HB 133

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

2011 A bill to be entitled An act relating to children of incarcerated parents; providing legislative findings and purpose; providing quiding principles to be used by state agency personnel when dealing with children of incarcerated parents; providing for applicability; providing an effective date. Be It Enacted by the Legislature of the State of Florida: Section 1. Children of incarcerated parents; guiding principles for state agencies.-(1) LEGISLATIVE FINDINGS.-The Legislature finds that one in every 100 adults in this country is in jail or prison and that approximately 1.5 million children have a parent in a state or federal prison. The Department of Corrections estimates that there are more than 73,000 children in this state who have a parent in prison. The Legislature further finds that children of incarcerated parents often face significant obstacles, including unstable living arrangements and multiple school placements, financial hardship, and the social stigma associated with their parents' incarceration. As a result, children of incarcerated parents are at risk for poor academic achievement, substance abuse, delinquency, and criminal activity that can lead to their own incarceration. (2) PURPOSE. - The purpose of this section is to help ensure that state agency personnel are sensitive to the issues and risks of children of incarcerated parents and to help maintain their well-being and support their needs.

Page 1 of 3

CODING: Words stricken are deletions; words underlined are additions.

FL	0	RΙ	D	А	Н	0	U	S	Е	0	F	R	Е	Ρ	R	Е	S	Е	Ν	Т	А	Т	Ι	V	Е	S
----	---	----	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

