

By Senator Diaz

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1 A bill to be entitled
 2 An act relating to disaster volunteer leave for state
 3 employees; amending s. 110.120, F.S.; reordering,
 4 revising, and providing definitions; expanding the
 5 Florida Disaster Volunteer Leave Act to include
 6 employees of the legislative and judicial branches of
 7 state government; revising conditions under which an
 8 employee may be granted leave under the act;
 9 specifying requirements and limitations; providing an
 10 effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Section 110.120, Florida Statutes, is amended to
 15 read:

16 110.120 Administrative leave for disaster service
 17 volunteers.—

18 (1) SHORT TITLE.—This section ~~shall be known and~~ may be
 19 cited as the "Florida Disaster Volunteer Leave Act."

20 (2) DEFINITIONS.—As used in this section, the term
 21 ~~following terms shall apply:~~

22 (c)(a) "State agency" means any official, officer,
 23 commission, board, authority, council, committee, or department
 24 of the executive, legislative, or judicial branch of state
 25 government.

26 (a)(b) "Disaster" means an event that results in a state of
 27 emergency, as declared by executive order or proclamation issued
 28 by the Governor of this state or any other state or territory of
 29 the United States ~~includes disasters designated at level II and~~

36-01364-20

20201050__

30 ~~above in the American National Red Cross regulations and~~
31 ~~procedures.~~

32 (b) "Disaster area" means a location covered under a state
33 of emergency, as declared by executive order or proclamation
34 issued by the Governor of this state or any other state or
35 territory of the United States.

36 (d) "Volunteer" means an individual who has entered into an
37 agreement with a tax-exempt nonprofit organization under s.
38 501(c) (3) or s. 501(c) (4) of the Internal Revenue Code to
39 provide nonpaid services to a disaster area for disaster
40 response or recovery.

41 (3) LEAVE OF ABSENCE.—An employee of a state agency ~~who is~~
42 ~~a certified disaster service volunteer of the American Red Cross~~
43 may be granted a leave of absence with pay for no not more than
44 120 working hours ~~15 working days~~ in any 12-month period to
45 serve as a volunteer ~~participate in specialized disaster relief~~
46 ~~services for the American Red Cross.~~ Such leave of absence may
47 be granted upon the request of the employee ~~American Red Cross~~
48 and upon ~~the~~ approval of the employee's employing agency after
49 verifying the employee's volunteer status. An employee granted
50 leave under this section is ~~shall not be~~ deemed to be an
51 employee of the state for purposes of workers' compensation.
52 Leave under this section ~~act~~ may be granted only for providing
53 volunteer ~~for~~ services related to a disaster occurring within
54 the boundaries of this ~~the~~ state of Florida, except that, ~~with~~
55 ~~the approval of the Governor and Cabinet,~~ leave may be granted
56 to an employee to provide volunteer ~~for~~ services in response to
57 a disaster occurring within the states or territories ~~boundaries~~
58 of the United States upon approval of the head of the employee's

36-01364-20

20201050__

59 employing agency. An employee who is granted leave under this
60 section must attest to his or her employing agency that he or
61 she has completed his or her volunteer service for a disaster,
62 and must also specify the period of time for which he or she
63 served as a volunteer for that event and a description of the
64 disaster response or recovery services that the employee
65 provided.

66 Section 2. This act shall take effect July 1, 2020.