 Florida Catholic Conference
 201 W Park Ave
 Tallahassee FL 32301-7715
 Phone: (850)205-6826

Abortion

DeVane, Barbara (Lobbyist) - Waive In Opposition
 Florida NOW National Organization for Women, Inc
 625 E Brevard St
 Tallahassee FL 32308
 Phone: (850)222-3969

Abortion

Ahern, Maureen - Waive In Support
 3201 70th Way N
 St Petersburg FL
 Phone: (727)902-0701

HB 839

Lezcano, Michelle (General Public) - Waive In Opposition
 League of Women Voters of Florida
 2700 W Pensacola St Apt 1322
 Tallahassee FL 32304
 Phone: (305) 790-9188

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 839 : Abortion (continued)

Appearances: (continued)

HB 839

Warren, Bill (Lobbyist) - Waive In Support

Florida Family Action
4853 S. Orange Avenue
Orlando Florida 32806
Phone: (850) 567-8143

Abortion

Caponetti, Emily (Lobbyist) - Opponent

Florida Alliance of Planned Parenthood Affiliates
1327 Hermitage Blvd Apt 12303
Tallahassee FL
Phone: (850) 559-2223

Abortion

Burch Fort, Pamela (Lobbyist) - Opponent

ACLU
104 S Monroe St
Tallahassee FL 32301
Phone: (850) 425-1344

Abortions

Gentile, Haley (General Public) - Opponent

Tallahassee
FL

Tankel, Judith (General Public) - Opponent

Tallahassee FL 32312

HB 839

Saxer, Rachel (General Public) - Waive In Opposition

HB 839

Baxter, Thomas (General Public) - Waive In Opposition

HB 839

Patrick, Ron (General Public) - Waive In Opposition

1503 China Grove
Tallahassee FL 32301

HB 839

Patrick, Eileen (General Public) - Waive In Opposition

Planned Parenthood
1503 China Grove
Tallahassee FL 32301
Phone: (850) 671-7208

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 839 : Abortion (continued)

Appearances: (continued)

HB 839

Hendrix, Joan E. (General Public) - Waive In Opposition
All Women - Granddaughters & Greatgranddaughters
438 Beechwood
Crawfordville FL 32327
Phone: (850)926-7473

HB 839

Wilson, Diane (General Public) - Waive In Opposition
P.O. Box 206
Panacea FL 32346
Phone: (850) 984-4768

HB 839

Jones, Jane F. (General Public) - Waive In Opposition
All Women
354 White Oak Dr.
Crawfordville FL 32327
Phone: (850) 926-1177

HB 839

Strain, Helen - Waive In Opposition

HB 839

Wells, Mallory (Lobbyist) - Waive In Opposition
Equality Florida
502 NW 15th Ave
Gainesville FL 32601
Phone: (407)617-6682

HB 839

Benham, Lauren (General Public) - Waive In Opposition
Tallahassee FL 32312

HB 839

Burr, Evelyn (General Public) - Waive In Opposition
774 Arkansas St
Tallahassee FL 32304
Phone: (407)620-1203

Abortion - fetus is not a U.S. Citizen / Venus fly trap

Shelton Jr., Harb (General Public) - Opponent

Self
2115 Longview Dr
Tallahassee FL 32303
Phone: (850)562-3305

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 839 : Abortion (continued)

Appearances: (continued)

HB 839

Pitts, Brian - Opponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1077 : Service Animals

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Lori Berman	X				
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed	X				
Jeff Clemens	X				
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X				
Mark Pafford	X				
Steven Perman	X				
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young	X				
Dennis Baxley (Chair)	X				
Total Yeas: 15		Total Nays: 0			

HB 1077 Amendments

Amendment 851683

Adopted Without Objection

Amendment 509405

Adopted Without Objection

Appearances:

Service Animals

Farmer, Dana (Lobbyist) - Waive In Support
 Disability Rights Florida
 2728 Centerview Dr Ste 102
 Tallahassee FL 32301-6298
 Phone: (850)488-9071

HB 1077 - Amend 851683

Koch, Karen (Lobbyist) - Waive In Support
 Florida Council for Community Mental Health
 316 East Park Ave
 Tallahassee FL 32308
 Phone: (850) 224-6048

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION 4 (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Access Subcommittee
 3 Representative Kriseman offered the following:

Amendment

Remove lines 28-168 and insert:

physically disabled, or who has a psychological or neurological disability. As used in this paragraph, the term:

1. "Hard of hearing" means an individual who has suffered a permanent hearing impairment that is severe enough to necessitate the use of amplification devices to discriminate speech sounds in verbal communication.

2. "Physically disabled" means any person who has a physical, psychological, or neurological disability impairment that substantially limits one or more major life activities.

(c) "Owner" means a person who owns a service animal or who is authorized by the owner to use a service animal.

(d) ~~(e)~~ "Public accommodation" means a common carrier, airplane, motor vehicle, railroad train, motor bus, streetcar,

Amendment No.1

20 boat, or other public conveyance or mode of transportation;
21 hotel; lodging place; place of public accommodation, amusement,
22 or resort; and other places to which the general public is
23 invited, subject only to the conditions and limitations
24 established by law and applicable alike to all persons.

25 (e)~~(d)~~ "Service animal" means an animal that is trained to
26 perform tasks for an individual with a disability. The tasks may
27 include, but are not limited to, guiding a person who is
28 visually impaired, has low vision, or is blind, alerting a
29 person who is deaf or hard of hearing, pulling a wheelchair,
30 assisting with mobility or balance, alerting and protecting a
31 person who is having a seizure, retrieving objects, helping a
32 person with a psychological or neurological disability by
33 preventing or interrupting impulsive or destructive behaviors,
34 or performing other specialized ~~special~~ tasks. A service animal
35 is not a pet.

36 (2) An individual with a disability is entitled to full
37 and equal accommodations, advantages, facilities, and privileges
38 in all public accommodations. This section does not require any
39 person, firm, business, or corporation, or any agent thereof, to
40 modify or provide any vehicle, premises, facility, or service to
41 a higher degree of accommodation than is required for a person
42 not so disabled. If an individual with a disability or a person
43 who trains service animals is a student at a private or public
44 school in the state, that person has the right to be accompanied
45 by a service animal subject to the conditions established under
46 this section.

Amendment No.1

47 (3) An individual with a disability has the right to be
48 accompanied by a service animal in all areas of a public
49 accommodation that the public or customers are normally
50 permitted to occupy.

51 (a) Documentation that the service animal is trained is
52 not a precondition for providing service to an individual
53 accompanied by a service animal. A public accommodation may ask
54 if an animal is a service animal or what tasks the animal has
55 been trained to perform in order to determine the difference
56 between a service animal and a pet.

57 (b) A public accommodation may not impose a deposit or
58 surcharge on an individual with a disability as a precondition
59 to permitting a service animal to accompany the individual with
60 a disability, even if a deposit is routinely required for pets.

61 (c) An individual with a disability is liable for damage
62 caused by a service animal if it is the regular policy and
63 practice of the public accommodation to charge nondisabled
64 persons for damages caused by their pets.

65 (d) The care or supervision of a service animal is the
66 responsibility of the individual owner. A public accommodation
67 is not required to provide care or food or a special location
68 for the service animal or assistance with removing animal
69 excrement, unless required by any federal agency, federal law,
70 or federal regulation. In those instances, if a public
71 accommodation has a secured area, the public accommodation must
72 provide a special location for the service animal to relieve
73 itself within those secured areas.

Amendment No.1

74 (e) A public accommodation may exclude or remove any
75 animal from the premises, including a service animal, if the
76 animal fails to remain under the control of the handler, or if
77 the animal's behavior is inappropriate, including, but not
78 limited to, growling, excessive barking, or biting, or poses a
79 direct threat to the health and safety of others. Allergies and
80 fear of animals are not valid reasons for denying access or
81 refusing service to an individual with a service animal. If a
82 service animal is excluded or removed for being a direct threat
83 to others, the public accommodation must provide the individual
84 with a disability the option of continuing access to the public
85 accommodation without having the service animal on the premises.

86 (4) Any person, firm, or corporation, or the agent of any
87 person, firm, or corporation, who denies or interferes with
88 admittance to, or enjoyment of, a public accommodation;
89 interferes with the renting, leasing, or purchasing of housing
90 accommodations; or otherwise interferes with the rights of an
91 individual with a disability or the trainer of a service animal
92 while engaged in the training of such an animal pursuant to
93 subsection (8), commits a misdemeanor of the second degree,
94 punishable as provided in s. 775.082 or s. 775.083.

95 (5) It is the policy of this state that an individual with
96 a disability be employed in the service of the state or
97 political subdivisions of the state, in the public schools, and
98 in all other employment supported in whole or in part by public
99 funds, and an employer may not refuse employment to such a
100 person on the basis of the disability alone, unless it is shown

Amendment No.1

101 that the particular disability prevents the satisfactory
102 performance of the work involved.

103 (6) An individual with a disability who is accompanied by
104 a service animal is entitled to full and equal advantages,
105 facilities, and privileges in all housing accommodations and is
106 entitled to rent, lease, or purchase, as other members of the
107 general public, any housing accommodations offered for rent,
108 lease, or other compensation in this state, subject to the
109 conditions and limitations established by law and applicable
110 alike to all persons.

111 (a) This section does not require any person renting,
112 leasing, or otherwise providing real property for compensation
113 to modify her or his property in any way or provide a higher
114 degree of care for an individual with a disability than for a
115 person who is not disabled.

116 (b) An individual with a disability who has a service
117 animal, ~~or~~ who obtains a service animal, or who is the trainer
118 of a service animal is entitled to full and equal access to all
119 housing accommodations provided for in this section, and such a
120 person may not be required to pay extra compensation for the
121 service animal. However, such a person is liable for any damage
122 done to the premises or to another person on the premises by
123 such an animal. A housing accommodation may request proof of
124 compliance with vaccination requirements.

125 (7) An employer covered under subsection (5) who
126 discriminates against an individual with a disability in
127 employment, unless it is shown that the particular disability
128 prevents the satisfactory performance of the work involved, or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1077 (2012)

Amendment No.1

129 any person, firm, or corporation, or the agent of any person,
130 firm, or corporation, providing housing accommodations as
131 provided in subsection (6) who discriminates against an
132 individual with a disability, commits a misdemeanor of the
133 second degree, punishable as provided in s. 775.082 or s.
134 775.083.

135 (8) Any person who trains ~~trainer of~~ a service animal,
136 while engaged in the training of such an animal, has the same
137 rights and privileges with respect to access to public and
138 housing accommodations ~~facilities~~ and the same liability for
139 damage as is provided for a person ~~those persons~~ described in
140 subsection (3) accompanied by service animals.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1077 (2012)

Amendment No.2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Access Subcommittee
3 Representative Kriseman offered the following:
4

Amendment (with title amendment)

5 Between lines 14 and 15, insert:

6 Section 1. This act may be cited as the "Dawson and David
7 Caras Act".
8

9
10
11
12 -----
13 **T I T L E A M E N D M E N T**

14 Remove line 2 and insert:

15 An act relating to service animals; providing a short title;
16 amending s.
17

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1163 : Adoption

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Lori Berman	X				
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed	X				
Jeff Clemens	X				
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X				
Mark Pafford		X			
Steven Perman	X				
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young	X				
Dennis Baxley (Chair)	X				
Total Yeas: 14		Total Nays: 1			

HB 1163 Amendments

Amendment 045259

Adopted Without Objection

Amendment 335249

Adopted Without Objection

Appearances:

HB 1163

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

HB 1163

Johnson, Jon (Lobbyist) - Waive In Support

Florida Adoption Council

537 East Park Ave

Tallahassee FL 32302

Phone: (850)224-1900

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Access Subcommittee
 3 Representative Adkins offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Paragraphs (e) through (m) of subsection (4) of
 8 section 63.022, Florida Statutes, are redesignated as paragraphs
 9 (d) through (l), respectively, and subsection (2) and present
 10 paragraph (d) of subsection (4) of that section are amended to
 11 read:

12 63.022 Legislative intent.—

13 (2) It is the intent of the Legislature that in every
 14 adoption, the best interest of the child should govern and be of
 15 foremost concern in the court's determination. The court shall
 16 make a specific finding as to the best interests ~~interest~~ of the
 17 child in accordance with the provisions of this chapter.

18 (4) The basic safeguards intended to be provided by this
 19 chapter are that:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

20 ~~(d) All placements of minors for adoption are reported to~~
21 ~~the Department of Children and Family Services, except relative,~~
22 ~~adult, and stepparent adoptions.~~

23 Section 1. Subsection (3) of section 63.032, Florida
24 Statutes, is amended to read:

25 63.032 Definitions.—As used in this chapter, the term:

26 (3) "Adoption entity" means the department, an agency, a
27 child-caring agency registered under s. 409.176, an
28 intermediary, or a child-placing agency licensed in another
29 state which is qualified by the department to place children in
30 the State of Florida.

