

## Committee on Governmental Oversight and Accountability

### CS/CS/SB 426 — Firefighters

by Appropriations Committee; Community Affairs Committee; and Senators Flores, Torres, Hooper, Perry, Gruters, Broxson, Stewart, Taddeo, Berman, Powell, Mayfield, Rouson, Montford, Bracy, Farmer, Book, Gibson, Bean, Wright, Harrell, Baxley, Rodriguez, and Rader

The bill (Chapter 2019-21, L.O.F.) makes firefighters who are diagnosed with certain cancers eligible to receive certain disability or death benefits. Specifically, in lieu of pursuing workers' compensation coverage, a firefighter is entitled to cancer treatment and a one-time cash payout of \$25,000, upon the firefighter's initial diagnosis of cancer. In order to be entitled to such benefits, the firefighter must:

- Be employed full-time as a firefighter;
- Be employed by the state, university, city, county, port authority, special district, or fire control district;
- Have been employed by his or her employer for at least five continuous years;
- Not have used tobacco products for at least the preceding five years; and
- Have not been employed in any other position in the preceding five years which is proven to create a higher risk for cancer.

The bill provides that the term "cancer" includes bladder cancer, brain cancer, breast cancer, cervical cancer, colon cancer, esophageal cancer, invasive skin cancer, kidney cancer, large intestinal cancer, lung cancer, malignant melanoma, mesothelioma, multiple myeloma, non-Hodgkin's lymphoma, oral cavity and pharynx cancer, ovarian cancer, prostate cancer, rectal cancer, stomach cancer, testicular cancer, and thyroid cancer.

The employer must provide coverage within an employer-sponsored health plan or through a group health insurance trust fund. The employer must timely reimburse the firefighter for any out-of-pocket deductible, co-payment, or coinsurance costs incurred due to the treatment of cancer.

For disability and death benefits, the employer must consider a firefighter permanently and totally disabled if diagnosed with one of the 21 enumerated cancers and meets the retirement's plan definition of totally and permanently disabled due to the diagnosis of cancer or circumstances that arise out of the treatment of cancer. Moreover, the cancer or the treatment of cancer is deemed to have occurred in the line of duty, resulting in higher disability and death benefits.

The fiscal impact on state and local governments employing firefighters is indeterminate. However, to cover the costs associated with changes to Florida Retirement System (FRS) benefits (disability retirement benefits and in-line-of-duty benefits), the bill provides adjustments to the employer-paid contribution rates for the Special Risk class and the Deferred Retirement Option Program (DROP) that fund the FRS's normal costs and unfunded actuarial liability, and adjusts the percentage of funds allocated to provide in line of duty death benefits for investment plan members.

These provisions were approved by the Governor and take effect July 1, 2019.

*Vote: Senate 38-0; House 116-0*

## Committee on Governmental Oversight and Accountability

### **CS/CS/HB 1121 — Support Organizations**

by State Affairs Committee; Agriculture and Natural Resources Appropriations Subcommittee; and Rep. Altman (CS/SB 7074 by Rules Committee and Governmental Oversight and Accountability Committee)

In 2014, the Legislature scheduled the repeal of the statutory authorization of various direct support and citizen support organizations associated with state agencies.

The bill removes the scheduled repeal of provisions governing citizen support organizations (CSOs) established under the Department of State, Department of Environmental Protection, and the Fish and Wildlife Conservation Commission, allowing the CSOs to continue operating and providing benefits to the respective departments.

The bill repeals s. 288.809, F.S., which created Florida Intergovernmental Relations Foundation, a direct support organization (DSO) under the Executive Office of the Governor.

The bill extends the repeal date for the Florida Endowment for Vocational Rehabilitation, a DSO for the Division of Vocational Rehabilitation in the Department of Education, from October 1, 2019, to October 1, 2023.

The bill removes the scheduled repeal date of the law authorizing the Florida Department of Agriculture and Consumer Services to establish DSOs to provide assistance, funding, and support to assist the department in furthering its goals. These DSOs include:

- Friends of the Florida State Forests;
- Forestry Arson Alert Association, Inc.;
- Florida Agricultural Museum;
- Florida Agriculture in the Classroom, Inc.;
- Florida Agriculture Center and Horse Park Authority; and
- Living Healthy in Florida, Inc.

The bill requires Department of Environmental Protection to submit a report to the President of the Senate and the Speaker of the House of Representatives by December 1, 2019, on financial transparency, accountability and ethics of certain CSOs.

The bill extends the repeal date for the Friends of the Babcock Ranch Preserve, Inc., a CSO, and the Florida Beef Council, a DSO, within the Department of Agriculture and Consumer Services, from October 1, 2019, to October 1, 2024.

The bill authorizes courts to order a person convicted of a violation of Commission rules or orders to pay an assessment to Wildlife Alert Reward Association, Inc., allowing courts to continue an existing practice that provides a significant portion of Wildlife Alert Reward Association, Inc.'s funding. The bill authorizes Wildlife Alert Reward Association, Inc., to pay rewards from assessments collected by court order to persons who provide information leading

to the arrest of a person for a violation of the Fish and Wildlife Conservation Commission rules or orders.

The bill has no impact on state revenues or expenditures.

These provisions were approved by the Governor and take effect July 1, 2019.

*Vote: Senate 29-0; House 107-1*

## Committee on Governmental Oversight and Accountability

### **CS/SB 1306 — Women’s Suffrage Centennial Commission**

by Appropriations Committee and Senators Book, Pizzo, and Rader

The bill creates s. 267.0618, F.S., to establish a 19-member Women’s Suffrage Centennial Commission for the purpose of ensuring a suitable statewide observance of the centennial of women’s suffrage in 2020. The commission may establish a youth working group to advise and provide recommendations to the commission in fulfilling its duties. The commission is created adjunct to the Department of State and, except as otherwise provided in the bill, must operate in a manner consistent with s. 20.052, F.S.

The bill provides for the expiration of the commission on December 31, 2020.

The Department of State will incur costs associated with supporting the commission, including the costs of per diem and travel by the commission members.

These provisions were approved by the Governor and take effect July 1, 2019.

*Vote: Senate 39-0; House 114-0*

## Committee on Governmental Oversight and Accountability

### **HB 5301 — Information Technology Reorganization**

by Governmental Operations and Technology Appropriations Subcommittee and Rep. Williamson (SB 1570 by Senator Hooper)

The bill makes changes in law relating to state agency information technology. The bill:

- Transfers the Agency for State Technology (AST), with all of its existing powers, duties, functions, personnel, records, property, and funds, including the state data center, to the Department of Management Services (DMS) as the newly created Division of State Technology. The bill repeals the statute authorizing the AST;
- Clarifies that the Department of Environmental Protection will review practices related to geospatial data;
- Codifies the Statewide Travel Management System to standardize and maintain records of travel for all state executive and judicial branch agencies;
- Enacts a “cloud-first” policy to require each state agency to show a preference for third party data systems over State Data Center infrastructure in its procurements process for new information technology; and
- Creates the Cybersecurity Task Force to study cybersecurity procedures, rules, and vulnerabilities and make recommendations thereupon.

The fiscal impact on state expenditures is indeterminate.

These provisions were approved by the Governor and take effect July 1, 2019.

*Vote: Senate 39-0; House 112-0*

## Committee on Governmental Oversight and Accountability

### CS/SB 7014 — Government Accountability

by Community Affairs Committee and Governmental Oversight and Accountability Committee

The bill (Chapter 2019-15, L.O.F.) amends various statutes to enhance government accountability and auditing processes based on recommendations noted in recent reports by the Auditor General. The bill:

- Authorizes the Governor or Commissioner of Education, or designee, to notify the Joint Legislative Auditing Committee if an entity fails to comply with certain auditing and financial reporting requirements;
- Provides definitions for the terms “abuse,” “fraud,” and “waste”;
- Adds tourist development council and county tourism promotion agency to the definition of “local government entity” to clarify that the Auditor General has authority to audit the entities;
- Removes water management districts from the definition of local government entities for the purposes of audit cycles and follow-up reviews;
- Requires the Florida Clerks of Court Operations Corporation to notify the Legislature quarterly if a clerk is not meeting workload performance standards;
- Requires each agency, the judicial branch, the Justice Administrative Commission, state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, the Guardian Ad Litem program, local governmental entities, charter schools, school districts, Florida College System institutions, and state universities to establish and maintain internal controls designed to prevent and detect fraud, waste, and abuse;
- Requires counties, municipalities, special districts, and water management districts to maintain certain budget documents on their websites for specified timeframes;
- Revises the monthly financial statement requirements for water management districts;
- Provides that the Department of Financial Services may request additional information from local government entities when preparing its annual verified report;
- Revises the membership, and restrictions thereof, for an auditor selection committee of a county, municipality, special district, district school board, charter school, or charter technical career center;
- Requires completion of an annual financial audit of the Florida Virtual School; and
- Requires the Florida College System and Florida State University System to comply with employee background screenings requirements.