HB 133

2011

30agency personnel shall use the following guiding principles when31dealing with the children of incarcerated parents:32(a) Children should be treated with respect and dignity at33all times.34(b) The children's safety and care should be of paramount35importance to all involved.36(c) If the children so choose, communication avenues37should be made available such that the children should have38opportunities to see, speak to, or visit parents, if39appropriate.40(d) State support for the children should be provided as41resources permit and as authorized by law.42(e) The children's wishes should be taken into43time of the parent's arrest.44(f) The children's wishes should be taken into45consideration regarding any decisions made concerning their46welfare.47(g) The children's wishes should be taken into48consideration when decisions are made about their incarcerated49parent.50(h) Children should be well cared for when a parent is51absent due to incarceration.52(j) Children should not be judged, blamed, or labeled53because of a parent's incarceration.54(j) Children should not be judged, blamed, or labeled55because of a parent's incarceration.56(k) Children should receive support for the desire to	29	(3) GUIDING PRINCIPLES FOR STATE AGENCY PERSONNELState
(a) Children should be treated with respect and dignity at all times. (b) The children's safety and care should be of paramount importance to all involved. (c) If the children so choose, communication avenues should be made available such that the children should have opportunities to see, speak to, or visit parents, if appropriate. (d) State support for the children should be provided as resources permit and as authorized by law. (e) The children's wishes should be taken into (f) The children's wishes should be taken into consideration regarding any decisions made concerning their welfare. (g) The children's wishes should be taken into consideration when decisions are made about their incarcerated parent. (i) Children should be well cared for when a parent is absent due to incarceration. (j) Children should not be judged, blamed, or labeled because of a parent's incarceration.	30	agency personnel shall use the following guiding principles when
all times. 33 all times. 34 (b) The children's safety and care should be of paramount 35 importance to all involved. 36 (c) If the children so choose, communication avenues 37 should be made available such that the children should have 38 opportunities to see, speak to, or visit parents, if 39 appropriate. 40 (d) State support for the children should be provided as 41 resources permit and as authorized by law. 42 (e) The children should be kept safe and informed at the 43 time of the parent's arrest. 44 (f) The children's wishes should be taken into 45 consideration regarding any decisions made concerning their 46 welfare. 47 (g) The children's wishes should be taken into 48 consideration when decisions are made about their incarcerated 49 parent. 50 (h) Children should be well cared for when a parent is 51 absent due to incarceration. 52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. <	31	dealing with the children of incarcerated parents:
Mathematical34(b) The children's safety and care should be of paramount35importance to all involved.36(c) If the children so choose, communication avenues37should be made available such that the children should have38opportunities to see, speak to, or visit parents, if39appropriate.40(d) State support for the children should be provided as41resources permit and as authorized by law.42(e) The children should be kept safe and informed at the43time of the parent's arrest.44(f) The children's wishes should be taken into45consideration regarding any decisions made concerning their46welfare.47(g) The children's wishes should be taken into48consideration when decisions are made about their incarcerated49parent.50(h) Children should be well cared for when a parent is51absent due to incarceration.52(i) Children should neceive proper support during53struggles with the parent's incarceration.54(j) Children should not be judged, blamed, or labeled55because of a parent's incarceration.	32	(a) Children should be treated with respect and dignity at
importance to all involved. 36 (c) If the children so choose, communication avenues 37 should be made available such that the children should have 38 opportunities to see, speak to, or visit parents, if 39 appropriate. 40 (d) State support for the children should be provided as 41 resources permit and as authorized by law. 42 (e) The children should be kept safe and informed at the 43 time of the parent's arrest. 44 (f) The children's wishes should be taken into 55 consideration regarding any decisions made concerning their 46 welfare. 47 (g) The children's wishes should be taken into 48 consideration when decisions are made about their incarcerated 49 parent. 50 (h) Children should be well cared for when a parent is 51 absent due to incarceration. 52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration.	33	all times.
36(c) If the children so choose, communication avenues37should be made available such that the children should have38opportunities to see, speak to, or visit parents, if39appropriate.40(d) State support for the children should be provided as41resources permit and as authorized by law.42(e) The children should be kept safe and informed at the43time of the parent's arrest.44(f) The children's wishes should be taken into45consideration regarding any decisions made concerning their46welfare.47(g) The children's wishes should be taken into48consideration when decisions are made about their incarcerated49parent.50(h) Children should be well cared for when a parent is51absent due to incarceration.52(i) Children should receive proper support during53struggles with the parent's incarceration.54(j) Children should not be judged, blamed, or labeled55because of a parent's incarceration.	34	(b) The children's safety and care should be of paramount
37 should be made available such that the children should have 38 opportunities to see, speak to, or visit parents, if 39 appropriate. 40 (d) State support for the children should be provided as 41 resources permit and as authorized by law. 42 (e) The children should be kept safe and informed at the 43 time of the parent's arrest. 44 (f) The children's wishes should be taken into 45 consideration regarding any decisions made concerning their 46 welfare. 47 (g) The children's wishes should be taken into 48 consideration when decisions are made about their incarcerated 49 parent. 50 (h) Children should be well cared for when a parent is 51 absent due to incarceration. 52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration.	35	importance to all involved.
38 opportunities to see, speak to, or visit parents, if 39 appropriate. 40 (d) State support for the children should be provided as 41 resources permit and as authorized by law. 42 (e) The children should be kept safe and informed at the 43 time of the parent's arrest. 44 (f) The children's wishes should be taken into 45 consideration regarding any decisions made concerning their 46 welfare. 47 (g) The children's wishes should be taken into 48 consideration regarding any decisions made concerning their 49 parent. 50 (h) Children should be well cared for when a parent is 51 absent due to incarceration. 52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration.	36	(c) If the children so choose, communication avenues
