

Bill No. HB 1741

Amendment No. 1 Barcode 244456

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Appropriations recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (1) of section 414.045, Florida Statutes, is amended to read:

414.045 Cash assistance program.--Cash assistance families include any families receiving cash assistance payments from the state program for temporary assistance for needy families as defined in federal law, whether such funds are from federal funds, state funds, or commingled federal and state funds. Cash assistance families may also include families receiving cash assistance through a program defined as a separate state program.

(1) For reporting purposes, families receiving cash assistance shall be grouped into ~~in~~ the following categories. The department may develop additional groupings in order to comply with federal reporting requirements, to comply with the

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1 data-reporting needs of the board of directors of Workforce
2 Florida, Inc., or to better inform the public of program
3 progress. ~~Program reporting data shall include, but not~~
4 ~~necessarily be limited to, the following groupings:~~

5 (a) Work-eligible cases.--Work-eligible cases shall
6 include:

7 1. Families containing an adult or a teen head of
8 household, as defined by federal law. These cases are
9 generally subject to the work activity requirements provided
10 in s. 445.024 and the time limitations on benefits provided in
11 s. 414.105.

12 2. Families with a parent where the parent's needs
13 have been removed from the case due to sanction or
14 disqualification shall be considered work-eligible cases to
15 the extent that such cases are considered in the calculation
16 of federal participation rates or would be counted in such
17 calculation in future months.

18 3. Families participating in transition assistance
19 programs.

20 4. Families otherwise eligible for temporary cash
21 assistance that receive diversion services, a severance
22 payment, or participate in the relocation program.

23 (b) Child-only cases.--Child-only cases include cases
24 that do not have an adult or teen head of household as defined
25 in federal law. Such cases include:

26 1. ~~Child-only families with~~ Children in the care of
27 caretaker relatives where the caretaker relatives choose to
28 have their needs excluded in the calculation of the amount of
29 cash assistance.

30 2. Families in the Relative Caregiver Program as
31 provided in s. 39.5085.

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1 3. Families in which the only parent in a
2 single-parent family or both parents in a two-parent family
3 receive supplemental security income (SSI) benefits under
4 Title XVI of the Social Security Act, as amended. To the
5 extent permitted by federal law, individuals receiving SSI
6 shall be excluded as household members in determining the
7 amount of cash assistance, and such cases shall not be
8 considered families containing an adult. Parents or caretaker
9 relatives who are excluded from the cash assistance group due
10 to receipt of SSI may choose to participate in work
11 activities. An individual who volunteers to participate in
12 work activity but whose ability to participate in work
13 activities is limited shall be assigned to work activities
14 consistent with such limitations. An individual who volunteers
15 to participate in a work activity may receive child care or
16 support services consistent with such participation.

17 4. Families where the only parent in a single-parent
18 family or both parents in a two-parent family are not eligible
19 for cash assistance due to immigration status or other
20 limitation requirements of federal law. To the extent required
21 by federal law, such cases shall not be considered families
22 containing an adult.

23 5. To the extent permitted by federal law and subject
24 to appropriations, special needs children who have been
25 adopted pursuant to s. 409.166 and whose adopting family
26 qualifies as a needy family under the state program for
27 temporary assistance for needy families. Notwithstanding any
28 provision to the contrary in s. 414.075, s. 414.085, or s.
29 414.095, a family shall be considered a needy family if:
30 a. The family is determined by the department to have
31 an income below 200 percent of the federal poverty level;

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1 b. The family meets the requirements of s. 414.095(2)
2 and (3) related to residence, citizenship, or eligible
3 noncitizen status; and

4 c. The family provides any information that may be
5 necessary to meet federal reporting requirements specified
6 under Part A of Title IV of the Social Security Act.

