

STORAGE NAME: h0679z.cf
DATE: May 22, 2000

****AS PASSED BY THE LEGISLATURE****
CHAPTER #: 2000-180, Laws of Florida

**HOUSE OF REPRESENTATIVES
AS FURTHER REVISED BY THE COMMITTEE ON
CHILDREN & FAMILIES
FINAL ANALYSIS**

BILL #: HB 679
RELATING TO: Foster Care
SPONSOR(S): Representative Turnbull
TIED BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) CHILDREN & FAMILIES YEAS 11 NAYS 0
 - (2) FAMILY LAW AND CHILDREN YEAS 6 NAYS 0
 - (3) HEALTH AND HUMAN SERVICES APPROPRIATIONS YEAS 9 NAYS 0
 - (4)
 - (5)
-

I. SUMMARY:

Passed by the Legislature as HB 679. On June 2, 2000, HB 679 became ch. 2000-180, Laws of Florida, with the Governor's signature.

House Bill 679 authorizes the Department of Children and Family Services to continue to provide foster care services to individuals 18 to 23 years of age who are enrolled full time in a postsecondary educational institution granting a degree, certificate or applied technology diploma, provided specified requirements are met. The foster care services must be terminated when the individual is 23 years of age or has completed, withdrawn, or been expelled from the program or institution.

According to the Department of Children and Family Services, \$368,488 per year from General Revenue would allow 89 youths to complete their post-secondary education (55 in four year college degree programs and 34 in certificate or applied technology diploma programs).

This act is to take effect upon becoming law.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|--|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

The bill expands a government program to a population that would otherwise not receive the services.

B. PRESENT SITUATION:

Independent living is an expansion of the permanency planning process that provides a range of tangible and intangible skills and knowledge that youth should have in order to be successful upon departure from foster care. Skills and knowledge needed for self-sufficiency include educational development and employment or career planning. As a part of educational development, subsection (3) of s. 409.145, F.S., allows dependent youth to remain in foster care up to their 21st birthday if they are enrolled full time in an educational program or vocational program and maintain a 2.0 GPA. According to the Department of Children & Family Services, over the past two years approximately 114 youths have had to leave college or find another method to subsidize their college education only because they turned 21 years of age. A typical college freshman is 18 years of age and 22 or 23 years of age at graduation. Students in certificate or applied technology diploma programs are able to complete their education before age 22 or 23.

When an individual is attending a community college, college, or university, the department may make foster care payments to the institution in lieu of payment to the foster parents or individual, for the purpose of room and board. The payments shall not exceed the amount that would have been paid to the foster parents had the individual remained in the foster home.

Section 240.235, F.S., exempts any student in long-term foster care or independent living, or who is adopted from the Department of Children and Family Services from the payment of all undergraduate fees, including fees associated with enrollment in college-preparatory instruction or completion of college-level communication and computation skills testing programs. The exemption is to be valid for no more than 4 years after the date of graduation from high school.

Section 240.35, F.S., exempts students in foster care from the payment of all undergraduate fees. The exemption is valid for no more than 4 years after the date of graduation from high school. As a condition for continued fee exemption, the student must maintain a 2.0 grade point average for college work.

C. EFFECT OF PROPOSED CHANGES:

This bill would authorize the department to continue providing foster care and related services to persons 18 to 23 years of age, rather than 21 years of age, who are enrolled full-time in a postsecondary educational institution granting a degree, certificate or applied technology diploma. Foster care services will continue only for the period of time that the person is continuously enrolled full-time in the post-secondary educational institution or program.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends subsection (3) of section 409.145, F.S., relating to care of children.

This section authorizes the Department of Children and Family Services to continue to provide foster care services to individuals 18 to 23 years of age who are enrolled full time in a postsecondary educational institution granting a degree, certificate or applied technology diploma, provided specified requirements are met. The foster care services must be terminated when the individual is 23 years of age or has completed, withdrawn or been expelled from the program or institution.

Section 2. This act takes effect upon becoming law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

Expenditures:

Department of Children and Family Services

(Based on 55 youths between 21 and 23 who remain in college and complete a 4-year degree, at \$200 per year for clothing and \$6,000 for room and board each, plus 34 youths who remain in certificate and applied technology diploma programs at \$1,014.35 each.)

