

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: SB 1056

INTRODUCER: Senator Simpson

SUBJECT: PACE Center for Girls

DATE: January 13, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Stokes	Jones	CJ	Pre-meeting
2.			AP	

I. Summary:

SB 1056 creates s. 985.175, F.S., which authorizes the Department of Juvenile Justice (DJJ) to contract with PACE Center for Girls, to provide education, counseling, training, and advocacy as an alternative to commitment and institutionalization of girls and young women. Contracts under this section must be authorized by and consistent with funding appropriated in the General Appropriations Act.

This bill is effective July 1, 2020.

II. Present Situation:

The PACE Center for Girls (PACE) is a 501(c)3 non-profit organization whose mission is to provide girls and young women an opportunity for a better future through education, counseling, training, and advocacy. PACE has 21 centers in Florida, which serve over 3,000 girls and young women per year. PACE is recognized as a national model for reducing recidivism and improving school success, employment, and self-sufficiency among girls by multiple agencies, including the National Council on Crime and Delinquency, and the Office of Juvenile Justice and Delinquency Prevention.¹

The DJJ currently contracts with the PACE for the following services:

- Community-based, gender-specific prevention and intervention services;
- Case management; non-clinical/clinical therapy;
- Transition planning; referral services; career exploration; Girls Circle (trauma management and behavioral management); and

¹ *About Us*, Pace Center for Girls, available at <https://www.pacecenter.org/about-us> (last accessed January 6, 2020).

- The REACH Program (which is a diversion program that includes case management, biopsychosocial assessment, group therapy, non-clinical mentoring/skills building, and parent/youth engagement activities).²

DJJ Contracting Powers

Section 985.644, F.S., authorizes the DJJ to contract with the Federal Government, other state departments and agencies, county and municipal governments and agencies, public and private agencies, and private individuals and corporations to carry out its purpose and responsibilities.³

Entities that enter into contracts with the DJJ must ensure that its owners, operators, and personnel who have direct contact with children are subject to background screening.⁴ All employees of the DJJ and personnel of contract providers for any program for children, including all owners, operators, employees, persons who have access to confidential juvenile records, and volunteers, must complete:

- A level 2 employment screening.
- A national criminal records check by the Federal Bureau of Investigation every 5 years following the date of the person's employment.⁵

Additionally this section provides what action the DJJ must take if there are policy changes that affect a contracted entity. The DJJ must provide notice of policy changes that affect contracted delinquency services and programs. This procedure must include:

- Public notice of policy development.
- Opportunity for public comment on the proposed policy.
- Assessment for fiscal impact upon the DJJ and providers.
- The DJJ's response to comments received.⁶

General Appropriations

Florida is constitutionally required to balance its budget each fiscal year.⁷ Florida's fiscal year runs from July 1st to June 30th. The State budget is grouped into three categories of funding:

- General Revenue Funds;
- State trust funds; and
- Federal funds.

The Governor is required to present his or her budget recommendations to the Legislature 30 days prior to the start of a Legislative Session.⁸ During the Legislative Session, both the House and Senate work to pass their own appropriations bills within their respective chambers.

² Department of Juvenile Justice, *2020 Agency Analysis of SB 1056* (December 20, 2019). On file with the Senate Committee on Criminal Justice.

³ Section 985.644(a), F.S.

⁴ Section 985.644(b), F.S.

⁵ Section 985.644(3)(a), F.S.

⁶ Section 985.644(2), F.S.

⁷ FLA. CONST., art. III, s. 19(a).

⁸ Section 216.162, F.S.

The General Appropriations Act is the most well-known and establishes the funding sources, specific uses of funds, as well as the spending authority.

The 2019-20 General Appropriations Act appropriated \$2,500,00 for nonrecurring funding and \$21,319,808 in recurring funding for PACE services.⁹

III. Effect of Proposed Changes:

The bill creates s. 985.175, F.S., which authorizes the DJJ to contract with PACE Center for Girls, to provide education, counseling, training, and advocacy as an alternative to commitment and institutionalization of girls and young women. Contracts under this section must be authorized by and consistent with funding appropriated in the General Appropriations Act.

This bill is effective July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

⁹ Chapter 2019-115, L.O.F.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

It is unclear whether contracts with PACE as authorized under this bill will be subject to the requirements of s. 985.644, F.S. A reference to s. 985.644, F.S., in this bill may provide clarity.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 985.175 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.