

By Senator Laurent

17-1605-99

1 A bill to be entitled
2 An act relating to juvenile justice; creating
3 s. 985.421, F.S.; clarifying the role of the
4 Department of Juvenile Justice in administering
5 the Youth Welfare Trust Fund; providing an
6 effective date.

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

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10 Section 1. Section 985.421, Florida Statutes, is
11 created to read:

12 985.421 Welfare trust funds created; use of.--

13 (1) All moneys now held in any auxiliary, canteen,
14 welfare, donated, or similar fund in any state program under
15 the jurisdiction of the Department of Juvenile Justice shall
16 be deposited in a welfare trust fund, which fund is created in
17 the State Treasury or in a place that the department
18 designates. The money in the fund for each program of the
19 department, and which accrues thereto, is appropriated for the
20 benefit, education, and general welfare of youth in that
21 program. The general welfare of youth includes, but is not
22 limited to, the establishment of, maintenance of, employment
23 of personnel for, and the purchase of items for resale at
24 canteens or vending machines maintained at the state programs
25 and for the establishment of, maintenance of, employment of
26 personnel for, and the operation of canteens, hobby shops,
27 recreational or entertainment facilities, sheltered workshops,
28 activity centers, farming projects, and similar facilities and
29 programs.

30 (2) All moneys now held in any auxiliary, canteen,
31 welfare, donated, or similar fund in any district of the

1 department shall be deposited in a welfare trust fund, which
2 is created in the State Treasury or in a place that the
3 department designates. Money in the fund of each district of
4 the department, and which accrues thereto, is appropriated for
5 the purpose for which the donor intended. Absent specific
6 intentions of donor, such moneys must be used for programs for
7 the benefit, education, and general welfare of all youths of
8 the department. All sales taxes collected by the department in
9 a district for the Department of Revenue may be deposited into
10 the district trust fund to facilitate preparing consolidated
11 sales tax returns and remittals of sales tax to the Department
12 of Revenue.

13 (3) The Department of Juvenile Justice shall deposit
14 in a welfare trust fund all receipts from the operation of
15 canteens, vending machines, hobby shops, sheltered workshops,
16 activity centers, farming projects, and other such facilities
17 designated as accruing to a specific welfare trust fund, and
18 any moneys which are assigned to a specific welfare trust fund
19 by youths or others. Separate revenue and expense accounts
20 must be maintained in the department's accounting system for
21 each such facility. Annually, the net proceeds, after
22 providing an allowance for depreciation, must be determined
23 for such facility and made available for expenditures for the
24 benefit and welfare of the youths of the department. The
25 moneys in the fund constitute a trust held by the department
26 for the benefit and welfare of the youths of the department.

27 (4) Any contraband found upon or in the possession of
28 any youth of the department shall be confiscated and
29 liquidated, and the proceeds thereof shall be deposited in a
30 welfare trust fund.

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1 (5) The department may invest in the manner authorized
2 by law for fiduciaries any money in a welfare trust fund which
3 is not necessary for immediate use. Such investments may
4 include, but are not limited to, investments in savings share
5 accounts of any credit union chartered under the laws of the
6 United States and doing business in this state, and savings
7 share accounts of any credit union chartered under the laws of
8 this state, provided that the credit union is insured under
9 the federal share insurance program or an approved state share
10 insurance program. The interest earned and other increments
11 derived from such investments of such money shall be deposited
12 in the welfare trust fund. Moneys required for current use may
13 be deposited in any bank, credit union, or savings and loan
14 association authorized to do business in this state, provided
15 that such deposits are insured under a federal depository or
16 share insurance program or under a state-approved depository
17 or share insurance program and provided such moneys are
18 available on demand.

19 (6) The department shall maintain accounts in the
20 welfare trust fund for the sale of goods, services, or
21 products resulting from sheltered workshop, activity center,
22 and agricultural project operations; and each project shall be
23 accounted for separately in accordance with cost standards
24 established by the department. However, the cost of such
25 projects may not include any wage or salary expenditures
26 funded by a general revenue appropriation applicable to such
27 rehabilitative activities. The cost of materials incorporated
28 in such products sold, if funded by an appropriation of
29 general revenue, must be restored to general revenue
30 unallocated at the end of the fiscal year of sale from the
31 proceeds of such sales. The department may extend credit for

1 the sale of products produced in such activities, and for
2 those sales made for its youths through its hobby shops, to
3 purchasers of demonstrated credit standing sufficient to
4 warrant the amount of credit extended after prudent evaluation
5 of information relating to such credit standing. The
6 department may obtain credit reports from reputable credit
7 reporting agencies to assure prudence in the extending of
8 credit, except when payment is made by credit card, charge
9 card, or debit card as authorized by s. 215.322. The
10 department shall provide an allowance for doubtful accounts
11 for credit sales and record an expense in a like amount based
12 on a good-faith estimate, such allowance to be recorded as a
13 cost of such sales. The net revenue after such allowance
14 shall be retained in the welfare trust fund and used only for
15 the benefit of the department's youths for whom the trust fund
16 is established.

17 Section 2. This act shall take effect upon becoming a
18 law.

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21 SENATE SUMMARY

22 Creates welfare trust funds within the Department of
23 Juvenile Justice and provides for its administration.

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