31 Section 2. Subsections (1), (12), (17), and (19) of
32 section 63.032, Florida Statutes, are amended to read:

33 63.032 Definitions.—As used in this chapter, the term:

34 (1) "Abandoned" means a situation in which the parent or
35 person having legal custody of a child, while being able, makes
36 little or no provision for the child's support or ~~and~~ makes
37 little or no effort to communicate with the child, which
38 situation is sufficient to evince an intent to reject parental
39 responsibilities. If, in the opinion of the court, the efforts
40 of such parent or person having legal custody of the child to
41 support and communicate with the child are only marginal efforts
42 that do not evince a settled purpose to assume all parental
43 duties, the court may declare the child to be abandoned. In
44 making this decision, the court may consider the conduct of a
45 father towards the child's mother during her pregnancy.

46 (3) "Adoption entity" means the department, an agency, a
47 child-caring agency registered under s. 409.176, an

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

48 intermediary, a Florida licensed child-placing agency, or a
49 child-placing agency licensed in another state which is
50 qualified by the department to place children in the State of
51 Florida.

52 (12) "Parent" means a woman who gives birth to a child and
53 who is not a gestational surrogate as defined in s. 742.13 or a
54 man whose consent to the adoption of the child would be required
55 under s. 63.062(1). If a child has been legally adopted, the
56 term "parent" means the adoptive mother or father of the child.
57 The term does not include an individual whose parental
58 relationship to the child has been legally terminated or an
59 alleged or prospective parent.

60 (17) "Suitability of the intended placement" means the
61 fitness of the intended placement, with primary consideration
62 being given to the best interests ~~interest~~ of the child.

63 (19) "Unmarried biological father" means the child's
64 biological father who is not married to the child's mother at
65 the time of conception or on the date of the birth of the child
66 and who, before the filing of a petition to terminate parental
67 rights, has not been adjudicated by a court of competent
68 jurisdiction to be the legal father of the child or has not
69 filed ~~executed~~ an affidavit pursuant to s. 382.013(2)(c).

70 Section 3. Section 63.037, Florida Statutes, is amended to
71 read:

72 63.037 Proceedings applicable to cases resulting from a
73 termination of parental rights under chapter 39.—A case in which
74 a minor becomes available for adoption after the parental rights
75 of each parent have been terminated by a judgment entered

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

76 pursuant to chapter 39 shall be governed by s. 39.812 and this
77 chapter. Adoption proceedings initiated under chapter 39 are
78 exempt from the following provisions of this chapter:
79 requirement for search of the Florida Putative Father Registry
80 provided in s. 63.054(7), if previously completed and
81 documentation of the search is contained in the case file;
82 disclosure requirements for the adoption entity provided in s.
83 63.085(1); general provisions governing termination of parental
84 rights pending adoption provided in s. 63.087; notice and
85 service provisions governing termination of parental rights
86 pending adoption provided in s. 63.088; and procedures for
87 terminating parental rights pending adoption provided in s.
88 63.089.

89 Section 4. Subsections (2) through (4) of section 63.039,
90 Florida Statutes, are renumbered as subsections (3) through (5),
91 respectively, and a new subsection (2) is added to that section
92 to read:

93 63.039 Duty of adoption entity to prospective adoptive
94 parents; sanctions.—

95 (2) With the exception of an adoption by a relative or
96 stepparent, all adoptions of minor children require the use of
97 an adoption entity that will assume the responsibilities
98 provided in this section.

99 Section 5. Paragraph (c) of subsection (2) of section
100 63.042, Florida Statutes, is amended to read:

101 63.042 Who may be adopted; who may adopt.—

102 (2) The following persons may adopt:

Amendment No.

103 (c) A married person without his or her ~~the other~~ spouse
104 joining as a petitioner, if the person to be adopted is not his
105 or her spouse, and if:

106 1. His or her ~~The other~~ spouse is a parent of the person
107 to be adopted and consents to the adoption; or

108 2. The failure of his or her ~~the other~~ spouse to join in
109 the petition or to consent to the adoption is excused by the
110 court for good cause shown or in the best interests ~~interest~~ of
111 the child.

112 Section 6. Subsections (1), (2), (3), (4), (7), (8), and
113 (9) of section 63.0423, Florida Statutes, are amended to read:

114 63.0423 Procedures with respect to surrendered infants.-

115 (1) Upon entry of final judgment terminating parental
116 rights, an adoption entity ~~A licensed child placing agency~~ that
117 takes physical custody of an infant surrendered at a hospital,
118 emergency medical services station, or fire station pursuant to
119 s. 383.50 assumes ~~shall assume~~ responsibility for the ~~all~~
120 medical ~~costs~~ and ~~all~~ other costs associated with the emergency
121 services and care of the surrendered infant from the time the
122 adoption entity ~~licensed child placing agency~~ takes physical
123 custody of the surrendered infant.

124 (2) The adoption entity ~~licensed child placing agency~~
125 shall immediately seek an order from the circuit court for
126 emergency custody of the surrendered infant. The emergency
127 custody order shall remain in effect until the court orders
128 preliminary approval of placement of the surrendered infant in
129 the prospective home, at which time the prospective adoptive
130 parents become guardians pending termination of parental rights

Amendment No.

131 and finalization of adoption or until the court orders
132 otherwise. The guardianship of the prospective adoptive parents
133 shall remain subject to the right of the adoption entity
134 ~~licensed child placing agency~~ to remove the surrendered infant
135 from the placement during the pendency of the proceedings if
136 such removal is deemed by the adoption entity ~~licensed child-~~
137 ~~placing agency~~ to be in the best interests ~~interest~~ of the
138 child. The adoption entity ~~licensed child placing agency~~ may
139 immediately seek to place the surrendered infant in a
140 prospective adoptive home.

141 (3) The adoption entity ~~licensed child placing agency~~ that
142 takes physical custody of the surrendered infant shall, within
143 24 hours thereafter, request assistance from law enforcement
144 officials to investigate and determine, through the Missing
145 Children Information Clearinghouse, the National Center for
146 Missing and Exploited Children, and any other national and state
147 resources, whether the surrendered infant is a missing child.

148 (4) The parent who surrenders the infant in accordance
149 with s. 383.50 is presumed to have consented to termination of
150 parental rights, and express consent is not required. Except
151 when there is actual or suspected child abuse or neglect, the
152 adoption entity may ~~licensed child placing agency shall~~ not
153 attempt to pursue, search for, or notify that parent as provided
154 in s. 63.088 and chapter 49. For purposes of s. 383.50 and this
155 section, an infant who tests positive for illegal drugs,
156 narcotic prescription drugs, alcohol, or other substances, but
157 shows no other signs of child abuse or neglect, shall be placed
158 in the custody of an adoption entity. If the department is

Amendment No.

159 contacted regarding an infant properly surrendered under s.
160 383.50 and this section, the department shall provide
161 instruction to contact an adoption entity and may not take
162 custody of the infant unless reasonable efforts to contact an
163 adoption entity to accept the infant have not been successful.

164 (7) If a claim of parental rights of a surrendered infant
165 is made before the judgment to terminate parental rights is
166 entered, the circuit court may hold the action for termination
167 of parental rights ~~pending subsequent adoption~~ in abeyance for a
168 period of time not to exceed 60 days.

169 (a) The court may order scientific testing to determine
170 maternity or paternity at the expense of the parent claiming
171 parental rights.

172 (b) The court shall appoint a guardian ad litem for the
173 surrendered infant and order whatever investigation, home
174 evaluation, and psychological evaluation are necessary to
175 determine what is in the best interests ~~interest~~ of the
176 surrendered infant.

177 (c) The court may not terminate parental rights solely on
178 the basis that the parent left the infant at a hospital,
179 emergency medical services station, or fire station in
180 accordance with s. 383.50.

181 (d) The court shall enter a judgment with written findings
182 of fact and conclusions of law.

183 (8) Within 7 business days after recording the judgment,
184 the clerk of the court shall mail a copy of the judgment to the
185 department, the petitioner, and any person ~~the persons~~ whose

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

186 consent ~~was~~ were required, if known. The clerk shall execute a
187 certificate of each mailing.

188 (9) (a) A judgment terminating parental rights pending
189 adoption is voidable, and any later judgment of adoption of that
190 minor is voidable, if, upon the motion of a ~~birth~~ parent, the
191 court finds that a person knowingly gave false information that
192 prevented the ~~birth~~ parent from timely making known his or her
193 desire to assume parental responsibilities toward the minor or
194 from exercising his or her parental rights. A motion under this
195 subsection must be filed with the court originally entering the
196 judgment. The motion must be filed within a reasonable time but
197 not later than 1 year after the entry of the judgment
198 terminating parental rights.

199 (b) No later than 30 days after the filing of a motion
200 under this subsection, the court shall conduct a preliminary
201 hearing to determine what contact, if any, will be permitted
202 between a ~~birth~~ parent and the child pending resolution of the
203 motion. Such contact may be allowed only if it is requested by a
204 parent who has appeared at the hearing and the court determines
205 that it is in the best interests ~~interest~~ of the child. If the
206 court orders contact between a ~~birth~~ parent and the child, the
207 order must be issued in writing as expeditiously as possible and
208 must state with specificity any provisions regarding contact
209 with persons other than those with whom the child resides.

210 (c) ~~At the preliminary hearing, The court, upon the motion~~
211 ~~of any party or upon its own motion,~~ may not order scientific
212 testing to determine the paternity or maternity of the minor
213 until such time as the court determines that a previously

Amendment No.

214 entered judgment terminating the parental rights of that parent
215 is voidable pursuant to paragraph (a), unless all parties agree
216 that such testing is in the best interests of the child if the
217 ~~person seeking to set aside the judgment is alleging to be the~~
218 ~~child's birth parent but has not previously been determined by~~
219 ~~legal proceedings or scientific testing to be the birth parent.~~
220 Upon the filing of test results establishing that person's
221 maternity or paternity of the surrendered infant, the court may
222 order visitation only if it appears to be as it deems
223 ~~appropriate and~~ in the best interests ~~interest~~ of the child.

224 (d) Within 45 days after the preliminary hearing, the
225 court shall conduct a final hearing on the motion to set aside
226 the judgment and shall enter its written order as expeditiously
227 as possible thereafter.

228 Section 7. Subsection (1) of section 63.0425, Florida
229 Statutes, is amended to read:

230 63.0425 Grandparent's right to notice.—

231 (1) If a child has lived with a grandparent for at least 6
232 continuous months within the 24-month period immediately
233 preceding the filing of a petition for termination of parental
234 rights pending adoption, the adoption entity shall provide
235 notice to that grandparent of the hearing on the petition.

236 Section 8. Section 63.0427, Florida Statutes, is amended
237 to read:

238 63.0427 Agreements for ~~Adopted minor's right to~~ continued
239 communication or contact between adopted child and with
240 siblings, parents, and other relatives.—

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

241 (1) A child whose parents have had their parental rights
242 terminated and whose custody has been awarded to the department
243 pursuant to s. 39.811, and who is the subject of a petition for
244 adoption under this chapter, shall have the right to have the
245 court consider the appropriateness of postadoption communication
246 or contact, including, but not limited to, visits, written
247 correspondence, or telephone calls, with his or her siblings or,
248 upon agreement of the adoptive parents, with the parents who
249 have had their parental rights terminated or other specified
250 biological relatives. The court shall consider the following in
251 making such determination:

- 252 (a) Any orders of the court pursuant to s. 39.811(7).
253 (b) Recommendations of the department, the foster parents
254 if other than the adoptive parents, and the guardian ad litem.
255 (c) Statements of the prospective adoptive parents.
256 (d) Any other information deemed relevant and material by
257 the court.

258

259 If the court determines that the child's best interests will be
260 served by postadoption communication or contact, the court shall
261 so order, stating the nature and frequency of for the
262 communication or contact. This order shall be made a part of the
263 final adoption order, but ~~in no event shall~~ the continuing
264 validity of the adoption may not be contingent upon such
265 postadoption communication or contact and, ~~nor shall~~ the ability
266 of the adoptive parents and child to change residence within or
267 outside the State of Florida may not be impaired by such
268 communication or contact.

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

269 (2) Notwithstanding ~~the provisions of~~ s. 63.162, the
270 adoptive parent may, at any time, petition for review of a
271 communication or contact order entered pursuant to subsection
272 (1), if the adoptive parent believes that the best interests of
273 the adopted child are being compromised, and the court may shall
274 ~~have authority to~~ order the communication or contact to be
275 terminated or modified, as the court deems to be in the best
276 interests of the adopted child; however, the court may not
277 increase contact between the adopted child and siblings, birth
278 parents, or other relatives without the consent of the adoptive
279 parent or parents. As part of the review process, the court may
280 order the parties to engage in mediation. The department shall
281 not be required to be a party to such review.

282 (3) Prospective adoptive parents may enter into an
283 agreement for contact between the child to be adopted and the
284 birth parent, other relative, or previous foster parent of the
285 child to be adopted. Such contact may include visits, written
286 correspondence, telephone contact, exchange of photographs, or
287 other similar types of contact. The agreement is enforceable by
288 the court only if:

289 (a) The agreement was in writing and was submitted to the
290 court.

291 (b) The adoptive parents have agreed to the terms of the
292 contact agreement.

293 (c) The court finds the contact to be in the best
294 interests of the child.

