

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 661 Children's Services Councils

SPONSOR(S): Newton

TIED BILLS: **IDEN./SIM. BILLS:** SB 1136

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local, Federal & Veterans Affairs Subcommittee	10 Y, 4 N	Darden	Miller
2) Children, Families & Seniors Subcommittee			
3) State Affairs Committee			

SUMMARY ANALYSIS

Children's services councils (CSC) are a type of special district that may be authorized by counties to provide additional funding for children's services. Each council may levy an ad valorem tax of up to 0.5 mills and is governed by a committee of local stakeholders with expertise in children's issues. Each council is required to file an annual report providing information of the effectiveness of the programs it provides and a determination of whether the council's objectives and activities are consistent with the statutory goals for these councils. A CSC must file a quarterly financial report with the governing body of the county containing the council's total expenditures, receipts, and administrative costs for the quarter and a statement of the council's cash-on-hand and investments.

The bill would require each CSC to include performance data in its annual report, including:

- 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 a low birth weight;
- 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; and
- High school graduation rates.

The bill requires each CSC to file a monthly financial report with the governing body of the county and would require the report to itemize expenditures and receipts.

The bill may increase costs for CSCs to the extent additional resources will be necessary to comply with additional reporting requirements.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

In 1986, the Legislature authorized Florida counties to create children's services councils (CSC) as countywide special districts to fund children's services.¹ Counties may create independent special districts, 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.² A CSC funded by ad valorem taxation may not levy a rate of more than 0.5 mills.³ Eight counties currently have CSCs: Alachua, Broward, Hillsborough, Martin, Miami-Dade, Okeechobee, Palm Beach, and St. Lucie.⁴

Each CSC is administered by a 10-member council consisting of:⁵

- 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.⁶

CSCs may exercise the following powers and functions:⁷

- Provide preventive, developmental, treatment, rehabilitative, and other services for children;
- Allocate and provide funds for other agencies that operate for the benefit of children, with the exception of the public school system;
- Collect data and conduct research to determine the needs of the children in the county;
- Coordinate with providers of children's services to prevent duplication of services; and
- Lease or buy necessary real estate, equipment, and personal property.

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:⁸

- The activities, services, and opportunities that will be provided by the CSC, along with an anticipated schedule;

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

² Ss. 125.901(1), (7), F.S.

³ S. 125.901(3)(b), F.S.

⁴ See Department of Economic Opportunity, *Official List of Special Districts Online*, available at <http://specialdistrictreports.floridajobs.org/webreports/mainindex.aspx> (last accessed Dec. 17, 2019).

⁵ S. 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.

⁶ S. 125.901(1)(a), F.S.

⁷ S. 125.901(2), F.S.

⁸ S. 125.901(2)(b)2., F.S.

- The manner in which 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
- The manner in which the CSC will seek and provide funding for unmet needs.

Each CSC is also required to provide an annual written report to the governing body of the county no later than January 1 of each year containing:⁹

- 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 the programs, services, and activities have been successfully used by children; 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.¹⁰ 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.¹¹ 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.¹²

Effect of Proposed Changes

The bill requires 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 a low birth weight.¹³
- 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.

⁹ S. 125.901(2)(b)5., F.S.

¹⁰ See s. 125.901(3)(b), F.S.

¹¹ S. 125.901(3)(c), F.S.

¹² S. 125.901(3)(f), F.S.

¹³ For the purpose of this section, the term "low birth weight" is defined as a birth weight of less than 2,500 grams.

- 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.

B. SECTION DIRECTORY:

Section 1: Amends s. 125.901, F.S., requiring children's services councils to provide performance data and itemized monthly spending reports.

Section 2: Provides an effective date of October 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The bill may increase costs for CSCs to the extent additional resources will be necessary to comply with additional reporting requirements.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide rulemaking authority or require executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES