

1 A bill to be entitled  
2 An act relating to sheriffs providing child protective  
3 investigative services; amending s. 39.3065, F.S.;  
4 removing obsolete language; requiring the Sheriff of  
5 Walton County to provide all child protective  
6 investigations in the county; providing an effective  
7 date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsection (2) and paragraph (a) of subsection  
12 (3) of section 39.3065, Florida Statutes, are amended to read:

13 39.3065 Sheriffs of certain counties to provide child  
14 protective investigative services; procedures; funding.-

15 ~~(2) During fiscal year 1998-1999, the Department of~~  
16 ~~Children and Families and each sheriff's office shall enter into~~  
17 ~~a contract for the provision of these services. Funding for the~~  
18 ~~services will be appropriated to the Department of Children and~~  
19 ~~Families, and the department shall transfer to the respective~~  
20 ~~sheriffs for the duration of fiscal year 1998-1999, funding for~~  
21 ~~the investigative responsibilities assumed by the sheriffs,~~  
22 ~~including federal funds that the provider is eligible for and~~  
23 ~~agrees to earn and that portion of general revenue funds which~~  
24 ~~is currently associated with the services that are being~~  
25 ~~furnished under contract, and including, but not limited to,~~

26 ~~funding for all investigative, supervisory, and clerical~~  
27 ~~positions; training; all associated equipment; furnishings; and~~  
28 ~~other fixed capital items. The contract must specify whether the~~  
29 ~~department will continue to perform part or none of the child~~  
30 ~~protective investigations during the initial year. The sheriffs~~  
31 ~~may either conduct the investigations themselves or may, in~~  
32 ~~turn, subcontract with law enforcement officials or with~~  
33 ~~properly trained employees of private agencies to conduct~~  
34 ~~investigations related to neglect cases only. If such a~~  
35 ~~subcontract is awarded, the sheriff must take full~~  
36 ~~responsibility for any safety decision made by the subcontractor~~  
37 ~~and must immediately respond with law enforcement staff to any~~  
38 ~~situation that requires removal of a child due to a condition~~  
39 ~~that poses an immediate threat to the child's life. The contract~~  
40 ~~must specify whether the services are to be performed by~~  
41 ~~departmental employees or by persons determined by the sheriff.~~  
42 ~~During this initial year, the department is responsible for~~  
43 ~~quality assurance, and the department retains the responsibility~~  
44 ~~for the performance of all child protective investigations. The~~  
45 ~~department must identify any barriers to transferring the entire~~  
46 ~~responsibility for child protective services to the sheriffs'~~  
47 ~~offices and must pursue avenues for removing any such barriers~~  
48 ~~by means including, but not limited to, applying for federal~~  
49 ~~waivers. By January 15, 1999, the department shall submit to the~~  
50 ~~President of the Senate, the Speaker of the House of~~

51 ~~Representatives, and the chairs of the Senate and House~~  
52 ~~committees that oversee departmental activities a report that~~  
53 ~~describes any remaining barriers, including any that pertain to~~  
54 ~~funding and related administrative issues. Unless the~~  
55 ~~Legislature, on the basis of that report or other pertinent~~  
56 ~~information, acts to block a transfer of the entire~~  
57 ~~responsibility for child protective investigations to the~~  
58 ~~sheriffs' offices, the sheriffs of Pasco County, Manatee County,~~  
59 ~~Broward County, and Pinellas County, beginning in fiscal year~~  
60 ~~1999-2000, shall assume the entire responsibility for such~~  
61 ~~services, as provided in subsection (3).~~

62 (2)~~(3)~~(a) The ~~Beginning in fiscal year 1999-2000,~~ the  
63 sheriffs of Pasco County, Manatee County, Broward County, Walton  
64 County, and Pinellas County have the responsibility to provide  
65 all child protective investigations in their respective  
66 counties. ~~The Beginning in fiscal year 2000-2001,~~ the Department  
67 of Children and Families is authorized to enter into grant  
68 agreements with sheriffs of other counties to perform child  
69 protective investigations in their respective counties.

70 Section 2. This act shall take effect upon becoming a law.