295 (d) The child, if 12 years of age or older, has agreed to
296 the contact outlined in the agreement.

Amendment No.

297 (4) All parties acknowledge that a dispute regarding the
298 contact agreement does not affect the validity or finality of
299 the adoption and that a breach of the agreement may not be
300 grounds to set aside the adoption or otherwise impact the
301 validity or finality of the adoption in any way.

302 (5) An adoptive parent may terminate the contact between
303 the child and the birth parent, other relative, or foster parent
304 if the adoptive parent reasonably believes that the contact is
305 detrimental to the best interests of the child.

306 (6) In order to terminate the agreement for contact, the
307 adoptive parent must file a notice of intent to terminate the
308 contact agreement with the court that initially approved the
309 contact agreement, and provide a copy of the notice to the
310 adoption entity that placed the child, if any, and to the birth
311 parent, other relative, or foster parent of the child who is a
312 party to the agreement, outlining the reasons for termination of
313 the agreement.

314 (7) If appropriate under the circumstances of the case,
315 the court may order the parties to participate in mediation to
316 attempt to resolve the issues with the contact agreement. The
317 mediation shall be conducted pursuant to the provisions of s.
318 61.183. The petitioner shall be responsible for payment of the
319 services of the mediator.

320 (8) The court may modify the terms of the agreement in
321 order to serve the best interests of the child, but may not
322 increase the amount or type of contact unless the adoptive
323 parents agree to the increase in contact or change in the type
324 of contact.

Amendment No.

325 (9) An agreement for contact entered into under this
326 subsection is enforceable even if it does not fully disclose the
327 identity of the parties to the agreement or if identifying
328 information has been redacted from the agreement.

329 Section 9. Subsections (1), (2), (3), and (6) of section
330 63.052, Florida Statutes, are amended to read:

331 63.052 Guardians designated; proof of commitment.—

332 (1) For minors who have been placed for adoption with ~~and~~
333 ~~permanently committed to~~ an adoption entity, other than an
334 intermediary, such adoption entity shall be the guardian of the
335 person of the minor and has the responsibility and authority to
336 provide for the needs and welfare of the minor.

337 (2) For minors who have been voluntarily surrendered to an
338 intermediary through an execution of a consent to adoption, the
339 intermediary shall be responsible for the minor until the time a
340 court orders preliminary approval of placement of the minor in
341 the prospective adoptive home, after which time the prospective
342 adoptive parents shall become guardians pending finalization of
343 adoption, subject to the intermediary's right and responsibility
344 to remove the child from the prospective adoptive home if the
345 removal is deemed by the intermediary to be in the best
346 interests interest of the child. The intermediary may not remove
347 the child without a court order unless the child is in danger of
348 imminent harm. The intermediary does not become responsible for
349 the minor child's medical bills that were incurred before taking
350 physical custody of the child after the execution of adoption
351 consents. Prior to the court's entry of an order granting
352 preliminary approval of the placement, the intermediary shall

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

353 have the responsibility and authority to provide for the needs
354 and welfare of the minor. A ~~No~~ minor may not shall be placed in
355 a prospective adoptive home until that home has received a
356 favorable preliminary home study, as provided in s. 63.092,
357 completed and approved within 1 year before such placement in
358 the prospective home. The provisions of s. 627.6578 shall remain
359 in effect notwithstanding the guardianship provisions in this
360 section.

361 (3) If a minor is surrendered to an adoption entity for
362 subsequent adoption and a suitable prospective adoptive home is
363 not available pursuant to s. 63.092 at the time the minor is
364 surrendered to the adoption entity, the minor must be placed in
365 a licensed foster care home, ~~or~~ with a person or family that has
366 received a favorable preliminary home study pursuant to
367 subsection (2), or with a relative until such a suitable
368 prospective adoptive home is available.

369 (6) Unless otherwise authorized by law or ordered by the
370 court, the department is not responsible for expenses incurred
371 by other adoption entities participating in a placement of a
372 minor.

373 Section 10. Subsections (2) and (3) of section 63.053,
374 Florida Statutes, are amended to read:

375 63.053 Rights and responsibilities of an unmarried
376 biological father; legislative findings.—

377 (2) The Legislature finds that the interests of the state,
378 the mother, the child, and the adoptive parents described in
379 this chapter outweigh the interest of an unmarried biological
380 father who does not take action in a timely manner to establish

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

381 and demonstrate a relationship with his child in accordance with
382 the requirements of this chapter. An unmarried biological father
383 has the primary responsibility to protect his rights and is
384 presumed to know that his child may be adopted without his
385 consent unless he strictly complies with ~~the provisions of~~ this
386 chapter and demonstrates a prompt and full commitment to his
387 parental responsibilities.

388 (3) The Legislature finds that a birth mother and a birth
389 father have a right of ~~to~~ privacy.

390 Section 11. Subsections (1), (2), (4), and (13) of section
391 63.054, Florida Statutes, are amended to read:

392 63.054 Actions required by an unmarried biological father
393 to establish parental rights; Florida Putative Father Registry.-

394 (1) In order to preserve the right to notice and consent
395 to an adoption under this chapter, an unmarried biological
396 father must, as the "registrant," file a notarized claim of
397 paternity form with the Florida Putative Father Registry
398 maintained by the Office of Vital Statistics of the Department
399 of Health which includes confirmation of his willingness and
400 intent to support the child for whom paternity is claimed in
401 accordance with state law. The claim of paternity may be filed
402 at any time before the child's birth, but may not be filed after
403 the date a petition is filed for termination of parental rights.
404 In each proceeding for termination of parental rights, the
405 petitioner must submit to the Office of Vital Statistics a copy
406 of the petition for termination of parental rights or a document
407 executed by the clerk of the court showing the style of the
408 case, the names of the persons whose rights are sought to be

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

409 terminated, and the date and time of the filing of the petition.

410 The Office of Vital Statistics may not record a claim of
411 paternity after the date a petition for termination of parental
412 rights is filed. The failure of an unmarried biological father
413 to file a claim of paternity with the registry before the date a
414 petition for termination of parental rights is filed also bars
415 him from filing a paternity claim under chapter 742.

416 (a) An unmarried biological father is excepted from the
417 time limitations for filing a claim of paternity with the
418 registry or for filing a paternity claim under chapter 742, if:

419 1. The mother identifies him to the adoption entity as a
420 potential biological father by the date she executes a consent
421 for adoption; and

422 2. He is served with a notice of intended adoption plan
423 pursuant to s. 63.062(3) and the 30-day mandatory response date
424 is later than the date the petition for termination of parental
425 rights is filed with the court.

426 (b) If an unmarried biological father falls within the
427 exception provided by paragraph (a), the petitioner shall also
428 submit to the Office of Vital Statistics a copy of the notice of
429 intended adoption plan and proof of service of the notice on the
430 potential biological father.

431 (c) An unmarried biological father who falls within the
432 exception provided by paragraph (a) may not file a claim of
433 paternity with the registry or a paternity claim under chapter
434 742 after the 30-day mandatory response date to the notice of
435 intended adoption plan has expired. The Office of Vital

Amendment No.

436 Statistics may not record a claim of paternity 30 days after
437 service of the notice of intended adoption plan.

438 (2) By filing a claim of paternity form with the Office of
439 Vital Statistics, the registrant expressly consents to submit to
440 and pay for DNA testing upon the request of any party, the
441 registrant, or the adoption entity with respect to the child
442 referenced in the claim of paternity.

443 (4) Upon initial registration, or at any time thereafter,
444 the registrant may designate a physical ~~an~~ address other than
445 his residential address for sending any communication regarding
446 his registration. Similarly, upon initial registration, or at
447 any time thereafter, the registrant may designate, in writing,
448 an agent or representative to receive any communication on his
449 behalf and receive service of process. The agent or
450 representative must file an acceptance of the designation, in
451 writing, in order to receive notice or service of process. The
452 failure of the designated representative or agent of the
453 registrant to deliver or otherwise notify the registrant of
454 receipt of correspondence from the Florida Putative Father
455 Registry is at the registrant's own risk and may ~~shall~~ not serve
456 as a valid defense based upon lack of notice.

457 (13) The filing of a claim of paternity with the Florida
458 Putative Father Registry does not excuse or waive the obligation
459 of a petitioner to comply with the requirements of s. 63.088(4)
460 for conducting a diligent search and required inquiry with
461 respect to the identity of an unmarried biological father or
462 legal father which are set forth in this chapter.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

463 Section 12. Paragraph (b) of subsection (1), subsections
464 (2), (3), and (4), and paragraph (a) of subsection (8) of
465 section 63.062, Florida Statutes, are amended to read:

466 63.062 Persons required to consent to adoption; affidavit
467 of nonpaternity; waiver of venue.-

468 (1) Unless supported by one or more of the grounds
469 enumerated under s. 63.089(3), a petition to terminate parental
470 rights pending adoption may be granted only if written consent
471 has been executed as provided in s. 63.082 after the birth of
472 the minor or notice has been served under s. 63.088 to:

473 (b) The father of the minor, if:

474 1. The minor was conceived or born while the father was
475 married to the mother;

476 2. The minor is his child by adoption;

477 3. The minor has been adjudicated by the court to be his
478 child before ~~by~~ the date a petition ~~is filed~~ for termination of
479 parental rights is filed;

480 4. He has filed an affidavit of paternity pursuant to s.
481 382.013(2)(c) or he is listed on the child's birth certificate
482 before ~~by~~ the date a petition ~~is filed~~ for termination of
483 parental rights is filed; or

484 5. In the case of an unmarried biological father, he has
485 acknowledged in writing, signed in the presence of a competent
486 witness, that he is the father of the minor, has filed such
487 acknowledgment with the Office of Vital Statistics of the
488 Department of Health within the required timeframes, and has
489 complied with the requirements of subsection (2).

490

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Page 18 of 62

Amendment No.

491 The status of the father shall be determined at the time of the
492 filing of the petition to terminate parental rights and may not
493 be modified, except as otherwise provided in s. 63.0423(9)(a),
494 for purposes of his obligations and rights under this chapter by
495 acts occurring after the filing of the petition to terminate
496 parental rights.

497 (2) In accordance with subsection (1), the consent of an
498 unmarried biological father shall be necessary only if the
499 unmarried biological father has complied with the requirements
500 of this subsection.

501 (a)1. With regard to a child who is placed with adoptive
502 parents more than 6 months after the child's birth, an unmarried
503 biological father must have developed a substantial relationship
504 with the child, taken some measure of responsibility for the
505 child and the child's future, and demonstrated a full commitment
506 to the responsibilities of parenthood by providing reasonable
507 and regular financial support to the child in accordance with
508 the unmarried biological father's ability, if not prevented from
509 doing so by the person or authorized agency having lawful
510 custody of the child, and either:

511 a. Regularly visited the child at least monthly, when
512 physically and financially able to do so and when not prevented
513 from doing so by the birth mother or the person or authorized
514 agency having lawful custody of the child; or

515 b. Maintained regular communication with the child or with
516 the person or agency having the care or custody of the child,
517 when physically or financially unable to visit the child or when

Amendment No.

518 not prevented from doing so by the birth mother or person or
519 authorized agency having lawful custody of the child.

520 ~~2. The mere fact that an unmarried biological father~~
521 ~~expresses a desire to fulfill his responsibilities towards his~~
522 ~~child which is unsupported by acts evidencing this intent does~~
523 ~~not preclude a finding by the court that the unmarried~~
524 ~~biological father failed to comply with the requirements of this~~
525 ~~subsection.~~

526 ~~2.3.~~ An unmarried biological father who openly lived with
527 the child for at least 6 months within the 1-year period
528 following the birth of the child and immediately preceding
529 placement of the child with adoptive parents and who openly held
530 himself out to be the father of the child during that period
531 shall be deemed to have developed a substantial relationship
532 with the child and to have otherwise met the requirements of
533 this paragraph.

534 (b) With regard to a child who is ~~younger than~~ 6 months of
535 age or younger at the time the child is placed with the adoptive
536 parents, an unmarried biological father must have demonstrated a
537 full commitment to his parental responsibility by having
538 performed all of the following acts prior to the time the mother
539 executes her consent for adoption:

540 1. Filed a notarized claim of paternity form with the
541 Florida Putative Father Registry within the Office of Vital
542 Statistics of the Department of Health, which form shall be
543 maintained in the confidential registry established for that
544 purpose and shall be considered filed when the notice is entered
545 in the registry of notices from unmarried biological fathers.

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

546 2. Upon service of a notice of an intended adoption plan
547 or a petition for termination of parental rights pending
548 adoption, executed and filed an affidavit in that proceeding
549 stating that he is personally fully able and willing to take
550 responsibility for the child, setting forth his plans for care
551 of the child, and agreeing to a court order of child support and
552 a contribution to the payment of living and medical expenses
553 incurred for the mother's pregnancy and the child's birth in
554 accordance with his ability to pay.

