

By the Committees on Commerce and Tourism; and Children, Families, and Elder Affairs; and Senator Rouson

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1 A bill to be entitled
2 An act relating to public assistance; amending s.
3 445.004, F.S.; requiring CareerSource Florida, Inc.,
4 to submit a detailed annual report on certain
5 information for individuals subject to mandatory work
6 requirements who receive temporary cash or food
7 assistance; amending s. 445.024, F.S.; requiring the
8 Department of Economic Opportunity, in cooperation
9 with CareerSource Florida, Inc., and the Department of
10 Children and Families, to develop and implement a work
11 plan agreement for participants in the temporary cash
12 assistance program; requiring the plan to identify
13 expectations, sanctions, and penalties for
14 noncompliance with work requirements; amending s.
15 402.82, F.S.; requiring the Department of Children and
16 Families to impose a replacement fee for electronic
17 benefits transfer cards under certain circumstances;
18 amending s. 39.5085, F.S.; revising eligibility
19 guidelines for the Relative Caregiver Program with
20 respect to relative and nonrelative caregivers;
21 requiring the Office of Program Policy Analysis and
22 Government Accountability (OPPAGA) to conduct a study;
23 providing study requirements; providing legislative
24 intent; requiring OPPAGA to submit a report by a
25 certain date to the Governor and the Legislature;
26 providing legislative findings; creating the TANF
27 Reemployment Pilot Program in Pinellas County;
28 providing for the administration of the program;
29 providing the purpose and goal of the program;

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30 providing an appropriation; providing an effective
31 date.

32
33 Be It Enacted by the Legislature of the State of Florida:

34
35 Section 1. Paragraph (c) is added to subsection (7) of
36 section 445.004, Florida Statutes, to read:

37 445.004 CareerSource Florida, Inc.; creation; purpose;
38 membership; duties and powers.—

39 (7) By December 1 of each year, CareerSource Florida, Inc.,
40 shall submit to the Governor, the President of the Senate, the
41 Speaker of the House of Representatives, the Senate Minority
42 Leader, and the House Minority Leader a complete and detailed
43 annual report setting forth:

44 (c) For each local workforce development board, participant
45 statistics and employment outcomes, by program, for individuals
46 subject to mandatory work requirements due to receipt of
47 temporary cash assistance or food assistance under chapter 414,
48 including:

49 1. Individuals served.

50 2. Services received.

51 3. Activities in which individuals participated.

52 4. Types of employment secured.

53 5. Individuals securing employment but remaining in each
54 program.

55 6. Individuals exiting programs due to employment.

56 7. Employment status at 3 months, 6 months, and 12 months
57 after exiting the program, for the past 3 years.

58 Section 2. Present subsections (3) through (7) of section

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59 445.024, Florida Statutes, are renumbered as subsections (4)
60 through (8), respectively, and a new subsection (3) is added to
61 that section, to read:

62 445.024 Work requirements.—

63 (3) WORK PLAN AGREEMENT.—For each individual who is not
64 otherwise exempt from work activity requirements, but before a
65 participant may receive temporary cash assistance, the
66 Department of Economic Opportunity, in cooperation with
67 CareerSource Florida, Inc., and the Department of Children and
68 Families, must:

69 (a) Inform the participant, in plain language, and require
70 the participant to assent to, in writing:

71 1. What is expected of the participant to continue to
72 receive temporary cash assistance benefits.

73 2. Under what circumstances the participant would be
74 sanctioned for noncompliance.

75 3. Potential penalties for noncompliance with the work
76 requirements in s. 414.065, including how long benefits would
77 not be available to the participant.

78 (b) Work with the participant to develop strategies to
79 assist the participant in overcoming obstacles to compliance
80 with the work activity requirements.

81 Section 3. Present subsection (4) of section 402.82,
82 Florida Statutes, is renumbered as subsection (5), and a new
83 subsection (4) is added to that section, to read:

84 402.82 Electronic benefits transfer program.—

85 (4) The department shall impose a fee for the fifth and
86 each subsequent request for a replacement electronic benefits
87 transfer card made by a participant within a 12-month period.

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88 The fee must be equal to the cost of replacing the electronic
89 benefits transfer card. The fee may be deducted from the
90 participant's benefits. The department may waive the replacement
91 fee upon a showing of good cause, such as the malfunction of the
92 card or extreme financial hardship.

93 Section 4. Paragraph (a) of subsection (1) and paragraph
94 (a) of subsection (2) of section 39.5085, Florida Statutes, are
95 amended to read:

96 39.5085 Relative Caregiver Program.—

97 (1) It is the intent of the Legislature in enacting this
98 section to:

99 (a) Provide for the establishment of procedures and
100 protocols that serve to advance the continued safety of children
101 by acknowledging the valued resource uniquely available through
102 grandparents, relatives of children, and specified nonrelatives
103 of children pursuant to sub-subparagraph (2) (a)1.c. ~~subparagraph~~
104 ~~(2) (a)3.~~

105 (2) (a) The Department of Children and Families shall
106 establish, ~~and operate,~~ and implement the Relative Caregiver
107 Program ~~pursuant to eligibility guidelines established in this~~
108 ~~section as further implemented~~ by rule of the department.

