

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 681 PACE Center for Girls
SPONSOR(S): Justice Appropriations Subcommittee, Trumbull
TIED BILLS: **IDEN./SIM. BILLS:** CS/SB 1056

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Justice Appropriations Subcommittee	11 Y, 0 N, As CS	Jones	Gusky
2) Criminal Justice Subcommittee	12 Y, 0 N	DuShane	Hall
3) Appropriations Committee	25 Y, 0 N	Jones	Pridgeon

SUMMARY ANALYSIS

PACE Center for Girls (PACE) is a 501(c)3 non-profit organization whose mission is to provide girls and young women an opportunity for a better future through education, counseling, training, and advocacy. PACE has 21 centers in Florida, which serve over 3,000 girls and young women per year.

CS/HB 681 authorizes the Department of Juvenile Justice to contract with PACE to provide alternatives to institutionalization or commitment for girls and young women through services including, but not limited to, education, counseling, training, and advocacy. Such contracts must be authorized by and consistent with funding appropriated in the General Appropriations Act and be in accordance with s. 985.644, F.S.

The bill does not appear to have a fiscal impact on state or local government.

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

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Department of Juvenile Justice (DJJ) Contracting Providers

Section 985.601, F.S., requires the DJJ to plan, develop, and coordinate comprehensive services and programs statewide for the prevention, early intervention, control, and rehabilitative treatment of delinquent behavior. Additionally, it requires DJJ to develop or contract for diversified and innovative programs to provide:

- Rehabilitative and diversionary treatment, including early intervention and prevention programs;
- Comprehensive intake, case management, diagnostic and classification assessments;
- Trauma-informed care, individual and family counseling, family engagement resources and programs, mother-infant programs, environmental programs;
- Gender-specific programming, shelter care, detention care emphasizing alternatives to secure detention, probation, halfway houses, foster homes;
- Community-based mental health and substance abuse treatment programs; and
- Community-based residential and nonresidential programs.

DJJ is authorized to pay expenses in support of such programs and activities that address identified needs and the well-being of children in DJJ's care or under its supervision, subject to the requirements of Chapters 215, 216, and 287, F.S.¹

Section 985.644, F.S., authorizes DJJ to contract with the Federal Government, other state departments and agencies, public and private agencies, and private individuals and corporations in carrying out its purpose and responsibilities established in statute. This section also provides contract personnel requirements, including background screening and fingerprinting requirements for personnel employed by DJJ contracted entities.

PACE Center for Girls

PACE Center for Girls (PACE) is a 501(c)3 non-profit organization whose mission is to provide girls and young women an opportunity for a better future through education, counseling, training, and advocacy. PACE has 21 centers in Florida, which serve over 3,000 girls and young women per year. PACE is recognized as a national model for reducing recidivism and improving school success, employment, and self-sufficiency among girls by multiple agencies, including the National Council on Crime and Delinquency, and the Office of Juvenile Justice and Delinquency Prevention.²

The DJJ currently contracts with PACE for the following services:

- Community-based, gender-specific prevention and intervention services;
- Case management; non-clinical/clinical therapy;
- Transition planning; referral services; career exploration; Girls Circle (trauma management and behavioral management); and
- The REACH Program (which is a diversion program that includes case management, biopsychosocial assessment, group therapy, non-clinical mentoring/skills building, and parent/youth engagement activities).³

¹ Section 985.601(3)(a), F.S. Chapter 215, F.S., provides general provisions related to financial matters, including transparency in government spending requirements; Chapter 216, F.S., provides provisions related to overall state planning and budgeting; and Chapter 287, F.S., provides provisions related to the procurement of personal property and services, including competitive procurement requirements.

² Pace Center for Girls, *About Us*, <https://www.pacecenter.org/about-us> (last accessed January 28, 2020).

³ Department of Juvenile Justice, 2020 Agency Analysis of HB 681 (December 20, 2019).

State Funding for PACE Center for Girls

In Fiscal Year 2019-2020, PACE received a recurring appropriation of \$21,319,808 in the General Appropriations Act.⁴ Contracts for commodities or services may be awarded without competitive procurement if state or federal law prescribes with whom the agency must contract or if the rate of payment or recipient of funds is established during the appropriations process.⁵

In Fiscal Year 2019-2020, an additional \$2.5 million in funding for PACE was requested and funded as an “appropriations project” request.⁶ Legislative Joint Rules require, for an “appropriations project” to be included in a budget conference committee report, the project must be included in a bill or an amendment placed into a budget conference and specified information about the project must have been published online.⁷ Additionally, funding of an “appropriations project” is limited to nonrecurring funds only.⁸ Appropriations for projects are not subject to the “appropriations project” requirements and limitations if specifically authorized by statute.⁹

Effect of the Bill

CS/HB 681 authorizes DJJ to contract with PACE to provide alternatives to institutionalization or commitment for girls and young women through services including, but not limited to, education, counseling, training, and advocacy. Such contracts must be authorized by and consistent with funding appropriated in the General Appropriations Act and be in accordance with s. 985.644, F.S.

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

B. SECTION DIRECTORY:

Section 1: Creates s. 985.175, F.S., relating to PACE Center for Girls.

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

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill does not appear to impact state government revenues.

2. Expenditures:

The bill does not require the expenditure of state funds.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

⁴ Specific Appropriation 1221, Ch. 2019-115, Laws of Fla.

⁵ Section 287.057(10), F.S.

⁶ Specific Appropriation 1229A, Ch. 2019-115, Laws of Fla; A specific appropriation, proviso, or item on a conference committee spreadsheet agreed to by the House and Senate conferees providing funding for a privately-operated program falls under the term “appropriations project” as defined in Joint Rule 2.2(4)(a), Joint Rules of the Florida Legislature (2018-2020).

⁷ Joint Rule 2.3, Joint Rules of the Florida Legislature (2018-2020).

⁸ *Id.*

⁹ Joint Rule 2.2(4)(b), Joint Rules of the Florida Legislature (2018-2020).

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

To the extent the bill allows PACE to be eligible for additional recurring funding, the bill could positively impact the program.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to require counties or municipalities to spend funds or to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, or reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 21, 2020, the Justice Appropriations Subcommittee adopted one amendment and reported the bill favorably with a committee substitute. The amendment adds that DJJ's contract with PACE be in accordance with s. 985.644, F.S., and for services *including, but not limited to*, education, counseling, training, and advocacy.

The analysis is drafted to the committee substitute as passed by the Justice Appropriations Subcommittee.