555 3. If he had knowledge of the pregnancy, paid a fair and
556 reasonable amount of the living and medical expenses incurred in
557 connection with the mother's pregnancy and the child's birth, in
558 accordance with his financial ability and when not prevented
559 from doing so by the birth mother or person or authorized agency
560 having lawful custody of the child. The responsibility of the
561 unmarried biological father to provide financial assistance to
562 the birth mother during her pregnancy and to the child after
563 birth is not abated because support is being provided to the
564 birth mother or child by the adoption entity, a prospective
565 adoptive parent, or a third party, nor does it serve as a basis
566 to excuse the birth father's failure to provide support.

567 (c) The mere fact that a father expresses a desire to
568 fulfill his responsibilities towards his child which is
569 unsupported by acts evidencing this intent does not meet the
570 requirements of this section.

571 (d)(e) The petitioner shall file with the court a
572 certificate from the Office of Vital Statistics stating that a
573 diligent search has been made of the Florida Putative Father

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

574 Registry of notices from unmarried biological fathers described
575 in subparagraph (b)1. and that no filing has been found
576 pertaining to the father of the child in question or, if a
577 filing is found, stating the name of the putative father and the
578 time and date of filing. That certificate shall be filed with
579 the court prior to the entry of a final judgment of termination
580 of parental rights.

581 ~~(e)(d)~~ An unmarried biological father who does not comply
582 with each of the conditions provided in this subsection is
583 deemed to have waived and surrendered any rights in relation to
584 the child, including the right to notice of any judicial
585 proceeding in connection with the adoption of the child, and his
586 consent to the adoption of the child is not required.

587 (3) Pursuant to chapter 48, an adoption entity shall serve
588 a notice of intended adoption plan upon any known and locatable
589 unmarried biological father who is identified to the adoption
590 entity by the mother by the date she signs her consent for
591 adoption if the child is 6 months of age or less at the time the
592 consent is executed ~~or who is identified by a diligent search of~~
593 ~~the Florida Putative Father Registry, or upon an entity whose~~
594 ~~consent is required~~. Service of the notice of intended adoption
595 plan is not required ~~mandatory~~ when the unmarried biological
596 father signs a consent for adoption or an affidavit of
597 nonpaternity or when the child is more than 6 months of age at
598 the time of the execution of the consent by the mother. The
599 notice may be served at any time before the child's birth or
600 before placing the child in the adoptive home. The recipient of
601 the notice may waive service of process by executing a waiver

Amendment No.

602 and acknowledging receipt of the plan. The notice of intended
603 adoption plan must specifically state that if the unmarried
604 biological father desires to contest the adoption plan he must,
605 within 30 days after service, file with the court a verified
606 response that contains a pledge of commitment to the child in
607 substantial compliance with subparagraph (2)(b)2. and a claim of
608 paternity form with the Office of Vital Statistics, and must
609 provide the adoption entity with a copy of the verified response
610 filed with the court and the claim of paternity form filed with
611 the Office of Vital Statistics. The notice must also include
612 instructions for submitting a claim of paternity form to the
613 Office of Vital Statistics and the address to which the claim
614 must be sent. If the party served with the notice of intended
615 adoption plan is an entity whose consent is required, the notice
616 must specifically state that the entity must file, within 30
617 days after service, a verified response setting forth a legal
618 basis for contesting the intended adoption plan, specifically
619 addressing the best interests ~~interest~~ of the child.

620 (a) If the unmarried biological father or entity whose
621 consent is required fails to timely and properly file a verified
622 response with the court and, in the case of an unmarried
623 biological father, a claim of paternity form with the Office of
624 Vital Statistics, the court shall enter a default judgment
625 against the ~~any~~ unmarried biological father or entity and the
626 consent of that unmarried biological father or entity shall no
627 longer be required under this chapter and shall be deemed to
628 have waived any claim of rights to the child. To avoid an entry

Amendment No.

629 of a default judgment, within 30 days after receipt of service
630 of the notice of intended adoption plan:

631 1. The unmarried biological father must:

632 a. File a claim of paternity with the Florida Putative
633 Father Registry maintained by the Office of Vital Statistics;

634 b. File a verified response with the court which contains
635 a pledge of commitment to the child in substantial compliance
636 with subparagraph (2)(b)2.; and

637 c. Provide support for the birth mother and the child.

638 2. The entity whose consent is required must file a
639 verified response setting forth a legal basis for contesting the
640 intended adoption plan, specifically addressing the best
641 interests ~~interest~~ of the child.

642 (b) If the mother identifies a potential unmarried
643 biological father within the timeframes required by the statute,
644 whose location is unknown, the adoption entity shall conduct a
645 diligent search pursuant to s. 63.088. If, upon completion of a
646 diligent search, the potential unmarried biological father's
647 location remains unknown and a search of the Florida Putative
648 Father Registry fails to reveal a match, the adoption entity
649 shall request in the petition for termination of parental rights
650 pending adoption that the court declare the diligent search to
651 be in compliance with s. 63.088, that the adoption entity has no
652 further obligation to provide notice to the potential unmarried
653 biological father, and that the potential unmarried biological
654 father's consent to the adoption is not required.

655 (4) Any person whose consent is required under paragraph
656 (1)(b), or any other man, may execute an irrevocable affidavit

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

657 of nonpaternity in lieu of a consent under this section and by
658 doing so waives notice to all court proceedings after the date
659 of execution. An affidavit of nonpaternity must be executed as
660 provided in s. 63.082. The affidavit of nonpaternity may be
661 executed prior to the birth of the child. The person executing
662 the affidavit must receive disclosure under s. 63.085 prior to
663 signing the affidavit. For purposes of this chapter, an
664 affidavit of nonpaternity is sufficient if it contains a
665 specific denial of parental obligations and does not need to
666 deny the existence of a biological relationship.

667 (8) A petition to adopt an adult may be granted if:

668 (a) Written consent to adoption has been executed by the
669 adult and the adult's spouse, if any, unless the spouse's
670 consent is waived by the court for good cause.

671 Section 13. Subsection (2) of section 63.063, Florida
672 Statutes, is amended to read:

673 63.063 Responsibility of parents for actions; fraud or
674 misrepresentation; contesting termination of parental rights and
675 adoption.—

676 (2) Any person injured by a fraudulent representation or
677 action in connection with an adoption may pursue civil or
678 criminal penalties as provided by law. A fraudulent
679 representation is not a defense to compliance with the
680 requirements of this chapter and is not a basis for dismissing a
681 petition for termination of parental rights or a petition for
682 adoption, for vacating an adoption decree, or for granting
683 custody to the offended party. Custody and adoption

Amendment No.

684 determinations must be based on the best interests ~~interest~~ of
685 the child in accordance with s. 61.13.

686 Section 14. Paragraph (d) of subsection (1), paragraphs
687 (c) and (d) of subsection (3), paragraphs (a), (d), and (e) of
688 subsection (4), and subsections (6) and (7) of section 63.082,
689 Florida Statutes, are amended to read:

690 63.082 Execution of consent to adoption or affidavit of
691 nonpaternity; family social and medical history; revocation
692 ~~withdrawal~~ of consent.—

693 (1)

694 (d) The notice and consent provisions of this chapter as
695 they relate to the father ~~birth~~ of a child ~~or to legal fathers~~
696 do not apply in cases in which the child is conceived as a
697 result of a violation of the criminal laws of this or another
698 state or country, including, but not limited to, sexual battery,
699 unlawful sexual activity with certain minors under s. 794.05,
700 lewd acts perpetrated upon a minor, or incest. A criminal
701 conviction is not required for the court to find that the child
702 was conceived as a result of a violation of the criminal laws of
703 this state or another state or country.

704 (3)

705 (c) If any person who is required to consent is
706 unavailable because the person cannot be located, an the
707 ~~petition to terminate parental rights pending adoption must be~~
708 ~~accompanied by the~~ affidavit of diligent search required under
709 s. 63.088 shall be filed.

710 (d) If any person who is required to consent is
711 unavailable because the person is deceased, the petition to

Amendment No.

712 terminate parental rights pending adoption must be accompanied
713 by a certified copy of the death certificate. In an adoption of
714 a stepchild or a relative, the certified copy of the death
715 certificate of the person whose consent is required may ~~must~~ be
716 attached to the petition for adoption if a separate petition for
717 termination of parental rights is not being filed.

718 (4) (a) An affidavit of nonpaternity may be executed before
719 the birth of the minor; however, the consent to an adoption may
720 ~~shall~~ not be executed before the birth of the minor except in a
721 preplanned adoption pursuant to s. 63.213.

722 (d) The consent to adoption or the affidavit of
723 nonpaternity must be signed in the presence of two witnesses and
724 be acknowledged before a notary public who is not signing as one
725 of the witnesses. The notary public must legibly note on the
726 consent or the affidavit the date and time of execution. The
727 witnesses' names must be typed or printed underneath their
728 signatures. The witnesses' home or business addresses must be
729 included. The person who signs the consent or the affidavit has
730 the right to have at least one of the witnesses be an individual
731 who does not have an employment, professional, or personal
732 relationship with the adoption entity or the prospective
733 adoptive parents. The adoption entity must give reasonable
734 advance notice to the person signing the consent or affidavit of
735 the right to select a witness of his or her own choosing. The
736 person who signs the consent or affidavit must acknowledge in
737 writing on the consent or affidavit that such notice was given
738 and indicate the witness, if any, who was selected by the person
739 signing the consent or affidavit. The adoption entity must

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

740 include its name, address, and telephone number on the consent
741 to adoption or affidavit of nonpaternity.

742 (e) A consent to adoption being executed by the birth
743 parent must be in at least 12-point boldfaced type and shall
744 contain the following recitation of rights ~~in substantially the~~
745 ~~following form:~~

746 CONSENT TO ADOPTION

747

748 YOU HAVE THE RIGHT TO SELECT AT LEAST ONE PERSON WHO DOES NOT
749 HAVE AN EMPLOYMENT, PROFESSIONAL, OR PERSONAL RELATIONSHIP WITH
750 THE ADOPTION ENTITY OR THE PROSPECTIVE ADOPTIVE PARENTS TO BE
751 PRESENT WHEN THIS AFFIDAVIT IS EXECUTED AND TO SIGN IT AS A
752 WITNESS. YOU MUST ACKNOWLEDGE ON THIS FORM THAT YOU WERE
753 NOTIFIED OF THIS RIGHT AND YOU MUST INDICATE THE WITNESS OR
754 WITNESSES YOU SELECTED, IF ANY.

755

756 YOU DO NOT HAVE TO SIGN THIS CONSENT FORM. YOU MAY DO ANY OF THE
757 FOLLOWING INSTEAD OF SIGNING THIS CONSENT OR BEFORE SIGNING THIS
758 CONSENT:

759

- 760 1. CONSULT WITH AN ATTORNEY;
761 2. HOLD, CARE FOR, AND FEED THE CHILD UNLESS OTHERWISE
762 LEGALLY PROHIBITED;
763 3. PLACE THE CHILD IN FOSTER CARE OR WITH ANY FRIEND OR
764 FAMILY MEMBER YOU CHOOSE WHO IS WILLING TO CARE FOR THE
765 CHILD;
766 4. TAKE THE CHILD HOME UNLESS OTHERWISE LEGALLY
767 PROHIBITED; AND

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

768 5. FIND OUT ABOUT THE COMMUNITY RESOURCES THAT ARE
769 AVAILABLE TO YOU IF YOU DO NOT GO THROUGH WITH THE
770 ADOPTION.

771

772 IF YOU DO SIGN THIS CONSENT, YOU ARE GIVING UP ALL RIGHTS TO
773 YOUR CHILD. YOUR CONSENT IS VALID, BINDING, AND IRREVOCABLE
774 EXCEPT UNDER SPECIFIC LEGAL CIRCUMSTANCES. IF YOU ARE GIVING UP
775 YOUR RIGHTS TO A NEWBORN CHILD WHO IS TO BE IMMEDIATELY PLACED
776 FOR ADOPTION UPON THE CHILD'S RELEASE FROM A LICENSED HOSPITAL
777 OR BIRTH CENTER FOLLOWING BIRTH, A WAITING PERIOD WILL BE
778 IMPOSED UPON THE BIRTH MOTHER BEFORE SHE MAY SIGN THE CONSENT
779 FOR ADOPTION. A BIRTH MOTHER MUST WAIT 48 HOURS FROM THE TIME OF
780 BIRTH, OR UNTIL THE DAY THE BIRTH MOTHER HAS BEEN NOTIFIED IN
781 WRITING, EITHER ON HER PATIENT CHART OR IN RELEASE PAPERS, THAT
782 SHE IS FIT TO BE RELEASED FROM A LICENSED HOSPITAL OR BIRTH
783 CENTER, WHICHEVER IS SOONER, BEFORE THE CONSENT FOR ADOPTION MAY
784 BE EXECUTED. ANY MAN MAY EXECUTE A CONSENT AT ANY TIME AFTER THE
785 BIRTH OF THE CHILD. ONCE YOU HAVE SIGNED THE CONSENT, IT IS
786 VALID, BINDING, AND IRREVOCABLE AND CANNOT BE INVALIDATED
787 ~~WITHDRAWN~~ UNLESS A COURT FINDS THAT IT WAS OBTAINED BY FRAUD OR
788 DURESS.

