

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Children, Families, and Elder Affairs Committee

BILL: SB 1362

INTRODUCER: Senator Garcia

SUBJECT: Department of Children and Family Services Employee

DATE: April 8, 2011

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Preston	Walsh	CF	<b>Favorable</b>
2.	_____	_____	GO	_____
3.	_____	_____	JU	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

The bill removes the provision that prevents DCF’s employment of a federal, state, county, or municipal officer and that prohibits DCF employees from seeking public office or serving as a local official.

This bill substantially amends. 402.35 of the Florida Statutes:

**II. Present Situation:**

**Background**

In 1969, the Legislature established the nine-member State Board of Social Services (Board),<sup>1</sup> one of a number of predecessors to the Department of Health and Human Services (HRS) and now the Department of Children and Families (DCF). The law contained a sentence that prohibited a federal, state, county or municipal officer from serving as a member of the Board. The exact reason those public officers were not allowed to serve is unknown.<sup>2</sup> However, through the agency’s many legislative reorganizations, the prohibition has remained in statute.

<sup>1</sup> Chapter 69-268, L.O.F.

<sup>2</sup> Department of Children and Families, Staff Analysis and Economic Impact. SB 1362, January 26, 2011.

**III. Effect of Proposed Changes:**

The bill removes the provision that prevents DCF's employment of a federal, state, county, or municipal officer and that prohibits DCF employees from seeking public office or serving as a local official.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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