

PCB TTA 17-01

Redraft - A

2017

1 A bill to be entitled
2 An act relating to displaced homemakers; terminating
3 the Displaced Homemaker Trust Fund within the
4 Department of Economic Opportunity; providing for the
5 disposition of balances in and revenues of such trust
6 fund; provides procedures for the termination of the
7 trust fund; repealing ss. 446.50, 446.51, 446.52, and
8 1010.84, F.S., relating to displaced homemaker
9 programs, prohibited discrimination and
10 confidentiality of information related to such
11 programs, and the Displaced Homemaker Trust Fund,
12 respectively; amending ss. 20.60, 28.101, 187.201,
13 445.003, 445.004, 741.01, and 741.011, F.S.;
14 conforming provisions to changes made by the act;
15 providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. (1) The Displaced Homemaker Trust Fund, FLAIR
20 number 40-2-160, within the Department of Economic Opportunity
21 is terminated.

22 (2) All current balances remaining in, and all revenues
23 of, the trust fund shall be transferred to the General Revenue
24 Fund.

25 (3) The Department of Economic Opportunity shall pay any

Page 1 of 14

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

V

26 outstanding debts and obligations of the terminated fund as soon
 27 as practicable, and the Chief Financial Officer shall close out
 28 and remove the terminated fund from various state accounting
 29 systems using generally accepted accounting principles
 30 concerning warrants outstanding, assets, and liabilities.

31 Section 2. Section 446.50, Florida Statutes, is repealed.

32 Section 3. Section 446.51, Florida Statutes, is repealed.

33 Section 4. Section 446.52, Florida Statutes, is repealed.

34 Section 5. Section 1010.84, Florida Statutes, is repealed.

35 Section 6. Paragraph (b) of subsection (10) of section
 36 20.60, Florida Statutes, is amended to read:

37 20.60 Department of Economic Opportunity; creation; powers
 38 and duties.—

39 (10) The department, with assistance from Enterprise
 40 Florida, Inc., shall, by November 1 of each year, submit an
 41 annual report to the Governor, the President of the Senate, and
 42 the Speaker of the House of Representatives on the condition of
 43 the business climate and economic development in the state.

44 (b) The report must incorporate annual reports of other
 45 programs, including:

46 ~~1. The displaced homemaker program established under s.~~
 47 ~~446.50.~~

48 1.2. Information provided by the Department of Revenue
 49 under s. 290.014.

50 2.3. Information provided by enterprise zone development

51 agencies under s. 290.0056 and an analysis of the activities and
 52 accomplishments of each enterprise zone.

53 3.4. The Economic Gardening Business Loan Pilot Program
 54 established under s. 288.1081 and the Economic Gardening
 55 Technical Assistance Pilot Program established under s.
 56 288.1082.

57 4.5. A detailed report of the performance of the Black
 58 Business Loan Program and a cumulative summary of quarterly
 59 report data required under s. 288.714.

60 5.6. The Rural Economic Development Initiative established
 61 under s. 288.0656.

62 6.7. The Florida Unique Abilities Partner Program.

63 Section 7. Subsection (1) of section 28.101, Florida
 64 Statutes, is amended to read:

65 28.101 Petitions and records of dissolution of marriage;
 66 additional charges.—

67 (1) When a party petitions for a dissolution of marriage,
 68 in addition to the filing charges in s. 28.241, the clerk shall
 69 collect and receive:

70 (a) A charge of \$5. On a monthly basis, the clerk shall
 71 transfer the moneys collected pursuant to this paragraph to the
 72 Department of Revenue for deposit in the Child Welfare Training
 73 Trust Fund created in s. 402.40.

74 ~~(b) A charge of \$5. On a monthly basis, the clerk shall~~
 75 ~~transfer the moneys collected pursuant to this paragraph to the~~

76 | ~~Department of Revenue for deposit in the Displaced Homemaker~~
 77 | ~~Trust Fund created in s. 446.50. If a petitioner does not have~~
 78 | ~~sufficient funds with which to pay this fee and signs an~~
 79 | ~~affidavit so stating, all or a portion of the fee shall be~~
 80 | ~~waived subject to a subsequent order of the court relative to~~
 81 | ~~the payment of the fee.~~

82 | (b)~~(e)~~ A charge of \$55. On a monthly basis, the clerk
 83 | shall transfer the moneys collected pursuant to this paragraph
 84 | to the Department of Revenue for deposit in the Domestic
 85 | Violence Trust Fund. Such funds which are generated shall be
 86 | directed to the Department of Children and Families for the
 87 | specific purpose of funding domestic violence centers.