789

790 IF YOU BELIEVE THAT YOUR CONSENT WAS OBTAINED BY FRAUD OR DURESS
791 AND YOU WISH TO INVALIDATE ~~REVOKE~~ THAT CONSENT, YOU MUST:

792

793 1. NOTIFY THE ADOPTION ENTITY, BY WRITING A LETTER, THAT
794 YOU WISH TO WITHDRAW YOUR CONSENT; AND

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

795 2. PROVE IN COURT THAT THE CONSENT WAS OBTAINED BY FRAUD
796 OR DURESS.

797

798 This statement of rights is not required for the adoption of a
799 relative, an adult, a stepchild, or a child older than 6 months
800 of age. A consent form for the adoption of a child older than 6
801 months of age at the time of the execution of consent must
802 contain a statement outlining the revocation rights provided in
803 paragraph (c).

804 (6) (a) If a parent executes a consent for placement of a
805 minor with an adoption entity or qualified prospective adoptive
806 parents and the minor child is in the custody of the department,
807 but parental rights have not yet been terminated, the adoption
808 consent is valid, binding, and enforceable by the court.

809 (b) Upon execution of the consent of the parent, the
810 adoption entity shall be permitted to ~~may~~ intervene in the
811 dependency case as a party in interest and must provide the
812 court that acquired ~~having~~ jurisdiction over the minor, pursuant
813 to the shelter or dependency petition filed by the department, a
814 copy of the preliminary home study of the prospective adoptive
815 parents and any other evidence of the suitability of the
816 placement. The preliminary home study must be maintained with
817 strictest confidentiality within the dependency court file and
818 the department's file. A preliminary home study must be provided
819 to the court in all cases in which an adoption entity has
820 intervened pursuant to this section. Unless the court has
821 concerns regarding the qualifications of the home study
822 provider, or concerns that the home study may not be adequate to

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

823 determine the best interests of the child, the home study
824 provided by the adoption entity shall be deemed to be sufficient
825 and no additional home study needs to be performed by the
826 department.

827 (c) If an adoption entity files a motion to intervene in
828 the dependency case in accordance with this chapter, the
829 dependency court shall promptly grant a hearing to determine
830 whether the adoption entity has filed the required documents to
831 be permitted to intervene and whether a change of placement of
832 the child is appropriate.

833 (d)-(e) Upon a determination by the court that the
834 prospective adoptive parents are properly qualified to adopt the
835 minor child and that the adoption appears to be in the best
836 interests interest of the minor child, the court shall
837 immediately order the transfer of custody of the minor child to
838 the prospective adoptive parents, under the supervision of the
839 adoption entity. The adoption entity shall thereafter provide
840 monthly supervision reports to the department until finalization
841 of the adoption.

842 (e)-(d) In determining whether the best interests interest
843 of the child are is served by transferring the custody of the
844 minor child to the prospective adoptive parent selected by the
845 parent, the court shall consider the rights of the parent to
846 determine an appropriate placement for the child, the permanency
847 offered, the child's bonding with any potential adoptive home
848 that the child has been residing in, and the importance of
849 maintaining sibling relationships, if possible.

Amendment No.

850 (7) If a person is seeking to revoke ~~withdraw~~ consent for
851 a child older than 6 months of age ~~who has been placed with~~
852 ~~prospective adoptive parents:~~

853 (a) The person seeking to revoke ~~withdraw~~ consent must, in
854 accordance with paragraph (4)(c), notify the adoption entity in
855 writing by certified mail, return receipt requested, within 3
856 business days after execution of the consent. As used in this
857 subsection, the term "business day" means any day on which the
858 United States Postal Service accepts certified mail for
859 delivery.

860 (b) Upon receiving timely written notice from a person
861 whose consent to adoption is required of that person's desire to
862 revoke ~~withdraw~~ consent, the adoption entity must contact the
863 prospective adoptive parent to arrange a time certain for the
864 adoption entity to regain physical custody of the minor, unless,
865 upon a motion for emergency hearing by the adoption entity, the
866 court determines in written findings that placement of the minor
867 with the person who had legal or physical custody of the child
868 immediately before the child was placed for adoption may
869 endanger the minor or that the person who desires to revoke
870 ~~withdraw~~ consent is not required to consent to the adoption, has
871 been determined to have abandoned the child, or is otherwise
872 subject to a determination that the person's consent is waived
873 under this chapter.

874 (c) If the court finds that the placement may endanger the
875 minor, the court shall enter an order continuing the placement
876 of the minor with the prospective adoptive parents pending
877 further proceedings if they desire continued placement. If the

Amendment No.

878 prospective adoptive parents do not desire continued placement,
879 the order must include, but need not be limited to, a
880 determination of whether temporary placement in foster care,
881 with the person who had legal or physical custody of the child
882 immediately before placing the child for adoption, or with a
883 relative is in the best interests ~~interest~~ of the child and
884 whether an investigation by the department is recommended.

885 (d) If the person revoking ~~withdrawing~~ consent claims to
886 be the father of the minor but has not been established to be
887 the father by marriage, court order, or scientific testing, the
888 court may order scientific paternity testing and reserve ruling
889 on removal of the minor until the results of such testing have
890 been filed with the court.

891 (e) The adoption entity must return the minor within 3
892 business days after timely and proper notification of the
893 revocation ~~withdrawal~~ of consent or after the court determines
894 that revocation ~~withdrawal~~ is timely and in accordance with the
895 requirements of this chapter ~~valid and binding~~ upon
896 consideration of an emergency motion, as filed pursuant to
897 paragraph (b), to the physical custody of the person revoking
898 ~~withdrawing~~ consent or the person directed by the court. If the
899 person seeking to revoke ~~withdraw~~ consent claims to be the
900 father of the minor but has not been established to be the
901 father by marriage, court order, or scientific testing, the
902 adoption entity may return the minor to the care and custody of
903 the mother, if she desires such placement and she is not
904 otherwise prohibited by law from having custody of the child.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

905 (f) Following the revocation period ~~for withdrawal of~~
906 ~~consent~~ described in paragraph (a), ~~or the placement of the~~
907 ~~child with the prospective adoptive parents, whichever occurs~~
908 later, consent may be set aside ~~withdrawn~~ only when the court
909 finds that the consent was obtained by fraud or duress.

910 (g) An affidavit of nonpaternity may be set aside
911 ~~withdrawn~~ only if the court finds that the affidavit was
912 obtained by fraud or duress.

913 (h) If the consent of one parent is set aside or revoked
914 in accordance with this chapter, any other consents executed by
915 the other parent or a third party whose consent is required for
916 the adoption of the child may not be used by the parent who
917 consent was revoked or set aside to terminate or diminish the
918 rights of the other parent or third party whose consent was
919 required for the adoption of the child.

920 Section 15. Subsection (1) and paragraph (a) of subsection
921 (2) of section 63.085, Florida Statutes, are amended, and
922 paragraph (c) is added to subsection (2) of that section, to
923 read:

924 63.085 Disclosure by adoption entity.—

925 (1) DISCLOSURE REQUIRED TO PARENTS AND PROSPECTIVE
926 ADOPTIVE PARENTS.—Within 14 days after a person seeking to adopt
927 a minor or a person seeking to place a minor for adoption
928 contacts an adoption entity in person or provides the adoption
929 entity with a mailing address, the entity must provide a written
930 disclosure statement to that person if the entity agrees or
931 continues to work with the person. The adoption entity shall
932 also provide the written disclosure to the parent who did not

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

933 initiate contact with the adoption entity within 14 days after
934 that parent is identified and located. For purposes of providing
935 the written disclosure, a person is considered to be seeking to
936 place a minor for adoption if that person has sought information
937 or advice from the adoption entity regarding the option of
938 adoptive placement. The written disclosure statement must be in
939 substantially the following form:

940

941

ADOPTION DISCLOSURE

942

THE STATE OF FLORIDA REQUIRES THAT THIS FORM BE PROVIDED TO ALL
943 PERSONS CONSIDERING ADOPTING A MINOR OR SEEKING TO PLACE A MINOR
944 FOR ADOPTION, TO ADVISE THEM OF THE FOLLOWING FACTS REGARDING
945 ADOPTION UNDER FLORIDA LAW:

946

947 1. The name, address, and telephone number of the adoption
948 entity providing this disclosure is:

949 Name:

950 Address:

951 Telephone Number:

952 2. The adoption entity does not provide legal
953 representation or advice to parents or anyone signing a consent
954 for adoption or affidavit of nonpaternity, and parents have the
955 right to consult with an attorney of their own choosing to
956 advise them.

957 3. With the exception of an adoption by a stepparent or
958 relative, a child cannot be placed into a prospective adoptive
959 home unless the prospective adoptive parents have received a

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

960 favorable preliminary home study, including criminal and child
961 abuse clearances.

962 4. A valid consent for adoption may not be signed by the
963 birth mother until 48 hours after the birth of the child, or the
964 day the birth mother is notified, in writing, that she is fit
965 for discharge from the licensed hospital or birth center. Any
966 man may sign a valid consent for adoption at any time after the
967 birth of the child.

968 5. A consent for adoption signed before the child attains
969 the age of 6 months is binding and irrevocable from the moment
970 it is signed unless it can be proven in court that the consent
971 was obtained by fraud or duress. A consent for adoption signed
972 after the child attains the age of 6 months is valid from the
973 moment it is signed; however, it may be revoked up to 3 business
974 days after it was signed.

975 6. A consent for adoption is not valid if the signature of
976 the person who signed the consent was obtained by fraud or
977 duress.

978 7. An unmarried biological father must act immediately in
979 order to protect his parental rights. Section 63.062, Florida
980 Statutes, prescribes that any father seeking to establish his
981 right to consent to the adoption of his child must file a claim
982 of paternity with the Florida Putative Father Registry
983 maintained by the Office of Vital Statistics of the Department
984 of Health by the date a petition to terminate parental rights is
985 filed with the court, or within 30 days after receiving service
986 of a Notice of Intended Adoption Plan. If he receives a Notice
987 of Intended Adoption Plan, he must file a claim of paternity

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

988 with the Florida Putative Father Registry, file a parenting plan
989 with the court, and provide financial support to the mother or
990 child within 30 days following service. An unmarried biological
991 father's failure to timely respond to a Notice of Intended
992 Adoption Plan constitutes an irrevocable legal waiver of any and
993 all rights that the father may have to the child. A claim of
994 paternity registration form for the Florida Putative Father
995 Registry may be obtained from any local office of the Department
996 of Health, Office of Vital Statistics, the Department of
997 Children and Families, the Internet websites for these agencies,
998 and the offices of the clerks of the Florida circuit courts. The
999 claim of paternity form must be submitted to the Office of Vital
1000 Statistics, Attention: Adoption Unit, P.O. Box 210,
1001 Jacksonville, FL 32231.

1002 8. There are alternatives to adoption, including foster
1003 care, relative care, and parenting the child. There may be
1004 services and sources of financial assistance in the community
1005 available to parents if they choose to parent the child.

1006 9. A parent has the right to have a witness of his or her
1007 choice, who is unconnected with the adoption entity or the
1008 adoptive parents, to be present and witness the signing of the
1009 consent or affidavit of nonpaternity.

1010 10. A parent 14 years of age or younger must have a
1011 parent, legal guardian, or court-appointed guardian ad litem to
1012 assist and advise the parent as to the adoption plan and to
1013 witness consent.

1014 11. A parent has a right to receive supportive counseling
1015 from a counselor, social worker, physician, clergy, or attorney.

Amendment No.

1016 12. The payment of living or medical expenses by the
1017 prospective adoptive parents before the birth of the child does
1018 not, in any way, obligate the parent to sign the consent for
1019 adoption.

1020

1021 (2) DISCLOSURE TO ADOPTIVE PARENTS.—

1022 (a) At the time that an adoption entity is responsible for
1023 selecting prospective adoptive parents for a born or unborn
1024 child whose parents are seeking to place the child for adoption
1025 or whose rights were terminated pursuant to chapter 39, the
1026 adoption entity must provide the prospective adoptive parents
1027 with information concerning the background of the child to the
1028 extent such information is disclosed to the adoption entity by
1029 the parents, legal custodian, or the department. This subsection
1030 applies only if the adoption entity identifies the prospective
1031 adoptive parents and supervises the ~~physical~~ placement of the
1032 child in the prospective adoptive parents' home. If any
1033 information cannot be disclosed because the records custodian
1034 failed or refused to produce the background information, the
1035 adoption entity has a duty to provide the information if it
1036 becomes available. An individual or entity contacted by an
1037 adoption entity to obtain the background information must
1038 release the requested information to the adoption entity without
1039 the necessity of a subpoena or a court order. In all cases, the
1040 prospective adoptive parents must receive all available
1041 information by the date of the final hearing on the petition for
1042 adoption. The information to be disclosed includes:

Amendment No.

