

SENATE COMMITTEE AMENDMENTS

2017 Regular Session

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 66 by Senator Barrow

1 AMENDMENT NO. 1

2 On page 1, delete lines 2 and 3 and insert the following:

3 "To amend and reenact R.S. 36:4(B)(8) and R.S. 46:2402(3) and (6), 2403(A), (D)(1) and
4 (E), 2404(A), (B)(1) and (2) and (G), 2405, 2406(A), (B), (D), (E), (F) and (G), 2407,
5 2605(A)(6) and 2607, to enact R.S. 46:2404(H), 2603(A)(7) and 2605(A)(7), and to repeal
6 R.S. 36:478(F) and (K) and 802.9 and R.S. 46:450.4 and 2801, relative to the Children's
7 Cabinet; to provide for extension of"

8 AMENDMENT NO. 2

9 On page 1, line 5, after "Louisiana;" insert "to provide for the transfer of the Children's Trust
10 Fund to the Children's Cabinet; to provide for duties of the Children's Cabinet relative to the
11 Children's Trust Fund; to provide for Children's Trust Fund staff reallocation;"

12 AMENDMENT NO. 3

13 On page 1, delete lines 8 and 9 and insert the following:

14 "Section 1. R.S. 36:4(B)(8) is hereby amended and reenacted to read as follows:

15 §4. Structure of executive branch of state government

16 * * *

17 B.

18 * * *

19 (8) The Children's Cabinet and the Children's Cabinet Advisory Board, as
20 more specifically provided in R.S. 46:2601 through 2607, **the Children's Trust**
21 **Fund, as more specifically provided in R.S. 46:2401 through 2407,** and the
22 Council on the Status of Grandparents Raising Grandchildren, as more specifically
23 provided in R.S. 46:2605.1 through 2605.3, shall be placed within the office of the
24 governor.

25 * * *

26 Section 2. R.S. 46:2402(3) and (6), 2403(A), (D)(1) and (E), 2404(A), (B)(1) and (2) and
27 (G), 2405, 2406(A), (B), (D), (E), (F) and (G), 2407, 2605(A)(6) and 2607 are hereby
28 amended and reenacted and R.S. 46:2404(H), 2603(A)(7) and 2605(A)(7) are hereby enacted
29 to read as follows:

30 §2402. Definitions

31 Except where the context clearly indicates otherwise, in this Chapter:

32 * * *

33 (3) "~~Department~~" means the Department of Children and Family Services.
34 **"Cabinet" means the Children's Cabinet, as provided for in R.S. 46:2601 et seq.**

35 * * *

1 (6) "Office" means the office of ~~children and family services~~ **the governor**.

2 * * *

3 §2403. Creation of the Children's Trust Fund

4 A. There is hereby established a special fund in the state treasury to be known
5 as the "Children's Trust Fund", consisting of monies provided by the legislature and
6 monies received from any other sources, including funds derived from donations of
7 income tax refunds as provided in R.S. ~~47:120.33~~ **47:120.35** and funds derived from
8 fees as provided in Subsection B hereof. The legislature shall make yearly
9 appropriations to the fund for the purposes set forth in this Chapter to the extent that
10 state funds are available.

11 * * *

12 D.(1) The monies in the fund shall be used solely for programs designed to
13 prevent the physical and sexual abuse and gross neglect of children. Disbursement
14 of the amount appropriated each year shall be made as determined **by the Children's**
15 **Cabinet with consideration of recommendations made** by the Children's Trust
16 Fund Board. All unexpended and unencumbered monies in this fund at the end of the
17 fiscal year shall remain to the credit of the fund.

18 * * *

19 E. The ~~board~~ **Children's Cabinet** shall determine the eligibility of programs
20 to receive funding **based upon a nonbiased scoring system by a volunteer grant**
21 **reviewer and recommendations by the Children's Trust Fund Board**, and the
22 administration of the fund shall be exercised by the office of ~~children and family~~
23 ~~services of the Department of Children and Family Services~~ **the governor** in
24 accordance with the directives of the ~~board~~ **cabinet** and the provisions of R.S.
25 ~~36:802.9~~ **36:4(B)(8)** and R.S. 46:2407.

26 §2404. Louisiana Children's Trust Fund Board; created; membership

27 A. There is hereby established the Louisiana Children's Trust Fund Board
28 within the office of **the governor, which shall serve as a subcommittee of the**
29 **Children's Cabinet** ~~children and family services of the Department of Children and~~
30 ~~Family Services~~.