These provisions were approved by the Governor and take effect July 1, 2019.

*Vote: Senate 40-0; House 113-0*

## Committee on Governmental Oversight and Accountability

### **SB 7016 — State-administered Retirement Systems**

by Governmental Oversight and Accountability Committee

The bill (Chapter 2019-8, L.O.F.) establishes the contribution rates paid by employers participating in the Florida Retirement System (FRS) beginning July 1, 2019. These rates are intended to fund the full normal cost and the amortization of the unfunded actuarial liabilities of the FRS. With these modifications to employer contribution rates, the FRS Trust Fund will receive roughly \$123.3 million more in revenue on an annual basis beginning July 1, 2019. The public employers that will incur these additional costs are state agencies, state universities and colleges, school districts, counties, and certain municipalities and other governmental entities.

These provisions were approved by the Governor and take effect July 1, 2019.

*Vote: Senate 40-0; House 112-0*



## Committee on Governmental Oversight and Accountability

### CS/SB 7098 — Death Benefits

by Appropriations Committee and Governmental Oversight and Accountability Committee

The bill implements Amendment 7 to the State Constitution, which was approved by the voters in November 2018 to require the payment of death benefits to the survivors of certain first responders, Florida National Guard members, and members of the United States Armed Forces. Current law provides various death benefits to many, but not all, of the first responders, Florida National Guard members, and members of the U.S. Armed Forces who are eligible for benefits under Amendment 7. Therefore, the Legislature must expand some of the current death benefits to comply with the requirements of Amendment 7.

The bill expands the death benefits currently provided to Florida National Guard members on state active duty, firefighters, and law enforcement, correctional, and correctional probation officers and sets the amount of the benefits as follows:

- \$75,000 when an eligible firefighter, Florida National Guard member, or law enforcement, correctional, or correctional probation officer is accidentally killed or receives accidental bodily injury that results in the loss of the individual's life.
- An additional \$75,000 when an eligible firefighter, Florida National Guard member, or law enforcement, correctional, or correctional probation officer is accidentally killed in the above manner and meets additional requirements, such as the accidental death occurs as a result of the response to an emergency.
- \$225,000 when an eligible firefighter, Florida National Guard member, or law enforcement, correctional, or correctional probation officer is unlawfully and intentionally killed or dies as a result of an unlawful and intentional act while engaged in the performance of official duties.

The bill also provides the benefits described above to paramedics and emergency medical technicians.

The bill removes the annual Consumer Price Index adjustment of the benefit amounts.

The bill creates a new death benefit of \$75,000 for members of the U.S. Armed Forces, including Florida National Guard members, who are killed while on federal active duty and engaged in performing official duties. Other members of the U.S. Armed Forces who are killed while on active duty but not engaged in the performance of their official duties are entitled to a \$25,000 death benefit.

The bill expands death benefits for certain educational expenses of surviving spouses and children by providing them to firefighters, law enforcement officers, correctional officers, correctional probation officers, and Florida National Guard members who are accidentally killed or receive accidental bodily injury resulting in loss of life. These benefits for educational expenses are also provided to paramedics and emergency medical technicians, as well as Florida

National Guard members who are killed while on federal active duty and U.S. Armed Forces members who are killed while on active duty.

The bill appears to have an indeterminate fiscal impact on the state and local governments. The bill includes a continuing appropriation from the General Revenue Fund to pay for any monetary benefits related to deceased members of the U.S. Armed Forces.

These provisions were approved by the Governor and take effect July 1, 2019.

*Vote: Senate 37-0; House 115-0*