- 1043 1. A family social and medical history form completed
1044 pursuant to s. 63.162(6).
- 1045 2. The biological mother's medical records documenting her
1046 prenatal care and the birth and delivery of the child.
- 1047 3. A complete set of the child's medical records
1048 documenting all medical treatment and care since the child's
1049 birth and before placement.
- 1050 4. All mental health, psychological, and psychiatric
1051 records, reports, and evaluations concerning the child before
1052 placement.
- 1053 5. The child's educational records, including all records
1054 concerning any special education needs of the child before
1055 placement.
- 1056 6. Records documenting all incidents that required the
1057 department to provide services to the child, including all
1058 orders of adjudication of dependency or termination of parental
1059 rights issued pursuant to chapter 39, any case plans drafted to
1060 address the child's needs, all protective services
1061 investigations identifying the child as a victim, and all
1062 guardian ad litem reports filed with the court concerning the
1063 child.
- 1064 7. Written information concerning the availability of
1065 adoption subsidies for the child, if applicable.
- 1066 (c) If the prospective adoptive parents waive the receipt
1067 of any of the records described in paragraph (a), a copy of the
1068 written notification of the waiver to the adoption entity shall
1069 be filed with the court.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1070 Section 16. Subsection (6) of section 63.087, Florida
1071 Statutes, is amended to read:

1072 63.087 Proceeding to terminate parental rights pending
1073 adoption; general provisions.--

1074 (6) ANSWER AND APPEARANCE REQUIRED.--An answer to the
1075 petition or any pleading requiring an answer must be filed in
1076 accordance with the Florida Family Law Rules of Procedure.
1077 Failure to file a written response to the petition constitutes
1078 grounds upon which the court may terminate parental rights.
1079 Failure to personally appear at the hearing constitutes grounds
1080 upon which the court may terminate parental rights. Any person
1081 present at the hearing to terminate parental rights pending
1082 adoption whose consent to adoption is required under s. 63.062
1083 must:

1084 (a) Be advised by the court that he or she has a right to
1085 ask that the hearing be reset for a later date so that the
1086 person may consult with an attorney; and

1087 (b) Be given an opportunity to admit or deny the
1088 allegations in the petition.

1089 Section 17. Subsection (4) of section 63.088, Florida
1090 Statutes, is amended to read:

1091 63.088 Proceeding to terminate parental rights pending
1092 adoption; notice and service; diligent search.--

1093 (4) REQUIRED INQUIRY.--In proceedings initiated under s.
1094 63.087, the court shall conduct an inquiry of the person who is
1095 placing the minor for adoption and of any relative or person
1096 having legal custody of the minor who is present at the hearing

Amendment No.

1097 and likely to have the following information regarding the
1098 identity of:

1099 (a) Any man to whom the mother of the minor was married at
1100 any time when conception of the minor may have occurred or at
1101 the time of the birth of the minor;

1102 (b) Any man who has filed an affidavit of paternity
1103 pursuant to s. 382.013(2)(c) before the date that a petition for
1104 termination of parental rights is filed with the court;

1105 (c) Any man who has adopted the minor;

1106 (d) Any man who has been adjudicated by a court as the
1107 father of the minor child before the date a petition for
1108 termination of parental rights is filed with the court; and

1109 (e) Any man whom the mother identified to the adoption
1110 entity as a potential biological father before the date she
1111 signed the consent for adoption.

1112
1113 The information sought under this subsection may be provided to
1114 the court in the form of a sworn affidavit by a person having
1115 personal knowledge of the facts, addressing each inquiry
1116 enumerated in this subsection, except that, if the inquiry
1117 identifies a father under paragraph (a), paragraph (b), ~~or~~
1118 paragraph (c), or paragraph (d), the inquiry may not continue
1119 further. The inquiry required under this subsection may be
1120 conducted before the birth of the minor.

1121 Section 18. Paragraph (d) of subsection (3), paragraph (b)
1122 of subsection (4), and subsections (5) and (7) of section
1123 63.089, Florida Statutes, are amended to read:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1124 63.089 Proceeding to terminate parental rights pending
1125 adoption; hearing; grounds; dismissal of petition; judgment.—

1126 (3) GROUNDS FOR TERMINATING PARENTAL RIGHTS PENDING
1127 ADOPTION.—The court may enter a judgment terminating parental
1128 rights pending adoption if the court determines by clear and
1129 convincing evidence, supported by written findings of fact, that
1130 each person whose consent to adoption is required under s.

1131 63.062:

1132 (d) Has been properly served notice of the proceeding in
1133 accordance with the requirements of this chapter and has failed
1134 to file a written answer or personally appear at the evidentiary
1135 hearing resulting in the judgment terminating parental rights
1136 pending adoption;

1137 (4) FINDING OF ABANDONMENT.—A finding of abandonment
1138 resulting in a termination of parental rights must be based upon
1139 clear and convincing evidence that a parent or person having
1140 legal custody has abandoned the child in accordance with the
1141 definition contained in s. 63.032. A finding of abandonment may
1142 also be based upon emotional abuse or a refusal to provide
1143 reasonable financial support, when able, to a birth mother
1144 during her pregnancy.

1145 (b) The child has been abandoned when the parent of a
1146 child is incarcerated on or after October 1, 2001, in a federal,
1147 state, or county correctional institution and:

1148 1. The period of time for which the parent has been or is
1149 expected to be incarcerated will constitute a significant
1150 portion of the child's minority. In determining whether the
1151 period of time is significant, the court shall consider the

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

1152 child's age and the child's need for a permanent and stable
1153 home. The period of time begins on the date that the parent
1154 enters into incarceration;

1155 2. The incarcerated parent has been determined by a court
1156 of competent jurisdiction to be a violent career criminal as
1157 defined in s. 775.084, a habitual violent felony offender as
1158 defined in s. 775.084, convicted of child abuse as defined in s.
1159 827.03, or a sexual predator as defined in s. 775.21; has been
1160 convicted of first degree or second degree murder in violation
1161 of s. 782.04 or a sexual battery that constitutes a capital,
1162 life, or first degree felony violation of s. 794.011; or has
1163 been convicted of a substantially similar offense in another
1164 jurisdiction. As used in this section, the term "substantially
1165 similar offense" means any offense that is substantially similar
1166 in elements and penalties to one of those listed in this
1167 subparagraph, and that is in violation of a law of any other
1168 jurisdiction, whether that of another state, the District of
1169 Columbia, the United States or any possession or territory
1170 thereof, or any foreign jurisdiction; or

1171 3. The court determines by clear and convincing evidence
1172 that continuing the parental relationship with the incarcerated
1173 parent would be harmful to the child and, for this reason,
1174 termination of the parental rights of the incarcerated parent is
1175 in the best interests ~~interest~~ of the child.

1176 (5) DISMISSAL OF PETITION.—If the court does not find by
1177 clear and convincing evidence that parental rights of a parent
1178 should be terminated pending adoption, the court must dismiss
1179 the petition and that parent's parental rights that were the

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

1180 subject of such petition shall remain in full force under the
1181 law. The order must include written findings in support of the
1182 dismissal, including findings as to the criteria in subsection
1183 (4) if rejecting a claim of abandonment.

1184 (a) Parental rights may not be terminated based upon a
1185 consent that the court finds has been timely revoked ~~withdrawn~~
1186 under s. 63.082 or a consent to adoption or affidavit of
1187 nonpaternity that the court finds was obtained by fraud or
1188 duress.

1189 (b) The court must enter an order based upon written
1190 findings providing for the placement of the minor, but the court
1191 may not proceed to determine custody between competing eligible
1192 parties. The placement of the child should revert to the parent
1193 or guardian who had physical custody of the child at the time of
1194 the placement for adoption unless the court determines upon
1195 clear and convincing evidence that this placement is not in the
1196 best interests of the child or is not an available option for
1197 the child. The court may not change the placement of a child who
1198 has established a bonded relationship with the current caregiver
1199 without providing for a reasonable transition plan consistent
1200 with the best interests of the child. The court may direct the
1201 parties to participate in a reunification or unification plan
1202 with a qualified professional to assist the child in the
1203 transition. The court may order scientific testing to determine
1204 the paternity of the minor only if the court has determined that
1205 the consent of the alleged father would be required, unless all
1206 parties agree that such testing is in the best interests of the
1207 child. The court may not order scientific testing to determine

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

1208 paternity of an unmarried biological father if the child has a
1209 father as described in s. 63.088(4)(a)-(d) whose rights have not
1210 been previously terminated at any time during which the court
1211 has jurisdiction over the minor. Further proceedings, if any,
1212 regarding the minor must be brought in a separate custody action
1213 under chapter 61, a dependency action under chapter 39, or a
1214 paternity action under chapter 742.

1215 (7) RELIEF FROM JUDGMENT TERMINATING PARENTAL RIGHTS.—

1216 (a) A motion for relief from a judgment terminating
1217 parental rights must be filed with the court originally entering
1218 the judgment. The motion must be filed within a reasonable time,
1219 but not later than 1 year after the entry of the judgment. An
1220 unmarried biological father does not have standing to seek
1221 relief from a judgment terminating parental rights if the mother
1222 did not identify him to the adoption entity before the date she
1223 signed a consent for adoption or if he was not located because
1224 the mother failed or refused to provide sufficient information
1225 to locate him.

1226 (b) No later than 30 days after the filing of a motion
1227 under this subsection, the court must conduct a preliminary
1228 hearing to determine what contact, if any, shall be permitted
1229 between a parent and the child pending resolution of the motion.
1230 Such contact shall be considered only if it is requested by a
1231 parent who has appeared at the hearing and may not be awarded
1232 unless the parent previously established a bonded relationship
1233 with the child and the parent has pled a legitimate legal basis
1234 and established a prima facie case for setting aside the
1235 judgment terminating parental rights. If the court orders

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1236 contact between a parent and child, the order must be issued in
1237 writing as expeditiously as possible and must state with
1238 specificity any provisions regarding contact with persons other
1239 than those with whom the child resides.

1240 (c) At the preliminary hearing, the court, upon the motion
1241 of any party or upon its own motion, may order scientific
1242 testing to determine the paternity of the minor if the person
1243 seeking to set aside the judgment is alleging to be the child's
1244 father and that fact has not previously been determined by
1245 legitimacy or scientific testing. The court may order visitation
1246 with a person for whom scientific testing for paternity has been
1247 ordered and who has previously established a bonded relationship
1248 with the child.

1249 (d) Unless otherwise agreed between the parties or for
1250 good cause shown, the court shall conduct a final hearing on the
1251 motion for relief from judgment within 45 days after the filing
1252 and enter its written order as expeditiously as possible
1253 thereafter.

1254 (e) If the court grants relief from the judgment
1255 terminating parental rights and no new pleading is filed to
1256 terminate parental rights, the placement of the child should
1257 revert to the parent or guardian who had physical custody of the
1258 child at the time of the original placement for adoption unless
1259 the court determines upon clear and convincing evidence that
1260 this placement is not in the best interests of the child or is
1261 not an available option for the child. The court may not change
1262 the placement of a child who has established a bonded
1263 relationship with the current caregiver without providing for a

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

1264 reasonable transition plan consistent with the best interests of
1265 the child. The court may direct the parties to participate in a
1266 reunification or unification plan with a qualified professional
1267 to assist the child in the transition. The court may not direct
1268 the placement of a child with a person other than the adoptive
1269 parents without first obtaining a favorable home study of that
1270 person and any other persons residing in the proposed home and
1271 shall take whatever additional steps are necessary and
1272 appropriate for the physical and emotional protection of the
1273 child.

1274 Section 19. Subsection (3) of section 63.092, Florida
1275 Statutes, is amended to read:

1276 63.092 Report to the court of intended placement by an
1277 adoption entity; at-risk placement; preliminary study.-

1278 (3) PRELIMINARY HOME STUDY.-Before placing the minor in
1279 the intended adoptive home, a preliminary home study must be
1280 performed by a licensed child-placing agency, a child-caring
1281 agency registered under s. 409.176, a licensed professional, or
1282 agency described in s. 61.20(2), unless the adoptee is an adult
1283 or the petitioner is a stepparent or a relative. If the adoptee
1284 is an adult or the petitioner is a stepparent or a relative, a
1285 preliminary home study may be required by the court for good
1286 cause shown. The department is required to perform the
1287 preliminary home study only if there is no licensed child-
1288 placing agency, child-caring agency registered under s. 409.176,
1289 licensed professional, or agency described in s. 61.20(2), in
1290 the county where the prospective adoptive parents reside. The
1291 preliminary home study must be made to determine the suitability

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

1292 of the intended adoptive parents and may be completed prior to
1293 identification of a prospective adoptive minor. A favorable
1294 preliminary home study is valid for 1 year after the date of its
1295 completion. Upon its completion, a signed copy of the home study
1296 must be provided to the intended adoptive parents who were the
1297 subject of the home study. A minor may not be placed in an
1298 intended adoptive home before a favorable preliminary home study
1299 is completed unless the adoptive home is also a licensed foster
1300 home under s. 409.175. The preliminary home study must include,
1301 at a minimum:

- 1302 (a) An interview with the intended adoptive parents;
1303 (b) Records checks of the department's central abuse
1304 registry and criminal records correspondence checks under s.
1305 39.0138 through the Department of Law Enforcement on the
1306 intended adoptive parents;
1307 (c) An assessment of the physical environment of the home;
1308 (d) A determination of the financial security of the
1309 intended adoptive parents;
1310 (e) Documentation of counseling and education of the
1311 intended adoptive parents on adoptive parenting;
1312 (f) Documentation that information on adoption and the
1313 adoption process has been provided to the intended adoptive
1314 parents;
1315 (g) Documentation that information on support services
1316 available in the community has been provided to the intended
1317 adoptive parents; and
1318 (h) A copy of each signed acknowledgment of receipt of
1319 disclosure required by s. 63.085.

