

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

**BILL #:** CS/CS/HB 963 Funding for Sheriffs

**SPONSOR(S):** Appropriations Committee and Health Care Appropriations Subcommittee, Hunschofsky and others

**TIED BILLS:** IDEN./SIM. BILLS: CS/SB 1452

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**FINAL HOUSE FLOOR ACTION:** 116 Y's

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**GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

CS/CS/HB 963 passed the House on March 2, 2022. The bill was amended in the Senate on March 4, 2022 and returned to the House. The House concurred with the Senate amendment and subsequently passed the bill on March 10, 2022.

A child protective investigation is instigated when a credible report of child abuse, neglect, or abandonment is received by the Florida Abuse Hotline. An investigation entails determining if the allegation meets the statutory criteria to be accepted for an investigation, gathering of information, and making a determination of whether child maltreatment occurred or if the child is at-risk of abuse or neglect. The Department of Children and Families (DCF) conducts child protective investigations in 60 counties while the local sheriffs perform investigations in seven counties. Funding to sheriffs who perform such investigations is governed through a contractual agreement with DCF.

The bill permits a sheriff, who is under contract with DCF to conduct child protective investigations, to carry forward unused state funding from one fiscal year to the next. The bill caps the carry forward of unexpended funding to eight percent of the total contract amount or grant award agreement. Any unused funding in excess of the eight percent cap is to be returned to DCF.

The bill limits the use of carry forward funding, such that it:

- cannot be used to increase a recurring obligation,
- cannot be used for a program or service not authorized by the existing contract with DCF, and
- must be reported to the department separately from other funding.

The bill further specifies that all unexpended funding is to be returned to DCF should a sheriff's office no longer provide child protective investigations.

The bill has an insignificant fiscal impact.

The bill was approved by the Governor on April 6, 2022, ch. 2022-58, L.O.F., and will become effective on July 1, 2022.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### Background

A child protective investigation is instigated when a credible report of child abuse, neglect, or abandonment is received by the Florida Abuse Hotline. An investigation entails determining if the allegation meets the statutory criteria to be accepted for an investigation, gathering of information, and making a determination of whether child maltreatment occurred or if the child is at-risk of abuse or neglect. DCF conducts child protective investigations in 60 counties while the local sheriffs perform investigations in seven counties. The funding to those sheriffs performing investigations is governed through a contractual agreement with DCF.

Funding for sheriffs who perform child protective investigations is provided annually in the General Appropriations Act (GAA). Although DCF provides funding, state monies are not the only source of funding for sheriff's offices. They receive other grants, including federal funding, for operations and programs. Funding provided for child protective investigations may not be integrated into the sheriff's regular operating budgets, and the accounting of such must be maintained separately from all other records and must be reported to DCF as specified in the grant agreement.<sup>1</sup> For Fiscal Year 2021-2022, the GAA provided \$57,673,013 to seven sheriffs for child protective investigation services. At the end of the fiscal year, each sheriff must return undisbursed appropriations to DCF. On average, over the past three years, sheriffs have remitted \$1,100,000 annually.

DCF also contracts with Community Based Care (CBC) lead agencies for child welfare activities. CBC lead agencies, however, are authorized to carry forward unexpended state funds from one fiscal year to the next, but the amount is capped at eight percent.<sup>2</sup>

#### Effect of the Bill

The bill modifies the current practice of undisbursed appropriations being reverted at year-end. For those sheriffs who are under contract with DCF to conduct child protective investigations, the bill will allow them to carry forward unused state funding from one fiscal year to the next. The bill caps the carry forward of unexpended funding to eight percent of the total contract amount or grant award agreement. Any unused funding in excess of the eight percent cap is to be returned to DCF.

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## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

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<sup>1</sup> Section 39.3065, F.S.

<sup>2</sup> Section 409.990, F.S.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill does not affect revenues or expenditures for a state entity, local government, or the private sector; however, the bill allows for certain sheriff's offices to carry forward state funding provided for child protective investigations from one fiscal year to the next. Each sheriff's total amount of carry forward cannot exceed eight percent of its total contract amount with DCF. This may affect reversions to the General Revenue Fund in an insignificant way.