109 1. The Relative Caregiver Program shall, within the limits
110 of available funding, provide financial assistance to:

111 a.1. Relatives who are within the fifth degree by blood or
112 marriage to the parent or stepparent of a child and who are
113 caring full-time for that dependent child in the role of
114 substitute parent as a result of a court's determination of
115 child abuse, neglect, or abandonment and subsequent placement
116 with the relative under this chapter.

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117 ~~b.2.~~ Relatives who are within the fifth degree by blood or
118 marriage to the parent or stepparent of a child and who are
119 caring full-time for that dependent child, and a dependent half-
120 brother or half-sister of that dependent child, in the role of
121 substitute parent as a result of a court's determination of
122 child abuse, neglect, or abandonment and subsequent placement
123 with the relative under this chapter.

124 ~~c.3.~~ Nonrelatives who are willing to assume custody and
125 care of a dependent child in the role of substitute parent as a
126 result of a court's determination of child abuse, neglect, or
127 abandonment and subsequent placement with the nonrelative
128 caregiver under this chapter. The court must find that a
129 proposed placement under this subparagraph is in the best
130 interest of the child.

131 2. The relative or nonrelative caregiver may not receive a
132 Relative Caregiver Program payment if the parent or stepparent
133 of the child resides in the home. However, a relative or
134 nonrelative may receive the payment for a minor parent who is in
135 his or her care and for the minor parent's child, if both the
136 minor parent and the child have been adjudicated dependent and
137 meet all other eligibility requirements. If the caregiver is
138 currently receiving the payment, the payment must be terminated
139 no later than the first day of the following month after the
140 parent or stepparent moves into the home. Before the payment is
141 terminated, the caregiver must be given 10 days' notice of
142 adverse action.

143
144 The placement may be court-ordered temporary legal custody to
145 the relative or nonrelative under protective supervision of the

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146 department pursuant to s. 39.521(1)(b)3., or court-ordered
147 placement in the home of a relative or nonrelative as a
148 permanency option under s. 39.6221 or s. 39.6231 or under former
149 s. 39.622 if the placement was made before July 1, 2006. The
150 Relative Caregiver Program shall offer financial assistance to
151 caregivers who would be unable to serve in that capacity without
152 the caregiver payment because of financial burden, thus exposing
153 the child to the trauma of placement in a shelter or in foster
154 care.

155 Section 5. (1) The Office of Program Policy Analysis and
156 Government Accountability shall conduct a study of each local
157 workforce development board to determine what barriers exist
158 which prevent participants in the Supplemental Nutrition
159 Assistance Program and the Temporary Assistance for Needy
160 Families cash assistance program from complying with the work
161 requirements in the respective programs. The study must include
162 detailed data and analysis of the reasons why applicants and
163 recipients do not comply with the work requirements, the reasons
164 that noncompliant applicants and recipients identify as barriers
165 to compliance, and what assistance was offered to the
166 participants to come into compliance. The study must also
167 include a listing of the specific reasons for the sanctions
168 applied, separated into categories with the number of
169 participants who received each sanction. For example:

170 (a) Failure to attend a scheduled meeting-10 people
171 sanctioned;

172 (b) Failure to complete required documents-5 people
173 sanctioned; or

174 (c) Failure to comply with child support requirements, with

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175 specifics on what the requirement was.

176 (2) The legislative intent for requesting this independent
177 study is to gain an in-depth understanding of the barriers that
178 may exist for people trying to participate in the workforce,
179 through reviewing the specific reasons participants are
180 sanctioned on a region by region basis.

181 (3) The Office of Program Policy Analysis and Government
182 Accountability shall submit a report with its findings and
183 recommendations to the Governor, the President of the Senate,
184 the Speaker of the House of Representatives, and the Minority
185 Leaders of the Senate and the House of Representatives by
186 November 1, 2017.

187 Section 6. TANF Reemployment Pilot Program.—

188 (1) The Legislature finds that there is an important state
189 interest in assisting Temporary Assistance for Needy Families
190 (TANF) recipients in finding and securing stable and productive
191 employment and that reemployment programs have the potential to
192 benefit such recipients and their families and to alleviate the
193 financial strain on the state economy.

194 (2) The TANF Reemployment Pilot Program is created in
195 Pinellas County and shall be administered by the Pinellas
196 Opportunity Council, Inc.

197 (3) The purpose of the pilot program is to assist TANF
198 recipients in developing return-to-work plans with the goal of
199 reemployment.

200 Section 7. For the 2017-2018 fiscal year, the sum of
201 \$150,000 in nonrecurring funds from the General Revenue Fund and
202 \$150,000 in nonrecurring funds from the Federal Grants Trust
203 Fund are appropriated for the TANF Reemployment Pilot Program.

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Section 8. This act shall take effect July 1, 2017.