

STORAGE NAME: h1821a.cfs.doc
DATE: February 21, 2002

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CHILD & FAMILY SECURITY
ANALYSIS**

BILL #: HB 1821
RELATING TO: Children and Families
SPONSOR(S): Representative(s) Lynn

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) CHILD & FAMILY SECURITY YEAS 10 NAYS 0
- (2) FISCAL RESPONSIBILITY COUNCIL
- (3) COUNCIL FOR HEALTHY COMMUNITIES
- (4)
- (5)

I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

House Bill 1821 creates s. 39.320, F.S., to establish the Commission on Florida Families within the Department of Children and Family Services (DCF), in place of the Commission on Responsible Fatherhood that is repealed. The purposes of the commission are to develop comprehensive statewide strategies to facilitate the connection or reconnection of responsible fathers with their families and children, to increase the availability of and access to parenting and relationship skills education and training, and to encourage and support the formation and maintenance of two-parent families.

Subject to availability of funds, the Commission on Florida Families is charged with the development of statewide plans concerning delivery of services and supports to couples and parents, collection and dissemination of information relating to poverty and its effect on families, and making annual recommendations to the Legislature. The bill provides for coordination with other organizations and entities. It authorizes appointment of advisory committees.

The bill provides for funding of the commission from moneys currently allocated to the Commission on Responsible Fatherhood and it authorizes other funding through grants and gifts. The bill abolishes the Commission on Responsible Fatherhood.

The bill repeals sections 383.0112, 383.0113, and 383.0114, F.S., that establish Florida's Commission on Responsible Fatherhood.

The effective date of the bill is July 1, 2002.

On February 21, 2002, the Committee on Child and Family Security adopted a strike-everything amendment to the bill. It renames the Commission on Marriage and Family Support Initiatives, substantially amends findings and intent, to emphasize help to both fathers and mothers and support for marriage and two parent families, expands membership, and redirects scope of activity. Provides for repeal on June 30, 2007 unless reenacted.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|-----------------------------------------|-----------------------------|-----------------------------------------|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Florida Commission on Responsible Fatherhood

The bill builds on the accomplishments of the Florida Commission on Responsible Fatherhood, a national model of a comprehensive statewide strategy to address fatherhood issues. The Florida Commission on Responsible Fatherhood has identified effective strategies to increase parental involvement, child support and employment of fathers. The commission was established by the Legislature in 1996, in sections 383.0112, 383.0113, and 383.0114, F.S., to respond to the fact that 33 percent of Florida's children do not live in the same home as their father. Since 1996, Florida has funded 27 programs serving fathers in over 30 counties. The commission has primarily supported two types of programs: those that assist low-income, non-custodial fathers to become employed, pay their child support and to be more knowledgeable and involved dads; and local health, childcare, and prison-related programs that involve fathers in the lives of their children.

The commission includes members of the legislative, executive and judicial branches of government, and the public. It is funded each year with \$1 million in welfare reform, Temporary Assistance to Needy Families (TANF) block grant funds and \$250,000 each from the Department of Children and Family Services and the Department of Health. The purpose of the Commission on Responsible Fatherhood is to raise awareness of problems when a child grows up without a father, identify obstacles for fathers' involvement in the lives of their children, and test strategies to encouraging responsible fatherhood.

Florida Welfare Reform to Support Families

The Florida Commission on Responsible Fatherhood is one component of the initiatives the Florida Legislature has established to support families. Florida was one of the first states to use the 1996 Personal Responsibility and Work Opportunity Reconciliation, welfare reform act, to strengthen families. Although Congress established that one goal of the act is to encourage the formation and maintenance of two-parent families, the act did not include guidelines, incentives or sanctions to help states reach the goal. Few states designed policies to help poor families stay together. Florida's WAGES program, which limited cash assistance and provided child care, education, and job training, took an important and successful step to help low-income families become and remain self sufficient.

In the Workforce Innovation Act of 2000 Florida took welfare reform a step further to support families. With fewer than 32,000 families across the state still receiving cash assistance, the Legislature consolidated the many federal and state, job training, employment support, and welfare transition programs, to provide better support for working families and improve workforce development. One purpose of Workforce Florida is to provide training and other support to help families move out of low-wage jobs and establish a more secure future.

Combining Fatherhood and Family Issues

Nationally, there are two primary approaches to strengthening families. One approach is to strengthen marriage by toughening divorce laws and premarital counseling, rewriting tax laws to eliminate the marriage penalty, and favoring marriage in public policy. The other approach focuses primarily on low-income dads to add employment training and other services to present child support enforcement strategies, and to reform child support laws to give never-married, non-custodial parents the same rights as divorced dads. This approach claims the emphasis on marriage cannot help a minority male constituency that is often not ready for marriage, is uneducated, and lacks adequate work skills and employment to meet their family support responsibilities. It is a common value of both approaches that children do better in families with two married parents.

The Need to Address Fragile Families

New approaches that integrate these efforts at addressing marriage, family and fatherhood issues to low-income fathers and mothers as a vulnerable family rather than opposing entities show promise in helping children grow and develop with two involved parents.

Studies have found men and women of all socio-economic groups share society's values that define success as having a stable job and belonging to a family. Although many low-income couples are unmarried, research finds they begin in committed relationships and consider marriage and dual parenting as ideal for a child's development. It is in the living up to these values that so many fall short. Low-income males especially have difficulty realizing the goal of having a stable job that would enable them to support a family. They are also uncertain about what is expected of them as fathers—particularly because many have entered manhood without the benefit of an involved father.

