

Fiscal Year 2024-2025 Conforming Bill
Independent Living Supports

BILL

2024

1 A bill to be entitled
2 An act relating to independent living supports;
3 Amending s. 39.6225 F.S.; expanding those eligible
4 for the guardianship assistance program; amending
5 s. 409.166 F.S.; expanding those eligible for
6 the adoption assistance program; amending s.
7 409.1451 F.S.; expanding those eligible for the
8 postsecondary education services and support
9 program and aftercare services; providing an
10 effective date.
11
12 Be It Enacted by the Legislature of the State of Florida:
13 Section 1. Section 39.6225, Florida Statutes, is
14 amended to read:
15 39.6225 Guardianship Assistance Program.—
16 (9) Guardianship assistance payments shall only be
17 made for a young adult whose permanent guardian entered
18 into a guardianship assistance agreement after the child
19 attained 14 ~~16~~ years of age but before the child attained
20 18 years of age if the child is:
21 (a) Completing secondary education or a program
22 leading to an equivalent credential;
23 (b) Enrolled in an institution that provides
24 postsecondary or vocational education;
25 (c) Participating in a program or activity designed to
26 promote or eliminate barriers to employment;
27 (d) Employed for at least 80 hours per month; or

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(e) Unable to participate in programs or activities listed in paragraphs (a)-(d) full time due to a physical, intellectual, emotional, or psychiatric condition that limits participation. Any such barrier to participation must be supported by documentation in the child's case file or school or medical records of a physical, intellectual, emotional, or psychiatric condition that impairs the child's ability to perform one or more life activities.

Section 2. Section 409.166, Florida Statutes, is amended to read:

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

(4) ADOPTION ASSISTANCE.—

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

1. Completing secondary education or a program leading to an equivalent credential;

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

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

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

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54 5. Unable to participate in programs or activities
55 listed in subparagraphs 1.-4. full time due to a physical,
56 an intellectual, an emotional, or a psychiatric condition
57 that limits participation. Any such barrier to
58 participation must be supported by documentation in the
59 child's case file or school or medical records of a
60 physical, an intellectual, an emotional, or a psychiatric
61 condition that impairs the child's ability to perform one
62 or more life activities.

63 Section 3. Paragraph (h) of subsection (2) of section
64 409.1451, Florida Statutes, is amended to read:

65 409.1451 The Road-to-Independence Program.—

66 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

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

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

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

77 3. Earned a standard high school diploma pursuant to
78 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its
79 equivalent pursuant to s. 1003.435;

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80 4. Has been admitted for enrollment as a full-time
81 student or its equivalent in an eligible postsecondary
82 educational institution as provided in s. 1009.533. For
83 purposes of this section, the term "full-time" means 9
84 credit hours or the vocational school equivalent. A student
85 may enroll part-time if he or she has a recognized
86 disability or is faced with another challenge or
87 circumstance that would prevent full-time attendance. A
88 student needing to enroll part-time for any reason other
89 than having a recognized disability must get approval from
90 his or her academic advisor;

91 5. Has reached 18 years of age but is not yet 23 years
92 of age;

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

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

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

101 (3) AFTERCARE SERVICES.—

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

105 a. Not in foster care.

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106 b. Temporarily not receiving financial assistance
107 under subsection (2) to pursue postsecondary education.
108 c. Eligible for either the Extended Guardianship
109 Assistance program pursuant to S. 39.6225(9), F.S., or the
110 extended adoption assistance program pursuant to s.
111 409.166(4)(d), F.S., but is not participating in either
112 program.
113 Section 4. This act shall take effect July 1, 2024.