7
8 Families described in subparagraph 1., subparagraph 2., or
9 subparagraph 3. may receive child care assistance or other
10 supports or services so that the children may continue to be
11 cared for in their own homes or the homes of relatives. Such
12 assistance or services may be funded from the temporary
13 assistance for needy families block grant to the extent
14 permitted under federal law and to the extent funds have been
15 provided in the General Appropriations Act ~~permitted by~~
16 ~~appropriation of funds.~~

17 Section 2. Section 409.1674, Florida Statutes, is
18 created to read:

19 409.1674 It is the intent of the Legislature to
20 improve services and local participation in community-based
21 care initiatives by fostering community support and providing
22 enhanced prevention and in-home services, thereby reducing the
23 risk otherwise faced by lead agencies. There is established a
24 community partnership matching grant program to be operated by
25 the Department of Children and Family Services for the purpose
26 of encouraging local participation in community-based care for
27 child welfare. Any children's services council or other local
28 government entity that makes a financial commitment to a
29 community-based care lead agency is eligible for a grant upon
30 proof that the children's services council or local government
31 entity has provided the selected lead agency at least \$825,000

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1 in start-up funds, from any local resources otherwise
2 available to it. The total amount of local contribution may be
3 matched on a two-for-one basis up to a maximum amount of \$2
4 million per council. Awarded matching grant funds may be used
5 for any prevention or in-home services provided by the
6 children's services council or other local government entity
7 that meets temporary-assistance-for-needy-families'
8 eligibility requirements and can be reasonably expected to
9 reduce the number of children entering the child welfare
10 system. To ensure necessary flexibility for the development,
11 start-up, and ongoing operation of community-based care
12 initiatives, the notice period required for any budget action
13 authorized by the provisions of s. 20.19(5)(b), is waived for
14 the family safety program; however, the Department of Children
15 and Family Services must provide copies of all such actions to
16 the Executive Office of the Governor and Legislature within 72
17 hours of their occurrence. Funding available for the matching
18 grant program is subject to legislative appropriation of
19 nonrecurring temporary-assistance-for-needy-families funds
20 provided for the purpose. This sections expires July 1, 2002.

21 Section 3. Subsection (1) of section 938.01, Florida
22 Statutes, is amended to read:

23 938.01 Additional Court Cost Clearing Trust Fund.--

24 (1) All courts created by Art. V of the State
25 Constitution shall, in addition to any fine or other penalty,
26 assess \$3 as a court cost against every person convicted for
27 violation of a state penal or criminal statute or convicted
28 for violation of a municipal or county ordinance. Any person
29 whose adjudication is withheld pursuant to the provisions of
30 s. 318.14(9) or (10) shall also be assessed such cost. In
31 addition, \$3 from every bond estreature or forfeited bail bond

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1 related to such penal statutes or penal ordinances shall be
2 forwarded to the Treasurer as described in this subsection.
3 However, no such assessment may be made against any person
4 convicted for violation of any state statute, municipal
5 ordinance, or county ordinance relating to the parking of
6 vehicles.

7 (a) All such costs collected by the courts shall be
8 remitted to the Department of Revenue, in accordance with
9 administrative rules adopted by the executive director of the
10 Department of Revenue, for deposit in the Additional Court
11 Cost Clearing Trust Fund and shall be earmarked to the
12 Department of Law Enforcement ~~and the Department of Community~~
13 ~~Affairs~~ for distribution as follows:

14 1. Two dollars and seventy-five cents of each \$3
15 assessment shall be deposited in the Criminal Justice
16 Standards and Training Trust Fund, and the remaining 25 cents
17 of each such assessment shall be deposited into the Department
18 of Law Enforcement Operating Trust Fund and shall be disbursed
19 to the ~~Bureau of Public Safety Management of the~~ Department of
20 Law Enforcement ~~Community Affairs~~.

21 2. Ninety-two percent of the money distributed to the
22 Additional Court Cost Clearing Trust Fund pursuant to s.
23 318.21 shall be earmarked to the Department of Law Enforcement
24 for deposit in the Criminal Justice Standards and Training
25 Trust Fund, and 8 percent of such money shall be deposited
26 into the Department of Law Enforcement Operating Trust Fund
27 and shall be disbursed to the ~~Bureau of Public Safety~~
28 ~~Management of the~~ Department of Law Enforcement ~~Community~~
29 ~~Affairs~~.

30 (b) The funds deposited in the Criminal Justice
31 Standards and Training Trust Fund and the Department of Law

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1 Enforcement Operating Trust Fund may be invested. Any interest
2 earned from investing such funds and any unencumbered funds
3 remaining at the end of the budget cycle shall remain in the
4 respective trust fund until the following year.