Research has shown that most poor children under the age of two have a highly involved father, even though only half of them were born to married parents. At the birth of their children, 80 percent of low-income parents were romantically involved, and more than half were cohabitating. More than 90 percent of new fathers provided financial or in-kind support for the mother during pregnancy. Almost 70 percent of fathers visited their newborn in the hospital and more than 80 percent of these fathers expressed their intent to continue providing support.

Unfortunately, paternal involvement among poor children drops precipitously as children get older. By the time they reach their teens, only 19 percent of them live with their two natural, married parents, while 59 percent live with their mothers and see their fathers less than weekly.

Supports to strengthen fragile families include opportunities to obtain or increase educational levels and employment skills, and easy and affordable access to relationship skills education. For some unwed parents, it is possible and desirable to help them move towards marriage; for others who are in new relationships, the optimum goal may be to help them co-parent, spend time with their child, and pay child support regularly.

C. EFFECT OF PROPOSED CHANGES:

This bill creates s. 39.320, F.S., to establish the Commission on Florida Families within the Department of Children and Family Services. The purposes of the commission are to develop comprehensive statewide strategies to facilitate the connection or reconnection of responsible fathers with their families and children, to increase the availability of and access to parenting and relationship skills education and training, and to encourage and support the formation and maintenance of two-parent families. It provides legislative findings and intent to encourage marriage and support families. It establishes responsibilities for the commission and provides for the commission's funding. The bill provides for coordination with other organizations and entities and authorizes the appointment of advisory committees. The bill repeals ss. 383.0112, 383.0113, and 383.0114, F.S., relating to the Commission on Responsible Fatherhood and community-based programs to encourage responsible fatherhood.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Creates s. 39.320, Florida Statutes, establishing the Commission on Florida Families.

(1) Legislative Findings and Intent.—to encourage and support marriage and two-parent families that provide support for children through better health and educational opportunities and avoidance of drugs and criminal behavior.

The legislative intent of the bill is to provide policy direction to encourage, promote, and value strong, safe, long-term marriages—particularly in situations where there are children by helping those individuals who choose marriage obtain access to what they need to sustain a healthy marriage, and by being compassionate towards other family situations.

(2) Establishes the Commission on Florida Families within the Department of Children and Family Services, and provides for membership.

(3) Establishes Purposes and Responsibilities—to develop statewide strategies to encourage formation of two-parent families and parenting. Subject to available funds the commission is directed to:

- Develop a plan to implement s. 232.246 (1) (i), F.S., relating to marriage and relationship training.
- Develop a plan to support mediation skills to couples prior to and during marriage and in the event of divorce.
- Develop in conjunction with the Department of Revenue a balance between welfare cost recovery and helping families become self-supporting.
- Serve as a clearinghouse for information on poverty and its effects on families and innovative approaches to formation and maintenance.
- Make recommendations to the Legislature.

(4) Requires coordination with community-based organizations and research and policy centers.

(5) Provides for advisory committees to be appointed by the commission.

(6) Establishes funding source for the commission shall be General Revenue currently allocated to the Commission on Responsible Fatherhood, and that the commission may accept other funding.

Section 2. Repeals sections 383.0112, 383.0113, and 383.0114, F.S., establishing Florida's Commission on Responsible Fatherhood.

Section 3. Provides the act shall take effect July 1, 2002.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

N/A

2. Expenditures:

See Fiscal Comments

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The department has determined that there is no fiscal impact from this bill. Funding for the Commission on Florida Families will be provided through the transfer of funds currently appropriated to the Commission on Responsible Fatherhood that is being repealed by the bill.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill will not reduce the authority of municipalities and counties to raise revenues.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill will not reduce the state tax shared with counties and municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On February 21, 2002, the Committee on Child and Family Security adopted a strike-everything amendment to the bill that incorporated two technical amendments.

Section 1. Creates s. 39.320, F.S.,—The Commission on Marriage and Family Support Initiatives—

Instead of the Commission on Florida Families.

(1) Legislative Findings and Intent is substantially amended. The amendment emphasizes intent to help both fathers and mothers and to encourage and to support marriage and two parent families. The findings and intent include helping low-income parents, not forcing parents into bad marriages nor withdrawing support from single mothers. It finds congruence with federal policy.

(2) Establishment of Commission is amended to expand representation on the commission and provide for staggered terms and semi-annual meetings without compensation but with travel reimbursement.

(3) Scope of Activity is to report on strategies to support nurturing and responsible parenting and access to skills education and training, produce a manual and a community awareness campaign for communities on promising practices to promote marriage and serve as a clearinghouse on research on the effects of poverty and violence on families and innovative approaches to services for formation and maintenance of strong families with an annual progress report. Provides for repeal on June 30, 2007 unless reenacted.

(4) Coordination is required with community-based organizations, other agencies and research and policy centers.

(5) Funding is provided for from funds currently allocated to the Commission on Responsible Fatherhood.

Section 2. Repeals s. 383.0112, 383.0113, 383.0114, F.S., that establish the Commission on Responsible Fatherhood.

Section 3. The enacting date for the bill is July 1, 2002.

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VII. SIGNATURES:

COMMITTEE ON CHILD & FAMILY SECURITY:

Prepared by:

Staff Director:

Glenn Mitchell

Robert Brown-Barrios