

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	10 Y, 5 N	Guzzo	Brazzell
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. 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. Each council is required to file an annual report providing information on 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.

The bill requires each CSC to include specific performance data in its annual report. The performance data must be inclusive of all data from the date the CSC was created until December 31 of the reporting year. Specifically, the bill requires the annual report to include performance data on the:

- 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 at or above grade level on standardized tests; and
- High school graduation rates.

The bill requires CSCs to file financial reports monthly, instead of quarterly, with the governing body of the county. Further, the bill requires the financial reports to include itemized expenditures and receipts, instead of just the total amount of expenditure and receipts.

The bill has no fiscal impact on state or local governments.

The bill provides an effective date of October 1, 2020.

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.² Counties may also create dependent special districts, which are authorized to accept grants and donations from public and private sources.³ A CSC funded by ad valorem taxation may not levy a rate of more than 0.5 mills.⁴ Eight counties currently have CSCs: Alachua, Broward, Hillsborough, Martin, Miami-Dade, Okeechobee, Palm Beach, and St. Lucie.⁵

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

- 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.⁶

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.⁷

CSCs may exercise the following powers and functions:

- 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.⁸

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:

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

² S. 125.901(1), F.S.

³ Ss. 125.901(1), (7), F.S.

⁴ S. 125.901(3)(b), F.S.

⁵ See Department of Economic Opportunity, *Official List of Special Districts Online*, available at <http://specialdistrictreports.floridajobs.org/webreports/mainindex.aspx> (last accessed Jan 20, 2020).

⁶ 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.

⁷ S. 125.901(1)(a), F.S.

⁸ S. 125.901(2), F.S.

- The activities, services, and opportunities that will be provided by the CSC, along with an anticipated schedule;
- 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.⁹

Each CSC is also required to provide an annual written report to the governing body of the county by January 1 of each year, which must include:

- 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 programs, services, and activities available and the degree to which the programs, services, and activities have been successfully used by children; and
- Recommendations on programs, services, and activities that should either be eliminated, continued, or added.¹⁰

CSCs adopt a budget, including proposed millage rates, using the same process as other units of local government.¹¹ 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.¹² 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.¹³

In FY 2017-18, the average budget of CSCs was \$60,940,691.71. CSC budgets ranged from a high of \$138,864,619 to a low of \$700,000.

CSC Budgets for FY 2017-18¹⁴	
CSC	FY 2017-18 Budget
Broward	\$89,272,256
Hillsborough	\$39,895,689
Martin	\$11,645,412
Miami-Dade	\$138,864,619
Okeechobee	\$700,000
Palm Beach	\$132,250,852
St. Lucie	\$13,956,014
Alachua	N/A

Effect of Proposed Changes

The bill requires each CSC to include certain performance data in its annual report to the county’s governing body. The performance data must describe the activities, services, and programs offered,

⁹ S. 125.901(2)(b)2., F.S.

¹⁰ S. 125.901(2)(b)5., F.S.

¹¹ See s. 125.901(3)(b), F.S.

¹² S. 125.901(3)(c), F.S.

¹³ S. 125.901(3)(f), F.S.

¹⁴ Forefront Consulting, LLC, *Review of Florida Children’s Services Councils & Orange County Funded Children’s Programs and Services*, Final Report, December 2018, available at <http://orangecountycss.org/wp-content/uploads/2019/01/FINAL-REPORT-ReviewofCSCsandOCG-FSD-12-2018.pdf> (last accessed Jan. 20, 2020).

and it must be inclusive of all data from the date the CSC was created until December 31 of the reporting year. Specifically, the bill requires the annual report to include performance data on the:

- 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;¹⁵
- 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 CSCs to file financial reports monthly, instead of quarterly, with the governing body of the county. Further, the bill requires the financial reports to include itemized expenditures and receipts, instead of just the total amount of expenditure and receipts. In addition to the itemized expenditures and receipts, a statement of the CSC's cash-on-hand, and total administrative costs are also required to be filed monthly, instead of quarterly.

B. SECTION DIRECTORY:

- Section 1: Amends s. 125.901, F.S., relating to children's services; independent special district; council; powers, duties, and functions; public records exemption.
- 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:

¹⁵ For the purpose of this section, the term "low birth weight" is defined as a birth weight of less than 2,500 grams.

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