88 | (c)~~(d)~~ A charge of \$37.50 ~~32.50~~. On a monthly basis, the
 89 | clerk shall transfer the moneys collected pursuant to this
 90 | paragraph ~~as follows:~~

91 | ~~1. An amount of \$7.50 to the Department of Revenue for~~
 92 | ~~deposit in the Displaced Homemaker Trust Fund.~~

93 | ~~2. An amount of \$25 to the Department of Revenue for~~
 94 | ~~deposit in the General Revenue Fund.~~

95 | Section 8. Paragraph (b) of subsection (2) of section
 96 | 187.201, Florida Statutes, is amended to read:

97 | 187.201 State Comprehensive Plan adopted.—The Legislature
 98 | hereby adopts as the State Comprehensive Plan the following
 99 | specific goals and policies:

100 | (2) FAMILIES.—

101 (b) Policies.—

102 1. Eliminate state policies which cause voluntary family

103 separations.

104 2. Promote concepts to stabilize the family unit to

105 strengthen bonds between parents and children.

106 3. Promote home care services for the sick and disabled.

107 4. Provide financial support for alternative child care

108 services.

109 5. Increase direct parental involvement in K-12 education

110 programs.

111 6. Promote family dispute resolution centers.

112 ~~7. Support displaced homemaker programs.~~

113 7.8. Provide increased assurance that child support

114 payments will be made.

115 8.9. Actively develop job opportunities, community work

116 experience programs, and job training programs for persons

117 receiving governmental financial assistance.

118 9.10. Direct local law enforcement authorities and

119 district mental health councils to increase efforts to prevent

120 family violence and to adequately punish the guilty party.

121 10.11. Provide financial, mental health, and other support

122 for victims of family violence.

123 Section 9. Paragraph (a) of subsection (3) of section

124 445.003, Florida Statutes, is amended to read:

125 445.003 Implementation of the federal Workforce Innovation

126 | and Opportunity Act.—

127 | (3) FUNDING.—

128 | (a) Title I, Workforce Innovation and Opportunity Act
 129 | funds; Wagner-Peyser funds; and NAFTA/Trade Act funds will be
 130 | expended based on the 4-year plan of CareerSource Florida, Inc.
 131 | The plan must outline and direct the method used to administer
 132 | and coordinate various funds and programs that are operated by
 133 | various agencies. The following provisions apply to these funds:

134 | 1. At least 50 percent of the Title I funds for Adults and
 135 | Dislocated Workers which are passed through to local workforce
 136 | development boards shall be allocated to and expended on
 137 | Individual Training Accounts unless a local workforce
 138 | development board obtains a waiver from CareerSource Florida,
 139 | Inc. Tuition, books, and fees of training providers and other
 140 | training services prescribed and authorized by the Workforce
 141 | Innovation and Opportunity Act qualify as Individual Training
 142 | Account expenditures.

143 | 2. Fifteen percent of Title I funding shall be retained at
 144 | the state level and dedicated to state administration and shall
 145 | be used to design, develop, induce, and fund innovative
 146 | Individual Training Account pilots, demonstrations, and
 147 | programs. Of such funds retained at the state level, \$2 million
 148 | shall be reserved for the Incumbent Worker Training Program
 149 | created under subparagraph 3. Eligible state administration
 150 | costs include the costs of funding for the board and staff of

151 CareerSource Florida, Inc.; operating fiscal, compliance, and
 152 management accountability systems through CareerSource Florida,
 153 Inc.; conducting evaluation and research on workforce
 154 development activities; and providing technical and capacity
 155 building assistance to local workforce development areas at the
 156 direction of CareerSource Florida, Inc. Notwithstanding s.
 157 445.004, such administrative costs may not exceed 25 percent of
 158 these funds. An amount not to exceed 75 percent of these funds
 159 shall be allocated to Individual Training Accounts and other
 160 workforce development strategies for other training designed and
 161 tailored by CareerSource Florida, Inc., including, but not
 162 limited to, programs for incumbent workers, ~~displaced~~
 163 ~~homemakers~~, nontraditional employment, and enterprise zones.
 164 CareerSource Florida, Inc., shall design, adopt, and fund
 165 Individual Training Accounts for distressed urban and rural
 166 communities.