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

1320

1321 If the preliminary home study is favorable, a minor may be
1322 placed in the home pending entry of the judgment of adoption. A
1323 minor may not be placed in the home if the preliminary home
1324 study is unfavorable. If the preliminary home study is
1325 unfavorable, the adoption entity may, within 20 days after
1326 receipt of a copy of the written recommendation, petition the
1327 court to determine the suitability of the intended adoptive
1328 home. A determination as to suitability under this subsection
1329 does not act as a presumption of suitability at the final
1330 hearing. In determining the suitability of the intended adoptive
1331 home, the court must consider the totality of the circumstances
1332 in the home. ~~A~~ No minor may not be placed in a home in which
1333 there resides any person determined by the court to be a sexual
1334 predator as defined in s. 775.21 or to have been convicted of an
1335 offense listed in s. 63.089(4)(b)2.

1336 Section 20. Section 63.152, Florida Statutes, is amended
1337 to read:

1338 63.152 Application for new birth record.—Within 30 days
1339 after entry of a judgment of adoption, the clerk of the court or
1340 the adoption entity shall transmit a certified statement of the
1341 entry to the state registrar of vital statistics on a form
1342 provided by the registrar. A new birth record containing the
1343 necessary information supplied by the certificate shall be
1344 issued by the registrar on application of the adopting parents
1345 or the adopted person.

1346 Section 21. Subsection (7) of section 63.162, Florida
1347 Statutes, is amended to read:

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1348 63.162 Hearings and records in adoption proceedings;
1349 confidential nature.-

1350 (7) The court may, upon petition of an adult adoptee or
1351 birth parent, for good cause shown, appoint an intermediary or a
1352 licensed child-placing agency to contact a birth parent or adult
1353 adoptee, as applicable, who has not registered with the adoption
1354 registry pursuant to s. 63.165 and advise both ~~them~~ of the
1355 availability of the intermediary or agency and that the birth
1356 parent or adult adoptee, as applicable, wishes to establish
1357 contact same.

1358 Section 22. Paragraph (c) of subsection (2) of section
1359 63.167, Florida Statutes, is amended to read:

1360 63.167 State adoption information center.-

1361 (2) The functions of the state adoption information center
1362 shall include:

1363 (c) Operating a toll-free telephone number to provide
1364 information and referral services. The state adoption
1365 information center shall provide contact information for all
1366 adoption entities in the caller's county or, if no adoption
1367 entities are located in the caller's county, the number of the
1368 nearest adoption entity when contacted for a referral to make an
1369 adoption plan and shall rotate the order in which the names of
1370 adoption entities are provided to callers.

1371 Section 23. Paragraph (g) of subsection (1) and
1372 subsections (2) and (8) of section 63.212, Florida Statutes, are
1373 amended to read:

1374 63.212 Prohibited acts; penalties for violation.-

1375 (1) It is unlawful for any person:

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

1376 (g) Except an adoption entity, to advertise or offer to
1377 the public, in any way, by any medium whatever that a minor is
1378 available for adoption or that a minor is sought for adoption;
1379 and, further, it is unlawful for any person to publish or
1380 broadcast any such advertisement or assist an unlicensed person
1381 or entity in publishing or broadcasting any such advertisement
1382 without including a Florida license number of the agency or
1383 attorney placing the advertisement. Only a person who is an
1384 attorney licensed to practice law in this state or an adoption
1385 entity licensed under the laws of this state may place a paid
1386 advertisement or paid listing of the person's telephone number,
1387 on the person's own behalf, in a telephone directory that:

1388 1. A child is offered or wanted for adoption; or
1389 2. The person is able to place, locate, or receive a child
1390 for adoption.

1391 (b) A person who publishes a telephone directory that is
1392 distributed in this state:

1393 1. Shall include, at the beginning of any classified
1394 heading for adoption and adoption services, a statement that
1395 informs directory users that only attorneys licensed to practice
1396 law in this state and licensed adoption entities may legally
1397 provide adoption services under state law.

1398 2. May publish an advertisement described in paragraph (a)
1399 in the telephone directory only if the advertisement contains
1400 the following:

1401 a. For an attorney licensed to practice law in this state,
1402 the person's Florida Bar number.

Amendment No.

1403 b. For a child placing agency licensed under the laws of
1404 this state, the number on the person's adoption entity license.

1405 (2) Any person who is a birth mother, or a woman who holds
1406 herself out to be a birth mother, who is interested in making an
1407 adoption plan and who knowingly or intentionally benefits from
1408 the payment of adoption-related expenses in connection with that
1409 adoption plan commits adoption deception if:

1410 (a) The person knows or should have known that the person
1411 is not pregnant at the time the sums were requested or received;

1412 (b) The person accepts living expenses assistance from a
1413 prospective adoptive parent or adoption entity without
1414 disclosing that she is receiving living expenses assistance from
1415 another prospective adoptive parent or adoption entity at the
1416 same time in an effort to adopt the same child; or

1417 (c) The person knowingly makes false representations to
1418 induce the payment of living expenses and does not intend to
1419 make an adoptive placement.

1420 ~~It is unlawful for:~~

1421 ~~(a) Any person or adoption entity under this chapter to:~~

1422 ~~1. Knowingly provide false information; or~~

1423 ~~2. Knowingly withhold material information.~~

1424 ~~(b) A parent, with the intent to defraud, to accept~~
1425 ~~benefits related to the same pregnancy from more than one~~
1426 ~~adoption entity without disclosing that fact to each entity.~~

1427

1428 Any person who willfully commits adoption deception ~~violates any~~
1429 ~~provision of this subsection~~ commits a misdemeanor of the second
1430 degree, punishable as provided in s. 775.082 or s. 775.083, if

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

1431 the sums received by the birth mother or woman holding herself
1432 out to be a birth mother do not exceed \$300, and a felony of the
1433 third degree, punishable as provided in s. 775.082, s. 775.083,
1434 or s. 775.084, if the sums received by the birth mother or woman
1435 holding herself out to be a birth mother exceed \$300. In
1436 addition, the person is liable for damages caused by such acts
1437 or omissions, including reasonable attorney ~~attorney's~~ fees and
1438 costs incurred by the adoption entity or the prospective
1439 adoptive parent. Damages may be awarded through restitution in
1440 any related criminal prosecution or by filing a separate civil
1441 action.

1442 (8) Unless otherwise indicated, a person who willfully and
1443 with criminal intent violates any provision of this section,
1444 excluding paragraph (1)(g), commits a felony of the third
1445 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1446 775.084. A person who willfully and with criminal intent
1447 violates paragraph (1)(g) commits a misdemeanor of the second
1448 degree, punishable as provided in s. 775.083; and each day of
1449 continuing violation shall be considered a separate offense. In
1450 addition, any person who knowingly publishes or assists with the
1451 publication of any advertisement or other publication which
1452 violates the requirements of paragraph (1)(g) commits a
1453 misdemeanor of the second degree, punishable as provided in s.
1454 775.083, and may be required to pay a fine of up to \$150 per day
1455 for each day of continuing violation.

1456 Section 24. Paragraph (b) of subsection (1), paragraphs
1457 (a) and (e) of subsection (2), and paragraphs (b), (h), and (i)

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1458 of subsection (6) of section 63.213, Florida Statutes, are
1459 amended to read:

1460 63.213 Preplanned adoption agreement.—

1461 (1) Individuals may enter into a preplanned adoption
1462 arrangement as specified in this section, but such arrangement
1463 may not in any way:

1464 (b) Constitute consent of a mother to place her biological
1465 child for adoption until 48 hours after the following birth of
1466 the child and unless the court making the custody determination
1467 or approving the adoption determines that the mother was aware
1468 of her right to rescind within the 48-hour period after the
1469 following birth of the child but chose not to rescind such
1470 consent. The volunteer mother's right to rescind her consent in
1471 a preplanned adoption applies only when the child is genetically
1472 related to her.

1473 (2) A preplanned adoption agreement must include, but need
1474 not be limited to, the following terms:

1475 (a) That the volunteer mother agrees to become pregnant by
1476 the fertility technique specified in the agreement, to bear the
1477 child, and to terminate any parental rights and responsibilities
1478 to the child she might have through a written consent executed
1479 at the same time as the preplanned adoption agreement, subject
1480 to a right of rescission by the volunteer mother any time within
1481 48 hours after the birth of the child, if the volunteer mother
1482 is genetically related to the child.

1483 (e) That the intended father and intended mother
1484 acknowledge that they may not receive custody or the parental
1485 rights under the agreement if the volunteer mother terminates

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Amendment No.

1486 the agreement or if the volunteer mother rescinds her consent to
1487 place her child for adoption within 48 hours after the birth of
1488 the child, if the volunteer mother is genetically related to the
1489 child.

1490 (6) As used in this section, the term:

1491 (b) "Child" means the child or children conceived by means
1492 of a fertility technique ~~an insemination~~ that is part of a
1493 preplanned adoption arrangement.

1494 (h) "Preplanned adoption arrangement" means the
1495 arrangement through which the parties enter into an agreement
1496 for the volunteer mother to bear the child, for payment by the
1497 intended father and intended mother of the expenses allowed by
1498 this section, for the intended father and intended mother to
1499 assert full parental rights and responsibilities to the child if
1500 consent to adoption is not rescinded after birth by a the
1501 volunteer mother who is genetically related to the child, and
1502 for the volunteer mother to terminate, subject to any a right of
1503 rescission, all her parental rights and responsibilities to the
1504 child in favor of the intended father and intended mother.

1505 (i) "Volunteer mother" means a female at least 18 years of
1506 age who voluntarily agrees, subject to a right of rescission if
1507 it is her biological child, that if she should become pregnant
1508 pursuant to a preplanned adoption arrangement, she will
1509 terminate her parental rights and responsibilities to the child
1510 in favor of the intended father and intended mother.

1511 Section 25. Section 63.222, Florida Statutes, is amended
1512 to read:

Amendment No.

1513 63.222 Effect on prior adoption proceedings.—Any adoption
1514 made before July 1, 2012, is the effective date of this act
1515 ~~shall be valid, and any proceedings pending on that the~~
1516 ~~effective date and any subsequent amendments thereto of this act~~
1517 are not affected thereby unless the amendment is designated as a
1518 remedial provision.

1519 Section 26. Section 63.2325, Florida Statutes, is amended
1520 to read:

1521 63.2325 Conditions for invalidation ~~revocation~~ of a
1522 consent to adoption or affidavit of nonpaternity.—
1523 Notwithstanding the requirements of this chapter, a failure to
1524 meet any of those requirements does not constitute grounds for
1525 invalidation ~~revocation~~ of a consent to adoption or revocation
1526 ~~withdrawal~~ of an affidavit of nonpaternity unless the extent and
1527 circumstances of such a failure result in a material failure of
1528 fundamental fairness in the administration of due process, or
1529 the failure constitutes or contributes to fraud or duress in
1530 obtaining a consent to adoption or affidavit of nonpaternity.

1531 Section 27. This act shall take effect on July 1, 2012.

1532

1533

1534

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

1535

1536

Remove the entire title and insert:

1537

An act relating to adoption; amending s. 63.022, F.S.; revising
1538 legislative intent to delete reference to reporting requirements
1539 for placements of minors and exceptions; amending s. 63.032,
1540 F.S.; revising definitions; amending s. 63.037, F.S.; exempting

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1541 adoption proceedings initiated under chapter 39, F.S., from a
1542 requirement for a search of the Florida Putative Father
1543 Registry; amending s. 63.039, F.S.; providing that all adoptions
1544 of minor children require the use of an adoption entity that
1545 will assume the responsibilities provided in specified
1546 provisions; providing an exception; amending s. 63.042, F.S.;
1547 revising terminology relating to who may adopt; amending s.
1548 63.0423, F.S.; revising terminology relating to surrendered
1549 infants; providing that an infant who tests positive for illegal
1550 drugs, narcotic prescription drugs, alcohol, or other
1551 substances, but shows no other signs of child abuse or neglect,
1552 is treated as having been properly surrendered; providing that
1553 if the Department of Children and Family Services is contacted
1554 regarding a surrendered infant who does not appear to have been
1555 the victim of actual or suspected child abuse or neglect, it
1556 shall provide instruction to contact an adoption entity and may
1557 not take custody of the infant; providing an exception; revising
1558 provisions relating to scientific testing to determine the
1559 paternity or maternity of a minor; amending s. 63.0425, F.S.;
1560 requiring that a child's residence be continuous for a specified
1561 period in order to entitle the grandparent to notice of certain
1562 proceedings; amending s. 63.0427, F.S.; prohibiting a court from
1563 increasing contact between an adopted child and siblings, birth
1564 parents, or other relatives without the consent of the adoptive
1565 parent or parents; providing for agreements for contact between
1566 a child to be adopted and the birth parent, other relative, or
1567 previous foster parent of the child; amending s. 63.052, F.S.;
1568 deleting a requirement that a minor be permanently committed to

