

**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.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

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BILL: SB 1136

INTRODUCER: Senator Brandes

SUBJECT: Children's Services Councils

DATE: January 14, 2020

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Paglialonga	Ryon	CA	<b>Pre-meeting</b>
2.	_____	_____	CF	_____
3.	_____	_____	RC	_____

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**I. Summary:**

SB 1136 amends s. 125.901, F.S., to require a children's services council (CSC) to provide additional quantitative research data concerning the effectiveness of its programs in its annual report to the governing body of a county. The bill also requires a CSC to file a monthly financial report with the governing body of a county, instead of a quarterly report and requires the report to itemize expenditures and receipts, instead of stating total amounts.

The bill may increase the costs associated with compiling and analyzing annual and financial report data for CSCs.

**II. Present Situation:**

**Children's Services Councils**

In 1986, the Legislature authorized Florida counties to create children's services councils (CSC) as countywide special districts to fund children's services.<sup>1</sup> Counties may create independent special districts,<sup>2</sup> for which the county governing body must seek voter approval to levy annual ad valorem property taxes, or dependent special districts, which are authorized to accept grants and donations from public and private sources.<sup>3</sup> A CSC funded by ad valorem taxation may not levy a rate of more than 0.5 mills.<sup>4</sup> Eight counties currently have CSCs: Alachua, Broward, Hillsborough, Martin, Miami-Dade, Okeechobee, Palm Beach, and St. Lucie.<sup>5</sup>

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<sup>1</sup> Ch. 86-379, Laws of Fla., codified as s. 125.901, F.S.

<sup>2</sup> Sections 189.012(2), (3), F.S.

<sup>3</sup> Sections. 125.901(1), (7), F.S.

<sup>4</sup> Section 125.901(3)(b), F.S.

<sup>5</sup> See Department of Economic Opportunity, *Official List of Special Districts Online*, available at: <http://specialdistrictreports.floridajobs.org/webreports/mainindex.aspx> (last visited Jan. 14, 2020).

### ***CSC Board and Membership***

Each CSC is administered by a 10-member council consisting of:<sup>6</sup>

- The county's superintendent of schools;
- A member of the county school board;
- A district administrator from the Department of Children and Families (or the administrator's designee);
- A member of county's governing body;
- A judge assigned to juvenile cases; and
- Five members appointed by the Governor.

The selections of the Governor are made based on a list of three potential members submitted by the county's governing body and are intended to reflect the demographic diversity of the population of the county. The Governor must make a selection within 45 days or request the county's governing body to propose a new list of candidates. All members appointed by the Governor are required to be residents of the county for at least two years at the time of selection.

The judicial member of the CSC is prohibited from voting or participating in the setting of ad valorem tax rates.<sup>7</sup>

### ***CSC Powers and Functions***

CSCs may exercise the following powers and functions:<sup>8</sup>

- Provide and maintain preventive, developmental, treatment, rehabilitative, and other services for children;
- Provide such other services for all children as the council determines are needed for the general welfare of the county;
- Allocate and provide funds for other agencies that operate for the benefit of children, except the public school system;
- Collect information, statistical data, and research to determine the needs of the children in the county;
- Consult and coordinate with providers of children's services to prevent overlapping of child services;
- Lease or buy necessary real estate, equipment, and personal property and to construct such buildings as are needed; and
- Employ, pay, and provide benefits for any part-time or full-time personnel.

CSCs are expressly prohibited from issuing bonds of any nature or requiring the imposition of any bond by the governing body of the county.<sup>9</sup>

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<sup>6</sup> Section 125.901(1)(a), F.S. This provision does not apply to the Children's Trust of Miami-Dade County, which has a 33-member governing board. *See s. 125.901(1)(b), F.S.*

<sup>7</sup> Section 125.901(1)(a), F.S.

<sup>8</sup> Section 125.901(2), F.S.

<sup>9</sup> *Id.* at (2)(a)6.

### *CSC Reporting Requirements*

Newly-formed CSCs are required to identify the needs of children in the county and submit a report to the county's governing body containing:<sup>10</sup>

- The activities, services, and opportunities that will be provided by the CSC, along with an anticipated schedule;
- How children will be served, including a description of arrangements and agreements which will be made with community organizations, state and local educational agencies, federal agencies, public assistance agencies, the juvenile courts, foster care agencies, and other applicable public and private agencies and organizations;
- The special outreach efforts that will be undertaken to provide services to at-risk, abused, or neglected children; and
- How the CSC will seek and provide funding for unmet needs.

