

By the Committee on Children & Family Empowerment and
Representatives Murman and Chestnut

1 A bill to be entitled
2 An act relating to the "Work and Gain Economic
3 Self-sufficiency (WAGES) Act"; amending s.
4 414.065, F.S.; raising the age limit for
5 qualifying to receive continuing support
6 through a protective payee in circumstances
7 involving a family member's repeated
8 noncompliance with work requirements of the
9 act; revising who may be a protective payee;
10 providing that the protective payee may receive
11 food stamps on behalf of a child or children;
12 prohibiting certain actions by a protective
13 payee; providing sanctions; providing for
14 return of certain funds to the Department of
15 Children and Family Services; providing an
16 effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Subsection (5) of section 414.065, Florida
21 Statutes, 1996 Supplement, is amended to read:

22 414.065 Work requirements.--

23 (5) CONTINUATION OF ASSISTANCE FOR CHILDREN;
24 PROTECTIVE PAYEES.--

25 (a) Upon the second or third occurrence of
26 noncompliance, assistance for the child or children in a
27 family who are under age 16 ~~12~~ may be continued pursuant to
28 this section. Any such payments must be made through a
29 protective payee. Under no circumstances shall such
30 assistance be paid to an individual who has failed to comply
31 with program requirements.

1 (b) Protective payees shall be designated by the
2 department and may include:

3 1. For a child under age 12,a relative or other
4 individual who is interested in or concerned with the welfare
5 of the child or children and agrees in writing to utilize the
6 assistance in the best interest of the child or children.

7 2. A member of the community affiliated with a
8 religious, community, neighborhood, or charitable organization
9 who agrees in writing to utilize the assistance in the best
10 interest of the child or children.

11 3. A volunteer or member of an organization who agrees
12 in writing to fulfill the role of protective payee and to
13 utilize the assistance in the best interest of the child or
14 children.

15 4. For a child or children age 12 and over but under
16 age 16, a nonrelated individual who is interested in or
17 concerned with the welfare of the child or children and agrees
18 in writing to utilize the assistance in the best interest of
19 the child or children.

20 (c) The protective payee designated by the department
21 shall be the authorized representative for purposes of
22 receiving food stamps on behalf of a child or children under
23 age 16. The authorized representative must agree in writing to
24 use the food stamps in the best interest of the child or
25 children.

26 (d)~~(c)~~ If it is in the best interest of the child or
27 children, as determined by the department, for the staff
28 member of a private agency, a public agency, the department,
29 or any other appropriate organization to serve as a protective
30 payee, such designation may be made, except that a protective
31 payee must not be any individual involved in determining

1 eligibility for assistance for the family, staff handling any
2 fiscal processes related to issuance of assistance, or
3 landlords, grocers, or vendors of goods, services, or items
4 dealing directly with the participant.

5 (e) The protective payee may not turn over the
6 assistance to the parent or parents who are under sanction for
7 noncompliance pursuant to subsection (4). Failure to comply
8 with this requirement shall result in the following:

9 1. For a family under sanction for a first
10 noncompliance, the penalty for a second noncompliance shall
11 apply;

12 2. For a family under sanction for a second
13 noncompliance, the penalty for a third noncompliance shall
14 apply; and

15 3. A family under sanction for a third noncompliance
16 shall have their assistance terminated.

17 (f) Funds found by the department to have been
18 expended for a purpose other than the best interest of the
19 child or children or to have been turned over to a parent or
20 parents who are under sanction shall be returned to the
21 department.

22 (g)~~(d)~~ The department may pay incidental expenses or
23 travel expenses for costs directly related to performance of
24 the duties of a protective payee as necessary to implement the
25 provisions of this subsection.

26 (h)~~(e)~~ In the event the department is unable to
27 designate a qualified protective payee, a referral shall be
28 made under the provisions of chapter 415 for protective
29 intervention.

30 Section 2. This act shall take effect July 1, 1997.

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