167 3. The Incumbent Worker Training Program is created for
 168 the purpose of providing grant funding for continuing education
 169 and training of incumbent employees at existing Florida
 170 businesses. The program will provide reimbursement grants to
 171 businesses that pay for preapproved, direct, training-related
 172 costs.

173 a. The Incumbent Worker Training Program will be
 174 administered by CareerSource Florida, Inc., which may, at its
 175 discretion, contract with a private business organization to

176 | serve as grant administrator.

177 | b. The program shall be administered pursuant to s.
 178 | 134(d)(4) of the Workforce Innovation and Opportunity Act.
 179 | Priority for funding shall be given to businesses with 25
 180 | employees or fewer, businesses in rural areas, businesses in
 181 | distressed inner-city areas, businesses in a qualified targeted
 182 | industry, businesses whose grant proposals represent a
 183 | significant upgrade in employee skills, or businesses whose
 184 | grant proposals represent a significant layoff avoidance
 185 | strategy.

186 | c. All costs reimbursed by the program must be preapproved
 187 | by CareerSource Florida, Inc., or the grant administrator. The
 188 | program may not reimburse businesses for trainee wages, the
 189 | purchase of capital equipment, or the purchase of any item or
 190 | service that may possibly be used outside the training project.
 191 | A business approved for a grant may be reimbursed for
 192 | preapproved, direct, training-related costs including tuition,
 193 | fees, books and training materials, and overhead or indirect
 194 | costs not to exceed 5 percent of the grant amount.

195 | d. A business that is selected to receive grant funding
 196 | must provide a matching contribution to the training project,
 197 | including, but not limited to, wages paid to trainees or the
 198 | purchase of capital equipment used in the training project; must
 199 | sign an agreement with CareerSource Florida, Inc., or the grant
 200 | administrator to complete the training project as proposed in

201 the application; must keep accurate records of the project's
202 implementation process; and must submit monthly or quarterly
203 reimbursement requests with required documentation.

204 e. All Incumbent Worker Training Program grant projects
205 shall be performance-based with specific measurable performance
206 outcomes, including completion of the training project and job
207 retention. CareerSource Florida, Inc., or the grant
208 administrator shall withhold the final payment to the grantee
209 until a final grant report is submitted and all performance
210 criteria specified in the grant contract have been achieved.

211 f. CareerSource Florida, Inc., may establish guidelines
212 necessary to implement the Incumbent Worker Training Program.

213 g. No more than 10 percent of the Incumbent Worker
214 Training Program's total appropriation may be used for overhead
215 or indirect purposes.

216 4. At least 50 percent of Rapid Response funding shall be
217 dedicated to Intensive Services Accounts and Individual Training
218 Accounts for dislocated workers and incumbent workers who are at
219 risk of dislocation. CareerSource Florida, Inc., shall also
220 maintain an Emergency Preparedness Fund from Rapid Response
221 funds, which will immediately issue Intensive Service Accounts,
222 Individual Training Accounts, and other federally authorized
223 assistance to eligible victims of natural or other disasters. At
224 the direction of the Governor, these Rapid Response funds shall
225 be released to local workforce development boards for immediate

226 use after events that qualify under federal law. Funding shall
 227 also be dedicated to maintain a unit at the state level to
 228 respond to Rapid Response emergencies and to work with state
 229 emergency management officials and local workforce development
 230 boards. All Rapid Response funds must be expended based on a
 231 plan developed by CareerSource Florida, Inc., and approved by
 232 the Governor.

233 Section 10. Paragraph (b) of subsection (5) of section
 234 445.004, Florida Statutes, is amended to read:

235 445.004 CareerSource Florida, Inc.; creation; purpose;
 236 membership; duties and powers.—

237 (5) CareerSource Florida, Inc., shall have all the powers
 238 and authority not explicitly prohibited by statute which are
 239 necessary or convenient to carry out and effectuate its purposes
 240 as determined by statute, Pub. L. No. 113-128, and the Governor,
 241 as well as its functions, duties, and responsibilities,
 242 including, but not limited to, the following:

243 (b) Providing oversight and policy direction to ensure
 244 that the following programs are administered by the department
 245 in compliance with approved plans and under contract with
 246 CareerSource Florida, Inc.:

247 1. Programs authorized under Title I of the Workforce
 248 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
 249 exception of programs funded directly by the United States
 250 Department of Labor under Title I, s. 167.

