



1 (8) The Children's Cabinet and the Children's Cabinet Advisory Board, as  
 2 more specifically provided in R.S. 46:2601 through 2607, the Children's Trust  
 3 Fund, as more specifically provided in R.S. 46:2401 through 2407, and the  
 4 Council on the Status of Grandparents Raising Grandchildren, as more specifically  
 5 provided in R.S. 46:2605.1 through 2605.3, shall be placed within the office of the  
 6 governor.

7 \* \* \*

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

12 §2402. Definitions

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

14 \* \* \*

15 (3) ~~"Department" means the Department of Children and Family Services.~~

16 **"Cabinet" means the Children's Cabinet, as provided for in R.S. 46:2601 et seq.**

17 \* \* \*

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

19 \* \* \*

20 §2403. Creation of the Children's Trust Fund

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

28 \* \* \*

29 D.(1) The monies in the fund shall be used solely for programs designed to

1 prevent the physical and sexual abuse and gross neglect of children. Disbursement  
 2 of the amount appropriated each year shall be made as determined by the Children's  
 3 Cabinet with consideration of recommendations made by the Children's Trust  
 4 Fund Board. All unexpended and unencumbered monies in this fund at the end of the  
 5 fiscal year shall remain to the credit of the fund.

6 \* \* \*

7 E. The ~~board~~ Children's Cabinet shall determine the eligibility of programs  
 8 to receive funding based upon a nonbiased scoring system by a volunteer grant  
 9 reviewer and recommendations by the Children's Trust Fund Board, and the  
 10 administration of the fund shall be exercised by the office of ~~children and family~~  
 11 ~~services of the Department of Children and Family Services~~ the governor in  
 12 accordance with the directives of the ~~board~~ cabinet and the provisions of R.S.  
 13 ~~36:802.9~~ 36:4(B)(8) and R.S. 46:2407.

14 §2404. Louisiana Children's Trust Fund Board; created; membership

15 A. There is hereby established the Louisiana Children's Trust Fund Board  
 16 within the office of ~~children and family services of the Department of Children and~~  
 17 ~~Family Services~~ the governor, which shall serve as a subcommittee of the  
 18 Children's Cabinet.

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

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

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

25 \* \* \*

26 G. The board shall make recommendations to the Children's Cabinet on  
 27 the following:

28 (1) ~~Promulgate rules~~ Rules and regulations necessary to implement the  
 29 provisions of this Chapter.

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

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

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

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

12                  (6)**(4)** ~~Adopt the budget request~~ **Budget requests** for the board **that if**  
13 **approved by the cabinet shall be presented by the executive director of the**  
14 **cabinet to the** and present it to the office of children and family services, **the**  
15 **governor and** the executive budget office, ~~and the Joint Legislative Committee on~~  
16 ~~the Budget.~~

17                  (7)**(5)** ~~Monitor, evaluate, and review the~~ **The** development and quality of  
18 services and child abuse prevention programs funded through the Children's Trust  
19 Fund.

20                  (8) ~~Develop, implement, and administer a community-based family center~~  
21 ~~program in accordance with R.S. 46:450.4.~~

22                  **H. The board shall prepare and submit to the cabinet for review an**  
23 **annual report regarding the status of the fund that, once approved by the**  
24 **cabinet, shall be submitted to the legislature sixty days prior to each regular**  
25 **legislative session.**

26 §2405. Louisiana Children's Trust Fund Board; staff; duties

27                  A. The board, with the approval of the ~~secretary of the department~~ **executive**  
28 **director of the Children's Cabinet**, shall appoint ~~an executive director a~~  
29 **coordinator** for the board who shall be in the unclassified service **and who shall**

1 report to the executive director of the Children's Cabinet.

2 B. The commissioner of administration shall make available one additional  
3 position to the table of organization of the office of children and family services the  
4 governor in order to provide for the position of ~~executive director~~ Children's Trust  
5 Fund coordinator.

6 C. The ~~director~~ coordinator shall perform duties and functions as  
7 required by the board and under the direction of the executive director of the  
8 cabinet.:

9 (1) Prepare the annual budget request for the board for adoption by the board.

10 (2) ~~Act as agent for the board in the performance of its duties and subject to~~  
11 ~~its direction and serve as secretary of the board.~~

12 §2406. Comprehensive state plan for child abuse prevention

13 A. The board shall ~~review and adopt~~ make recommendations to the cabinet  
14 regarding the comprehensive state plan and any revision thereof, prior to transmittal  
15 of the plan as provided in this Section.

16 B. ~~On or before January 1, 1989, the board~~ The cabinet shall transmit the  
17 comprehensive state plan for child abuse prevention programs funded through the  
18 Children's Trust Fund to the governor, the president of the Senate, and the speaker  
19 of the House of Representatives every five years beginning on January 1, 2018,  
20 and shall be reviewed for necessary changes by the cabinet annually.

21 \* \* \*

22 D. The board shall ~~by rule~~ recommend rules to the cabinet that establish  
23 procedures for preparation and adoption of the plan.

24 E. Prior to adoption of the state plan, the ~~board~~ cabinet shall submit the plan  
25 it proposes to adopt to the Committees on Health and Welfare of the Senate and  
26 House of Representatives for their approval as provided in R.S. 49:968. The  
27 comprehensive state plan shall be subject to approval as provided in R.S. 49:968.

28 F. The board shall review the state plan at least biennially and ~~the board shall~~  
29 ~~adopt~~ make recommendations to the cabinet regarding any needed revision.

1 G. The Department of Children and Family Services, the Department of  
2 Public Safety and Corrections, and the Department of Education shall participate and  
3 cooperate in the development of the state plan **as deemed necessary by the cabinet.**

4 §2407. Funding of children's trust fund programs

5 A. The ~~board in its annual budget request,~~ **cabinet** shall identify the amount  
6 of funds necessary for the implementation of this Chapter.

7 B. Monies appropriated or otherwise made available to the ~~board~~ **cabinet** to  
8 implement the provisions of this Chapter shall be disbursed as follows:

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

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

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

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

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

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

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

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

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

21 \* \* \*

22 §2603. Children's Cabinet; powers and duties

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

25 \* \* \*

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

28 \* \* \*

29 §2605. Children's Cabinet Advisory Board





Present law establishes the Children's Trust Fund in the Department of Children and Family Services and creates a board to administer the fund.

Proposed law transfers the Children's Trust Fund from the Department of Children and Family Services to the office of the governor and makes them answerable to the Children's Cabinet. Proposed law transfers all responsibilities of the fund to the Children's Cabinet and establishes advisory responsibilities for the board with final decision making authority by the Children's Cabinet.

Effective August 1, 2017.

(Amends R.S. 46:2605(A)(6) and 2607; adds R.S. 46:2605(A)(7); repeals R.S. 46:2801)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Transfers the Children's Trust Fund and the Children's Trust Fund board from the Department of Children and Family Services to the office of the governor and makes them answerable to the Children's Cabinet.
2. Establishes a process whereby programs receiving funding from the Children's Trust Fund are determined based on a nonbiased scoring system by a volunteer grant reviewer and recommendation by the board.
3. Removes the assistant secretary of the Department of Children and Family Services as a trust fund board member and includes the executive director of the Children's Cabinet or his designee.
4. Deletes the requirement that budget requests of the board shall be presented to the Joint Legislative Committee on the Budget.
5. Requires the cabinet to submit their comprehensive state plan to the governor, president of the Senate and speaker of the House every five years beginning on January 1, 2018, and requires a minimum of annual review by the cabinet for necessary changes.
6. Provides that the cabinet has final approval on all grant awards.