31 B. The Louisiana Children's Trust Fund Board shall be composed of fifteen
32 members as follows:

33 (1) ~~The secretary of the Department of Children and Family Services, or his~~
34 ~~designee.~~ **The executive director of the Children's Cabinet, or his designee.**

35 (2) ~~The assistant secretary of the office of children and family services of the~~
36 ~~Department of Children and Family Services,~~ **or his designee.**

37 * * *

38 G. The board shall **make recommendations to the Children's Cabinet on**
39 **the following:**

40 (1) ~~Promulgate rules~~ **Rules** and regulations necessary to implement the
41 provisions of this Chapter.

42 (2) ~~Review, evaluate, adopt, coordinate, and revise the~~ **The** comprehensive
43 state plan for child abuse prevention, as provided in R.S. 46:2406 and funded
44 through the Children's Trust Fund.

45 (3) ~~Have the authority to contract, in accordance with applicable provisions~~
46 ~~of state law, for the provision of services needed to coordinate, develop, and write~~
47 ~~a comprehensive state plan for child abuse prevention.~~

48 (4) ~~Review, evaluate, and award grants~~ **Funding amounts of grant**
49 **proposals** from the fund for child abuse and neglect prevention programs as
50 provided in R.S. 46:2407.

51 (5) ~~Prepare and submit an annual report to the legislature and to the governor~~
52 ~~sixty days prior to each regular legislative session.~~

1 (1) The ~~board~~ **cabinet** shall adopt a formula **based on a recommendation**
2 **by the board** for the distribution of funds from the Children's Trust Fund for
3 programs and services for child abuse prevention which shall provide for the
4 allocation of funds in each state planning district based upon the percentage of the
5 total state reported cases of abuse and neglect reported in the state planning district
6 and the percentage of the total state population under the age of eighteen years and
7 upon the service and program needs of the district; and ~~after January 1, 1989~~; the
8 comprehensive state plan.

9 (2) Any funds which are not utilized within a state planning district shall be
10 reallocated to the remaining districts in accordance with the formula required by
11 Paragraph (1) of this Subsection.

12 (3) Ten percent of the amount appropriated to the ~~board~~ **cabinet** may be used
13 for administrative costs **of the board**. ~~This ten percent limitation shall not apply to~~
14 ~~costs for plan development and shall include provisions for staff support.~~

15 C. Appropriations made for distribution by the ~~board~~ **cabinet** for programs
16 and services shall be deposited in the fund and shall be disbursed by the office **of the**
17 **governor** in accordance with directives of the ~~board~~ **cabinet**.

18 D. The board shall develop and, **once approved by the cabinet**, publish
19 solicitations for grant proposals for grants to be funded from the Louisiana Children's
20 Trust Fund for child abuse prevention programs and services which are designed to
21 meet identified priorities.

22 (1) ~~After January 1, 1989, these priorities~~ **Priorities** shall be based upon
23 information contained in the comprehensive state plan.

24 (2) A priority ranking shall be made based upon the extent to which a
25 proposal meets identified needs, criteria for cost effectiveness, an evaluation
26 component providing outcome data, and a determination that the proposal provides
27 a mechanism for coordinating and integrating preventive services with other services
28 deemed necessary for working effectively with families who are at risk of child
29 abuse or neglect. Priority shall be given to primary and secondary prevention
30 programs and services.

31 E. The ~~office~~ board shall review and evaluate all proposals submitted for
32 ~~grants for children's trust fund programs~~ **funding** and services **and make**
33 **recommendations to the cabinet regarding grant awards. The cabinet will make**
34 **the final approval on grant awards.**

35 F. ~~On and after January 1, 1989, all~~ **All** budget requests submitted by any
36 private nonprofit agency to the legislature for funding of programs related to child
37 abuse prevention shall conform to the ~~comprehensive state plan~~ **application process**
38 and any subsequent revision of the plan adopted pursuant to the provisions of this
39 Chapter. ~~The services and programs of the Department of Children and Family~~
40 ~~Services or any other public agency shall not be subject to the provisions of this~~
41 ~~Subsection.~~

42 * * *

43 §2603. Children's Cabinet; powers and duties

44 A. In order to carry out the purposes of this Chapter and the purposes for
45 which it is created, the Children's Cabinet shall:

46 * * *

47 **(7) Administer the Children's Trust Fund provided for in R.S. 46:2401**
48 **et seq.**

49 * * *"

51 AMENDMENT NO. 4

52 On page 2, delete line 15 and insert:

53 "Section 3. R.S. 36:478(F) and (K) and 802.9 and R.S. 46:450.4 and 2801 are hereby
54 repealed."