5 (c) All funds in the Criminal Justice Standards and
6 Training Trust Fund earmarked to the Department of Law
7 Enforcement shall be disbursed only in compliance with s.
8 943.25(9).

9 Section 4. Subsection (1) of section 943.25, Florida
10 Statutes, is amended to read:

11 943.25 Criminal justice trust funds; source of funds;
12 use of funds.--

13 (1) The Department of Law Enforcement ~~Community~~
14 ~~Affairs~~ may approve, for disbursement from the Department of
15 Law Enforcement ~~its~~ Operating Trust Fund, those appropriated
16 sums necessary and required by the state for grant matching,
17 implementing, administering, evaluating, and qualifying for
18 such federal funds. Disbursements from the trust fund for the
19 purpose of supplanting state general revenue funds may not be
20 made without specific legislative appropriation.

21 Section 5. The criminal justice program of the
22 Department of Community Affairs is transferred to the
23 Department of Law Enforcement by a type two transfer, as
24 defined in section 20.06, Florida Statutes. The criminal
25 justice program so transferred is composed of the Byrne State
26 and Local Law Enforcement Assistance Program, local law
27 enforcement block grants, the Drug-Free Communities Program,
28 residential substance-abuse treatment of state prisoners, the
29 bulletproof vest program, the Guantanamo Bay Refugee and
30 Entrant Assistance Program, the national criminal history
31 improvement program, and the Violent Offender Incarceration

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1 and Truth-in-Sentencing Program.

2 Section 6. The Department of Law Enforcement may adopt
3 rules necessary for the operation of the criminal justice
4 program.

5 Section 7. (1) The Prevention of Domestic and Sexual
6 Violence Program is transferred from the Department of
7 Community Affairs to the Department of Children and Family
8 Services by a type two transfer, as defined in section 20.06,
9 Florida Statutes. The Domestic and Sexual Violence Program so
10 transferred is composed of the Governor's Task Force on
11 Domestic and Sexual Violence and the Violence Against Women
12 Program.

13 (2) From the funds deposited into the Department of
14 Law Enforcement Operating Trust Fund pursuant to section
15 938.01(1)(a)1. and 2., Florida Statutes, the Department of Law
16 Enforcement shall transfer funds to the Department of Children
17 and Family Services to be used as matching funds for the
18 administration of the Prevention of Domestic and Sexual
19 Violence Program transferred from the Department of Community
20 Affairs. The amount of the transfer for fiscal year 2001-2002
21 shall be determined by the Governor's Office of Planning and
22 Budgeting in consultation with the Department of Community
23 Affairs, the Department of Law Enforcement, and the Department
24 of Children and Family Services and shall be based on the
25 historic use of these funds and current needs of the
26 Prevention of Domestic and Sexual Violence Program. In
27 subsequent years, the transfer of funds shall be based on the
28 amount appropriated.

29 Section 8. This act shall take effect July 1, 2001.

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

2 And the title is amended as follows:

3 Delete everything before the enacting clause

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5 and insert:

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An act to be entitled

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An act relating to children and family services

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and to criminal justice programs; amending s.

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414.045, F.S.; adding another category of

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families eligible for cash assistance, for

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federal reporting purposes; creating s.

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409.1674, F.S.; providing legislative intent;

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establishing the community partnership matching

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grant program to be operated by the Department

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of Children and Family Services to encourage

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local participation in community-based care for

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child welfare; providing conditions for

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obtaining grants; providing that funding is

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subject to legislative appropriation of

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nonrecurring

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temporary-assistance-for-needy-families funds;

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amending ss. 938.01, 943.25, F.S.; providing

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for deposit of certain court-cost proceeds into

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the Department of Law Enforcement Operating

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Trust Fund; prescribing authorized uses of

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assets in such fund; transferring the criminal

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justice program of the Department of Community

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Affairs to the Department of Law Enforcement;

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providing for the latter department to adopt

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rules relating to the program; transferring the

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Prevention of Domestic and Sexual Violence

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1 Program from the Department of Community
2 Affairs to the Department of Children and
3 Family Services; providing for funding the
4 program; providing an effective date.
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