

Bill No. SB 2502

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Silver moved the following amendment:

Senate Amendment (with title amendment)

On page 11, line 31,

insert:

Section 12. In order to implement Specific Appropriation 359 of the 1999-2000 General Appropriations Act, section 39.3065, Florida Statutes, 1998 Supplement, is amended to read:

39.3065 Sheriffs of Pasco, Manatee, and Pinellas Counties to provide child protective investigative services; procedures; funding.--

(1) As described in this section, the Department of Children and Family Services shall, by the end of fiscal year 1999-2000, transfer all responsibility for child protective investigations for Pinellas County, Manatee County, and Pasco County to the sheriff of that county in which the child abuse, neglect, or abandonment is alleged to have occurred. Each sheriff is responsible for the provision of all child protective investigations in his or her county. Each

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1 individual who provides these services must complete the
2 training provided to and required of protective investigators
3 employed by the Department of Children and Family Services.

4 (2) During fiscal year 1998-1999, the Department of
5 Children and Family Services and each sheriff's office shall
6 enter into a contract for the provision of these services.
7 Funding for the services will be appropriated to the
8 Department of Children and Family Services, and the department
9 shall transfer to the respective sheriffs for the duration of
10 fiscal year 1998-1999, funding for the investigative
11 responsibilities assumed by the sheriffs, including federal
12 funds that the provider is eligible for and agrees to earn and
13 that portion of general revenue funds which is currently
14 associated with the services that are being furnished under
15 contract, and including, but not limited to, funding for all
16 investigative, supervisory, and clerical positions; training;
17 all associated equipment; furnishings; and other fixed capital
18 items. The contract must specify whether the department will
19 continue to perform part or none of the child protective
20 investigations during the initial year. The sheriffs may
21 either conduct the investigations themselves or may, in turn,
22 subcontract with law enforcement officials or with properly
23 trained employees of private agencies to conduct
24 investigations related to neglect cases only. If such a
25 subcontract is awarded, the sheriff must take full
26 responsibility for any safety decision made by the
27 subcontractor and must immediately respond with law
28 enforcement staff to any situation that requires removal of a
29 child due to a condition that poses an immediate threat to the
30 child's life. The contract must specify whether the services
31 are to be performed by departmental employees or by persons

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1 determined by the sheriff. During this initial year, the
2 department is responsible for quality assurance, and the
3 department retains the responsibility for the performance of
4 all child protective investigations. The department must
5 identify any barriers to transferring the entire
6 responsibility for child protective services to the sheriffs'
7 offices and must pursue avenues for removing any such barriers
8 by means including, but not limited to, applying for federal
9 waivers. By January 15, 1999, the department shall submit to
10 the President of the Senate, the Speaker of the House of
11 Representatives, and the chairs of the Senate and House
12 committees that oversee departmental activities a report that
13 describes any remaining barriers, including any that pertain
14 to funding and related administrative issues. Unless the
15 Legislature, on the basis of that report or other pertinent
16 information, acts to block a transfer of the entire
17 responsibility for child protective investigations to the
18 sheriffs' offices, the sheriffs of Pasco County, Manatee
19 County, and Pinellas County, beginning in fiscal year
20 1999-2000, shall assume the entire responsibility for such
21 services, as provided in subsection (3).

22 (3)(a) Beginning in fiscal year 1999-2000, the
23 sheriffs of Pasco County, Manatee County, and Pinellas County
24 have the responsibility to provide all child protective
25 investigations in their respective counties.

26 (b) The sheriffs of Pasco County, Manatee County, and
27 Pinellas County shall operate, at a minimum, in accordance
28 with the performance standards established by the Legislature
29 for protective investigations conducted by the Department of
30 Children and Family Services.

31 (c) Funds for providing child protective

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1 investigations in Pasco County, Manatee County, and Pinellas
2 County must be identified in the annual appropriation made to
3 the Department of Children and Family Services, which shall
4 award grants for the full amount identified to the respective
5 sheriffs' offices. Funds for the child protective
6 investigations may not be integrated into the sheriffs'
7 regular budgets. Budgetary data and other data relating to the
8 performance of child protective investigations must be
9 maintained separately from all other records of the sheriffs'
10 offices.

11 (d) Program performance evaluation shall be based on
12 criteria mutually agreed upon by the respective sheriffs and a
13 committee of seven persons appointed by the Governor and
14 selected from those persons serving on the Department of
15 Children and Family Services District 5 Health and Human
16 Services Board and District 6 Health and Human Services Board.
17 Two of the Governor's appointees must be residents of Pasco
18 County, two of the Governor's appointees must be residents of
19 Manatee County, and two of the Governor's appointees must be
20 residents of Pinellas County. Such appointees shall serve at
21 the pleasure of the Governor. The individuals appointed must
22 have demonstrated experience in outcome evaluation, social
23 service areas of protective investigation, or child welfare
24 supervision. The committee shall submit an annual report
25 regarding quality performance, outcome-measure attainment and
26 cost efficiency, to the President of the Senate, the Speaker
27 of the House of Representatives, and to the Governor no later
28 than January 31 of each year the sheriffs are receiving
29 general appropriations to provide child protective
30 investigations.

31 (4) For the 1999-2000 fiscal year only, the Sheriff of

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1 Broward County shall perform the same child protective
 2 investigative services according to the same standards as are
 3 performed by the sheriffs of Pinellas County, Manatee County,
 4 and Pasco County under this section. This subsection expires
 5 July 1, 2000.

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7 (Redesignate subsequent sections.)

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

11 And the title is amended as follows:

12 On page 2, line 16, following the semicolon,

13
14 insert:

15 amending s. 39.3065, F.S.; providing for the
 16 Broward County Sheriff to provide child
 17 protective investigative services;

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