251 2. Programs authorized under the Wagner-Peyser Act of
252 1933, as amended, 29 U.S.C. ss. 49 et seq.

253 3. Activities authorized under Title II of the Trade Act
254 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
255 Adjustment Assistance Program.

256 4. Activities authorized under 38 U.S.C. chapter 41,
257 including job counseling, training, and placement for veterans.

258 5. Employment and training activities carried out under
259 funds awarded to this state by the United States Department of
260 Housing and Urban Development.

261 6. Welfare transition services funded by the Temporary
262 Assistance for Needy Families Program, created under the
263 Personal Responsibility and Work Opportunity Reconciliation Act
264 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
265 of the Social Security Act, as amended.

266 ~~7. Displaced homemaker programs, provided under s. 446.50.~~

267 7.8. The Florida Bonding Program, provided under Pub. L.
268 No. 97-300, s. 164(a)(1).

269 8.9. The Food Assistance Employment and Training Program,
270 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
271 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
272 and the Hunger Prevention Act, Pub. L. No. 100-435.

273 9.10. The Quick-Response Training Program, provided under
274 ss. 288.046-288.047. Matching funds and in-kind contributions
275 that are provided by clients of the Quick-Response Training

276 Program shall count toward the requirements of s. 288.904,
 277 pertaining to the return on investment from activities of
 278 Enterprise Florida, Inc.

279 10.11. The Work Opportunity Tax Credit, provided under the
 280 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,
 281 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

282 11.12. Offender placement services, provided under ss.
 283 944.707-944.708.

284 Section 11. Subsections (3), (4), and (5) of section
 285 741.01, Florida Statutes, are amended to read:

286 741.01 County court judge or clerk of the circuit court to
 287 issue marriage license; fee.-

288 ~~(3) Further, the fee charged for each marriage license~~
 289 ~~issued in the state shall be increased by an additional sum of~~
 290 ~~\$7.50 to be collected upon receipt of the application for the~~
 291 ~~issuance of a marriage license. The clerk shall transfer such~~
 292 ~~funds monthly to the Department of Revenue for deposit in the~~
 293 ~~Displaced Homemaker Trust Fund created in s. 446.50.~~

294 (3)~~(4)~~ An additional fee of \$25 shall be paid to the clerk
 295 upon receipt of the application for issuance of a marriage
 296 license. The moneys collected shall be remitted by the clerk to
 297 the Department of Revenue, monthly, for deposit in the General
 298 Revenue Fund.

299 (4)~~(5)~~ The fee charged for each marriage license issued in
 300 the state shall be reduced by a sum of \$25 ~~32.50~~ for all couples

301 who present valid certificates of completion of a premarital
302 preparation course from a qualified course provider registered
303 under s. 741.0305(5) for a course taken no more than 1 year
304 prior to the date of application for a marriage license. For
305 each license issued that is subject to the fee reduction of this
306 subsection, the clerk is not required to transfer the sum of
307 ~~\$7.50 to the Department of Revenue for deposit in the Displaced~~
308 ~~Homemaker Trust Fund pursuant to subsection (3) or to transfer~~
309 ~~the sum of \$25 to the Department of Revenue for deposit in the~~
310 General Revenue Fund.

311 Section 12. Section 741.011, Florida Statutes, is amended
312 to read:

313 741.011 Installment payments.—An applicant for a marriage
314 license who is unable to pay the fees required under s. 741.01
315 in a lump sum may make payment in not more than three
316 installments over a period of 90 days. The clerk shall accept
317 installment payments upon receipt of an affidavit that the
318 applicant is unable to pay the fees in a lump-sum payment. Upon
319 receipt of the third or final installment payment, the marriage
320 license application shall be deemed filed, and the clerk shall
321 issue the marriage license to the applicant and distribute the
322 fees as provided in s. 741.01. In the event that the marriage
323 license fee is paid in installments, the clerk shall retain \$1
324 from the additional fee imposed pursuant to s. 741.01(3)
325 ~~741.01(4)~~, as a processing fee.

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326 | Section 13. This act shall take effect July 1, 2017. |