appropriate. (d) State support for the children should be provided as resources permit and as authorized by law. (e) The children should be kept safe and informed at the time of the parent's arrest. (f) The children's wishes should be taken into consideration regarding any decisions made concerning their welfare. (g) The children's wishes should be taken into consideration when decisions are made about their incarcerated parent. (h) Children should be well cared for when a parent is absent due to incarceration. (i) Children should receive proper support during struggles with the parent's incarceration. (j) Children should not be judged, blamed, or labeled because of a parent's incarceration.	37	should be made available such that the children should have
 (d) State support for the children should be provided as resources permit and as authorized by law. (e) The children should be kept safe and informed at the time of the parent's arrest. (f) The children's wishes should be taken into consideration regarding any decisions made concerning their welfare. (g) The children's wishes should be taken into consideration when decisions are made about their incarcerated parent. (h) Children should be well cared for when a parent is absent due to incarceration. (i) Children should receive proper support during struggles with the parent's incarceration. (j) Children should not be judged, blamed, or labeled because of a parent's incarceration. 	38	opportunities to see, speak to, or visit parents, if
1 resources permit and as authorized by law. 2 (e) The children should be kept safe and informed at the 43 time of the parent's arrest. 44 (f) The children's wishes should be taken into 45 consideration regarding any decisions made concerning their 46 welfare. 47 (g) The children's wishes should be taken into 48 consideration when decisions are made about their incarcerated 49 parent. 50 (h) Children should be well cared for when a parent is 51 absent due to incarceration. 52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration.	39	appropriate.
 (e) The children should be kept safe and informed at the time of the parent's arrest. (f) The children's wishes should be taken into consideration regarding any decisions made concerning their welfare. (g) The children's wishes should be taken into consideration when decisions are made about their incarcerated parent. (h) Children should be well cared for when a parent is absent due to incarceration. (i) Children should receive proper support during struggles with the parent's incarceration. (j) Children should not be judged, blamed, or labeled because of a parent's incarceration. 	40	(d) State support for the children should be provided as
time of the parent's arrest. (f) The children's wishes should be taken into consideration regarding any decisions made concerning their welfare. (g) The children's wishes should be taken into consideration when decisions are made about their incarcerated parent. (h) Children should be well cared for when a parent is absent due to incarceration. (i) Children should receive proper support during struggles with the parent's incarceration. (j) Children should not be judged, blamed, or labeled because of a parent's incarceration.	41	resources permit and as authorized by law.
 (f) The children's wishes should be taken into consideration regarding any decisions made concerning their welfare. (g) The children's wishes should be taken into consideration when decisions are made about their incarcerated parent. (h) Children should be well cared for when a parent is absent due to incarceration. (i) Children should receive proper support during struggles with the parent's incarceration. (j) Children should not be judged, blamed, or labeled because of a parent's incarceration. 	42	(e) The children should be kept safe and informed at the
45 <u>consideration regarding any decisions made concerning their</u> 46 <u>welfare.</u> 47 <u>(g) The children's wishes should be taken into</u> 48 <u>consideration when decisions are made about their incarcerated</u> 49 <u>parent.</u> 50 <u>(h) Children should be well cared for when a parent is</u> 51 <u>absent due to incarceration.</u> 52 <u>(i) Children should receive proper support during</u> 53 <u>struggles with the parent's incarceration.</u> 54 <u>(j) Children should not be judged, blamed, or labeled</u> 55 <u>because of a parent's incarceration.</u>	43	time of the parent's arrest.
46 welfare. 47 (g) The children's wishes should be taken into 48 consideration when decisions are made about their incarcerated 49 parent. 50 (h) Children should be well cared for when a parent is 51 absent due to incarceration. 52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration.	44	(f) The children's wishes should be taken into
47 (g) The children's wishes should be taken into 48 consideration when decisions are made about their incarcerated 49 parent. 50 (h) Children should be well cared for when a parent is 51 absent due to incarceration. 52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration.	45	consideration regarding any decisions made concerning their
48 <u>consideration when decisions are made about their incarcerated</u> 49 <u>parent.</u> 50 <u>(h) Children should be well cared for when a parent is</u> 51 <u>absent due to incarceration.</u> 52 <u>(i) Children should receive proper support during</u> 53 <u>struggles with the parent's incarceration.</u> 54 <u>(j) Children should not be judged, blamed, or labeled</u> 55 <u>because of a parent's incarceration.</u>	46	welfare.
49 parent. 50 (h) Children should be well cared for when a parent is 51 absent due to incarceration. 52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration.	47	(g) The children's wishes should be taken into
 50 (h) Children should be well cared for when a parent is 51 absent due to incarceration. 52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration. 	48	consideration when decisions are made about their incarcerated
51 <u>absent due to incarceration.</u> 52 <u>(i) Children should receive proper support during</u> 53 <u>struggles with the parent's incarceration.</u> 54 <u>(j) Children should not be judged, blamed, or labeled</u> 55 <u>because of a parent's incarceration.</u>	49	parent.
52 (i) Children should receive proper support during 53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration.	50	(h) Children should be well cared for when a parent is
<pre>53 struggles with the parent's incarceration. 54 (j) Children should not be judged, blamed, or labeled 55 because of a parent's incarceration.</pre>	51	absent due to incarceration.
54 <u>(j) Children should not be judged, blamed, or labeled</u> 55 <u>because of a parent's incarceration.</u>	52	(i) Children should receive proper support during
55 because of a parent's incarceration.	53	struggles with the parent's incarceration.
	54	(j) Children should not be judged, blamed, or labeled
56 (k) Children should receive support for the desire to	55	because of a parent's incarceration.
	56	(k) Children should receive support for the desire to

CODING: Words stricken are deletions; words <u>underlined</u> are additions.

FLORIDA HOUSE OF REPRESENTA	TIVES
-----------------------------	-------

HB 133

2011

7 retain a relationship with an incarcerated parent, if
appropriate.
(4) APPLICABILITYThis section does not obligate a state
agency to provide children of incarcerated parents with support
or services, or to give children of incarcerated parents
52 priority in the delivery of support or services not authorized
by law.
Section 2. This act shall take effect July 1, 2011.

CODING: Words stricken are deletions; words <u>underlined</u> are additions.