	FY 2000-2001	FY 2001-2002
Recurring	\$ 368,488	\$ 368,488
Total	<u>\$ 368,488</u>	<u>\$ 368,488</u>

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The Board of Regents estimates that the State University System would lose \$2233 per student per year from tuition and fees. The Division of Community Colleges and the Division of Work Force Development in the Department of Education estimate a very minimal loss for the career education programs and community college programs.

According to DCF's FY 1998-99 Independent Living Annual Report, for foster care students 18 to 21 years of age participating in an educational program, 31 percent attended vocational technical centers, 44 percent attended community colleges, and 25 percent attended state universities. Using this trend for determining the fiscal impact of this bill on Florida's educational institutions, the postsecondary institutions would assume a total loss of approximately \$31,000.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill will not reduce the authority of municipalities and counties to raise revenues.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill will not reduce the state tax shared with counties and municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

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C. OTHER COMMENTS:

12/29/99 HOUSE Prefiled
01/24/00 HOUSE Referred to Children & Families (HFC); Family Law & Children (CJC); Health & Human Services Appropriations (FRC)
03/06/00 HOUSE On Committee agenda-- Children & Families (HFC), 03/08/00, 3:30 pm, 12-H
03/07/00 HOUSE Introduced, referred to Children & Families (HFC); Family Law & Children (CJC); Health & Human Services Appropriations (FRC) -HJ 00047; On Committee agenda-- Children & Families (HFC), 03/08/00, 3:30 pm, 12-H
03/08/00 HOUSE Comm. Action: Favorable by Children & Families (HFC); YEAS 11 NAYS 0 -HJ 00290
03/10/00 HOUSE Now in Family Law & Children (CJC) -HJ 00290
03/13/00 HOUSE On Committee agenda-- Family Law & Children (CJC), 03/15/00, 1:30 pm, 317-C
03/15/00 HOUSE Comm. Action: Favorable with 2 amendment(s) by Family Law & Children (CJC); YEAS 6 NAYS 0 -HJ 00335
03/16/00 HOUSE Now in Health & Human Services Appropriations (FRC) -HJ 00335
04/07/00 HOUSE On Committee agenda-- Health & Human Services Appropriations (FRC), 04/11/00, 1:00 pm, Reed Hall
04/11/00 HOUSE Comm. Action:-Favorable by Health & Human Services Appropriations (FRC); YEAS 9 NAYS 0 -HJ 00550
04/13/00 HOUSE Placed on calendar, available for General Calendar -HJ 00550
04/24/00 HOUSE Placed on General Calendar; Read second time -HJ 00661; Amendment(s) adopted -HJ 00661; Read third time -HJ 00661; Passed as amended; YEAS 110 NAYS 0 -HJ 00661
04/24/00 SENATE In Messages
04/26/00 SENATE Received, referred to Children and Families; Fiscal Policy -SJ 00538
05/04/00 SENATE Withdrawn from Children and Families; Fiscal Policy -SJ 01086; Substituted for CS/CS/SB 1098 -SJ 01086; Read second time -SJ 01086
05/05/00 SENATE Read third time -SJ 01356; Passed; YEAS 39 NAYS 0 -SJ 01356
05/05/00 HOUSE Ordered enrolled -HJ 02440
05/22/00 Signed by Officers and presented to Governor

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON CHILDREN & FAMILIES:

Prepared by:

Bob Barrios

Staff Director:

Bob Barrios

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AS REVISED BY THE COMMITTEE ON FAMILY LAW AND CHILDREN:

Prepared by:

Staff Director:

Maggie Geraci

Carol Preston

**AS FURTHER REVISED BY THE COMMITTEE ON HEALTH AND HUMAN SERVICES
APPROPRIATIONS:**

Prepared by:

Staff Director:

Tom Weaver

Lynn Dixon

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON CHILDREN & FAMILIES:

Prepared by:

Staff Director:

Glenn Mitchell

Bob Barrios