Each CSC is required to provide an annual written report to the governing body of the county no later than January 1 of each year containing:<sup>11</sup>

- Information on the effectiveness of activities, services, and programs offered by the CSC, including cost-effectiveness;
- A detailed anticipated budget for continuation of activities, services, and programs offered by the CSC, including a list of all sources of requested funding;
- Procedures used for early identification of at-risk children who need additional or continued services and methods for ensuring that the additional or continued services are received;
- A description of the degree to which the CSC's objectives and activities are consistent with statutory goals for CSCs;
- Detailed information on the various programs, services, and activities available to participants and the degree to which children have successfully used the programs, services, and activities; and
- Information on programs, services, and activities that should be eliminated; programs, services, and activities that should be continued; and programs, services, and activities that should be added to the basic format of the CSC.

CSCs adopt a budget, including proposed millage rates, using the same process as other units of local government.<sup>12</sup> The CSC is required to certify a copy of its budget with the county's governing body, but the budget is not subject to modification by the governing body of the county.<sup>13</sup> Each CSC is required to file a quarterly financial report with the county containing the CSC's total expenditures, receipts, and administrative costs for the quarter and a statement of the CSC's cash-on-hand and investments.<sup>14</sup> The financial positions of the eight CSCs substantially vary and mostly correspond to the population and needs of the county.<sup>15</sup>

<sup>10</sup> Section 125.901(2)(b)2., F.S.

<sup>11</sup> Section 125.901(2)(b)5., F.S.

<sup>12</sup> See Section 125.901(3)(b), F.S.

<sup>13</sup> Section 125.901(3)(c), F.S.

<sup>14</sup> Section 125.901(3)(f), F.S.

<sup>15</sup> See Florida Auditor General, *Children's Services Council of Okeechobee County*, available at: [https://flauditor.gov/pages/specialdistricts\\_efile%20pages/childrens%20services%20council%20of%20okeechobee%20county.htm](https://flauditor.gov/pages/specialdistricts_efile%20pages/childrens%20services%20council%20of%20okeechobee%20county.htm) (last visited Jan. 14, 2020) (CSC of Okeechobee County, 2017-2018 Financial Analysis. Total Revenue: \$684,834.); see also Florida Auditor General, *Children's Services Council of Broward County*, available at:

CSCs are also required to comply with all other statutory conditions for the filing of financial reports or compliance reports as enumerated in part III of ch. 218, or any other report or documentation requirement, including ss. 189.015, 189.016, and 189.08, F.S.<sup>16</sup>

### III. Effect of Proposed Changes:

The bill amends s. 125.901, F.S., to require each CSC to include performance data in its annual report to the county's governing body, describing activities, services, and programs offered by the council and data in the year the council was created and as of December 31st of the reporting year. This data must include:

- Percentage and total number of mothers who received or are receiving prenatal care through programs sponsored or supported by the CSC.
- Percentage of infants born with low birth weight.<sup>17</sup>
- Total number of infants born with a low birth weight whose mothers received or are receiving prenatal care through programs sponsored or supported by the CSC.
- Rate of infant deaths per 1,000 live births.
- Percentage of children under the age of 18 living in households whose income levels are below 100 percent of the federal poverty level.
- Rate of teen alcohol use.
- Rate of teen drug use.
- Rate of juvenile arrests.
- Rate of pregnancies among females under the age of 18.
- Percentage of students who performed or are performing at or above grade level on standardized tests.
- High school graduation rates.

The bill also revises financial reporting requirements for a CSC to require monthly financial reports containing itemized expenditures and receipts, as well as a statement of the CSC's cash-on-hand and total administrative costs.

The bill takes effect on October 1, 2020.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

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

None.

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[https://flauditor.gov/pages/specialdistricts\\_efile%20pages/childrens%20services%20council%20of%20okeechobee%20county.htm](https://flauditor.gov/pages/specialdistricts_efile%20pages/childrens%20services%20council%20of%20okeechobee%20county.htm) (last visited Jan. 14, 2020) (CSC of Broward County, 2017-2018 Financial Analysis. Total Revenue: \$85,943,806.)

<sup>16</sup> Section 125.901(6), F.S.

<sup>17</sup> For the purpose of this section, the term "low birth weight" is defined as a birth weight of less than 2,500 grams.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may cause CSCs to incur additional costs in the collection and preparation of increased reporting data.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 125.901 of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of 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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