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Page 57 of 62

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1569 an adoption entity in order for the entity to be guardian of the
1570 person of the minor; limiting the circumstances in which an
1571 intermediary may remove a child; providing that an intermediary
1572 does not become responsible for a minor child's medical bills
1573 that were incurred before taking physical custody of the child;
1574 providing additional placement options for a minor surrendered
1575 to an adoption entity for subsequent adoption when a suitable
1576 prospective adoptive home is not available; amending s. 63.053,
1577 F.S.; requiring that an unmarried biological father strictly
1578 comply with specified provisions in order to protect his
1579 interests; amending s. 63.054, F.S.; authorizing submission of
1580 an alternative document to the Office of Vital Statistics by the
1581 petitioner in each proceeding for termination of parental
1582 rights; providing that by filing a claim of paternity form the
1583 registrant expressly consents to paying for DNA testing;
1584 requiring that an alternative address designated by a registrant
1585 be a physical address; providing that the filing of a claim of
1586 paternity with the Florida Putative Father Registry does not
1587 relieve a person from compliance with specified requirements;
1588 amending s. 63.062, F.S.; revising requirements for when a
1589 minor's father must be served prior to termination of parental
1590 rights; requiring that an unmarried biological father comply
1591 with specified requirements in order for his consent to be
1592 required for adoption; revising such requirements; providing
1593 that the mere fact that a father expresses a desire to fulfill
1594 his responsibilities towards his child which is unsupported by
1595 acts evidencing this intent does not meet the requirements;
1596 providing for the sufficiency of an affidavit of nonpaternity;

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1597 providing an exception to a condition to a petition to adopt an
1598 adult; amending s. 63.063, F.S.; conforming terminology;
1599 amending s. 63.082, F.S.; revising language concerning
1600 applicability of notice and consent provisions in cases in which
1601 the child is conceived as a result of a violation of criminal
1602 law; providing that a criminal conviction is not required for
1603 the court to find that the child was conceived as a result of a
1604 violation of criminal law; requiring an affidavit of diligent
1605 search to be filed whenever a person who is required to consent
1606 is unavailable because the person cannot be located; providing
1607 that in an adoption of a stepchild or a relative, a certified
1608 copy of the death certificate of the person whose consent is
1609 required may be attached to the petition for adoption if a
1610 separate petition for termination of parental rights is not
1611 being filed; authorizing the execution of an affidavit of
1612 nonpaternity before the birth of a minor in preplanned
1613 adoptions; revising language of a consent to adoption; providing
1614 that a home study provided by the adoption entity shall be
1615 deemed to be sufficient except in certain circumstances;
1616 providing for a hearing if an adoption entity moves to intervene
1617 in a dependency case; revising language concerning seeking to
1618 revoke consent to an adoption of a child older than 6 months of
1619 age; providing that if the consent of one parent is set aside or
1620 revoked, any other consents executed by the other parent or a
1621 third party whose consent is required for the adoption of the
1622 child may not be used by the parent who consent was revoked or
1623 set aside to terminate or diminish the rights of the other
1624 parent or third party; amending s. 63.085, F.S.; revising

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Page 59 of 62

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1625 language of an adoption disclosure statement; requiring that a
1626 copy of a waiver by prospective adoptive parents of receipt of
1627 certain records must be filed with the court; amending s.
1628 63.087, F.S.; specifying that a failure to personally appear at
1629 a proceeding to terminate parental rights constitutes grounds
1630 for termination; amending s. 63.088, F.S.; providing that in a
1631 termination of parental rights proceeding if a required inquiry
1632 that identifies a father who has been adjudicated by a court as
1633 the father of the minor child before the date a petition for
1634 termination of parental rights is filed the inquiry must
1635 terminate at that point; amending s. 63.089, F.S.; specifying
1636 that it is a failure to personally appear that provides grounds
1637 for termination of parental rights in certain circumstances;
1638 revising provisions relating to dismissal of petitions to
1639 terminate parental rights; providing that contact between a
1640 parent seeking relief from a judgment terminating parental
1641 rights and a child may be awarded only in certain circumstances;
1642 providing for placement of a child in the event that a court
1643 grants relief from a judgment terminating parental rights and no
1644 new pleading is filed to terminate parental rights; amending s.
1645 63.092, F.S.; requiring that a signed copy of the home study
1646 must be provided to the intended adoptive parents who were the
1647 subject of the study; amending s. 63.152, F.S.; authorizing an
1648 adoption entity to transmit a certified statement of the entry
1649 of a judgment of adoption to the state registrar of vital
1650 statistics; amending s. 63.162, F.S.; authorizing a birth parent
1651 to petition that court to appoint an intermediary or a licensed
1652 child-placing agency to contact an adult adoptee and advise both

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1653 of the availability of the adoption registry and that the birth
1654 parent wishes to establish contact; amending s. 63.167, F.S.;
1655 requiring that the state adoption center provide contact
1656 information for all adoption entities in a caller's county or,
1657 if no adoption entities are located in the caller's county, the
1658 number of the nearest adoption entity when contacted for a
1659 referral to make an adoption plan; amending s. 63.212, F.S.;
1660 restricting who may place a paid advertisement or paid listing
1661 of the person's telephone number offering certain adoption
1662 services; requiring of publishers of telephone directories to
1663 include certain statements at the beginning of any classified
1664 heading for adoption and adoption services; providing
1665 requirements for such advertisements; providing criminal
1666 penalties for violations; prohibiting the offense of adoption
1667 deception by a person who is a birth mother or a woman who holds
1668 herself out to be a birth mother; providing criminal penalties;
1669 providing liability by violators for certain damages; amending
1670 s. 63.213, F.S.; providing that a preplanned adoption
1671 arrangement does not constitute consent of a mother to place her
1672 biological child for adoption until 48 hours following birth;
1673 providing that a volunteer mother's right to rescind her consent
1674 in a preplanned adoption applies only when the child is
1675 genetically related to her; revising the definitions of the
1676 terms "child," "preplanned adoption arrangement," and "volunteer
1677 mother"; amending s. 63.222, F.S.; providing that provisions
1678 designated as remedial may apply to any proceedings pending on
1679 the effective date of the provisions; amending s. 63.2325, F.S.;

335249 - h1163-strike.docx

Published On: 1/23/2012 11:42:49 AM

Page 61 of 62

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No.

1680 | revising terminology relating to revocation of consent to
1681 | adoption; providing an effective date.

Amendment No. a1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Access Subcommittee
 3 Representative Horner offered the following:

4
 5 **Amendment to Amendment (335249) by Representative Adkins**
 6 **(with title amendment)**

7 Between lines 1335 and 1336 of the amendment, insert:
 8 Section 20. Subsection (7) of s. 63.097, Florida Statutes, is
 9 created to read:

10 63.097 Fees.-

11 (7) In determining reasonable attorney fees, courts shall
 12 utilize the following criteria:

13 (a) The time and labor required, the novelty and
 14 difficulty of the question involved, and the skill requisite to
 15 perform the legal service properly;

16 (b) The likelihood, if apparent to the client, that the
 17 acceptance of the particular employment will preclude other
 18 employment by the attorney;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1163 (2012)

Amendment No. .

19 (c) The fee customarily charged in the locality for
20 similar legal services;

21 (d) The amount involved in the subject matter of the
22 representation, the responsibility involved in the
23 representation, and the results obtained;

24 (e) The time limitations imposed by the client or by the
25 circumstances and, as between attorney and client, any
26 additional or special time demands or requests of the attorney
27 by the client;

28 (f) The nature and length of the professional relationship
29 with the client;

30 (g) The experience, reputation, diligence, and ability of
31 the attorney or attorneys performing the service and the skill,
32 expertise, or efficiency of effort reflected in the actual
33 providing of such services; and

34 (h) Whether the fee is fixed or contingent.

35
36
37
38 -----
39 **T I T L E A M E N D M E N T**

40 Remove line 1647 of the amendment and insert:

41 Subject of the study; amending s. 63.097, F.S.; providing
42 guidelines for a court considering a reasonable fee associated
43 with adoption services; amending s. 63.152, F.S.; authorizing an
44

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1327 : Abortion

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman		X			
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed		X			
Jeff Clemens		X			
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan			X		
Mark Pafford		X			
Steven Perman		X			
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young	X				
Dennis Baxley (Chair)	X				
Total Yeas: 9 Total Nays: 5					

Appearances:

Abortion

Hopkins, Sheila (Lobbyist) - Waive In Support
 Florida Catholic Conference
 201 W Park Ave
 Tallahassee FL 32301-7715
 Phone: (850)205-6826

HB 1327

Warren, Bill (Lobbyist) - Waive In Support
 Florida Family Action
 4853 S. Orange Avenue
 Orlando Florida 32806
 Phone: (850)562-8143

Abortion

DeVane, Barbara (Lobbyist) - Waive In Opposition
 Florida NOW National Organization for Women, Inc
 625 E Brevard St
 Tallahassee FL 32308
 Phone: (850)222-3969

HB 1327

Lezcano, Michelle (General Public) - Waive In Opposition
 League of Women Voters of Florida
 2700 W Pensacola St Apt 1322
 Tallahassee FL 32304
 Phone: (305) 790-9188

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1327 : Abortion (continued)

Appearances: (continued)

Abortion

Ahern, Maureen - Waive In Support

Myself

3201 70th Way N

St Petersburg FL 33710

Phone: (727)902-+0701

HB 1327

Pitts, Brian - Opponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Abortion

Caponetti, Emily (Lobbyist) - Opponent

Florida Alliance of Planned Parenthood Affiliates

1327 Hermitage Blvd Apt 12303

Tallahassee FL

Phone: (850) 559-2223

Abortion

Burch Fort, Pamela (Lobbyist) - Opponent

ACLU

104 S Monroe St

Tallahassee FL 32301

Phone: (850) 425-1344

HB 1327

Moten, Shantel (General Public) - Opponent

Tallahassee FL 32312

Baxter, Thomas (General Public) - Waive In Opposition

HB 1327

Saxer, Rachel (General Public) - Waive In Opposition

Patrick, Ron (General Public) - Waive In Opposition

1503 China Grove

Tallahassee FL 32301

HB 1327

Patrick, Eileen (General Public) - Waive In Opposition

Women

1503 China Grove

Tallahassee FL 32301

Phone: (850) 671-7208

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1327 : Abortion (continued)

Appearances: (continued)

HB 1327

Hendrix, Joan E. (General Public) - Waive In Opposition

All Women

438 Beechwood

Crawfordville FL 32327

Phone: (850)926-7473

HB 1327

Jones, Jane F. (General Public) - Waive In Opposition

All Women

354 White Oak Dr.

Crawfordville FL 32327

Phone: (850) 926-1177

HB 1327

Wilson, Diane (General Public) - Waive In Opposition

P.O. Box 206

Panacea FL 32346

Phone: (850) 984-4768

HB 1327

Strain, Helen - Waive In Opposition

Abortions

Gentile, Haley (General Public) - Waive In Opposition

Tallahassee

FL

HB 1327

Burr, Evelyn (General Public) - Waive In Opposition

774 Arkansas St

Tallahassee FL 32304

Phone: (407)620-1203

HB 1327

Benham, Lauren (General Public) - Waive In Opposition

Tallahassee FL 32312

HB 1327

Wells, Mallory (Lobbyist) - Waive In Opposition

Equality Florida

502 NW 15th Ave

Gainesville FL 32601

Phone: (407)617-6682

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1351 : Homeless Youth

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Lori Berman	X				
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed	X				
Jeff Clemens	X				
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X				
Mark Pafford	X				
Steven Perman	X				
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young	X				
Dennis Baxley (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Appearances:

HB 1351

DeLa Rosa, Rebecca - Waive In Support
 Junior League's of Florida - State Public Affairs Committee
 3161 Baringer Hill Dr
 Tallahassee FL 32311
 Phone: (850) 284-7235

Homeless Youth

Millito, Connie (Lobbyist) - Waive In Support
 Hillsborough County Public Schools
 901 E Kennedy Blvd
 Tampa FL 33602
 Phone: (813)272-4519

HB 1351

Pitts, Brian - Waive In Support
 Justice-2-Jesus
 1119 Newton Ave. S.
 St. Petersburg FL 33705
 Phone: 727-897-9291

Homeless

Hopkins, Sheila (Lobbyist) - Waive In Support
 Florida Catholic Conference
 201 W Park Ave
 Tallahassee FL 32301-7715
 Phone: (850)205-6826

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1351 : Homeless Youth (continued)

Appearances: (continued)

Homeless Youth

Curva, Fely (Lobbyist) - Waive In Support

FL Coalition for the Homeless; FL Impact

1212 Piedmont Drive

Tallahassee FL 32312

Phone: 850-508-2256

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/24/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 4179 : Florida Mental Health Act

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Lori Berman	X				
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed	X				
Jeff Clemens	X				
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner			X		
Ana Logan	X				
Mark Pafford	X				
Steven Perman	X				
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young			X		
Dennis Baxley (Chair)	X				
Total Yeas: 13 Total Nays: 0					

Committee meeting was reported out: Tuesday, January 24, 2012 8:21:08PM