

Tab 1	SB 336 by Arrington ; Identical to H 00135 Educational Dollars for Duty Program
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Tab 2	SB 402 by Wright ; Unlawful Use of Uniforms, Medals, or Insignia
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Tab 3	SB 884 by Martin ; Similar to H 00553 Florida State Guard
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
MILITARY AND VETERANS AFFAIRS, SPACE, AND
DOMESTIC SECURITY
Senator Wright, Chair
Senator Collins, Vice Chair

MEETING DATE: Tuesday, March 11, 2025
TIME: 1:30—3:30 p.m.
PLACE: 301 Senate Building

MEMBERS: Senator Wright, Chair; Senator Collins, Vice Chair; Senators Burgess, Jones, Sharief, and Truenow

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 336 Arrington (Identical H 135)	Educational Dollars for Duty Program; Citing this act the “Educational Dollars for Duty Program Expansion Act”; requiring the program to set aside a certain amount of funds to provide tuition assistance to spouses and children of active members of the Florida National Guard; requiring the Department of Military Affairs to oversee implementation and enforcement, etc.	MS 03/11/2025 ATD FP
2	SB 402 Wright	Unlawful Use of Uniforms, Medals, or Insignia; Prohibiting persons from wearing the uniform of or any medal or insignia authorized for use by members or veterans of the Space Force, etc.	CJ 03/04/2025 Favorable MS 03/11/2025 RC
3	SB 884 Martin (Similar H 553)	Florida State Guard; Authorizing leaves of absence for members of the Florida State Guard when they are engaged in certain ordered training; providing a discount on annual entrance passes to state parks for current members of the Florida State Guard; creating and specifying the annual fee for the Florida State Guard gold sportsman’s license for hunting and fishing; creating the Florida State Guard Scholarship Program for a specified purpose, etc.	MS 03/11/2025 ATD FP

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SB 336

INTRODUCER: Senator Arrington

SUBJECT: Educational Dollars for Duty Program

DATE: March 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Proctor	MS	Pre-meeting
2.			ATD	
3.			FP	

I. Summary:

SB 336 creates the Educational Dollars for Duty Program Expansion Act by transferring the Florida National Guard (FNG) Educational Dollars for Duty (EDD) program to a newly created section of statute and expanding the program to include spouses and children of active members of the FNG.

Spouses and children of active members of the FNG would be eligible for financial assistance of up to 50 percent of tuition. The Department of Military Affairs (DMA) will be required to oversee the implementation and enforcement of the Educational Dollars for Duty Program Expansion Act in addition to establishing procedures for verifying eligibility and distributing funds.

The bill sets aside \$500,000 of funds appropriated for the EDD program each fiscal year to provide tuition assistance for spouses and children of active members of the FNG, reducing appropriated funds available for active members of the FNG under the EDD program.

Funding for the EDD program is subject to appropriation.

The bill takes effect July 1, 2025.

II. Present Situation:

National Guard and the National Guard Bureau

The National Defense Act of 1916¹ established the National Guard Bureau as a separate unit of the militia division of the federal government.² In 1948, the United States Secretary of Defense issued an order designating the National Guard Bureau as a joint bureau of the Departments of the Army and Air Force.³ Today, the National Guard Bureau oversees each of the 54 National Guards in U.S. states and territories.⁴

The National Guard is unique among militia in that it serves the country in both the local community and overseas. The dual mission of a National Guard member means that each member serves through both the National Guard of the state and through the U.S. Army or the U.S. Air Force.⁵ The collective membership of each National Guard is designated as its force structure. The force structure of each National Guard is allocated by the National Guard Bureau.⁶

Florida National Guard

The FNG dates back to 1565, when Spanish founders of St. Augustine organized a company of citizen-soldiers to protect the local community.⁷ A member of the FNG serves either in the state Army National Guard or in the state Air National Guard, considered a reserve component of each of those armed forces.⁸ Overseeing the FNG as a federally-recognized officer, the adjutant general is appointed by the Governor and subject to Senate confirmation.⁹ The adjutant general, responsible for training and operations of the FNG, must have served in the FNG for the preceding 5 years and attained the rank of colonel or higher.¹⁰ Ranked above adjutant general is the Governor, who serves as commander-in-chief of all militia in the state.¹¹

The force structure of the FNG is comprised of more than 12,000 members.¹²

Educational Dollars for Duty Program

Under current law, the Adjutant General is responsible for developing the EDD program,¹³ established in 2009,¹⁴ providing an educational benefit exclusively for members of the FNG. The EDD program provides tuition and fee financial assistance to an eligible FNG member enrolled

¹ National Defense Act of 1916, Pub. L. 64-85 (June 3, 1916).

² National Archives, *Guide to Federal Records, Records of the National Guard Bureau (NGB)*, available at <https://www.archives.gov/research/guide-fed-records/groups/168.html> (last visited March 5, 2025).

³ *Id.* Section 250.01(13), F.S.

⁴ Air Force, *Air National Guard*, available at <https://www.af.mil/About-Us/Fact-Sheets/Display/Article/104546/air-national-guard/> (last visited March 5, 2025).

⁵ *Id.*

⁶ 10 U.S.C. s. 10503(1).

⁷ Dep't of Military Affairs, *Home*, available at <https://dma.myflorida.com/> (last visited March 5, 2025).

⁸ Section 250.01(3), (7), and (13), F.S.

⁹ Section 250.10(1), F.S.

¹⁰ *Id.*

¹¹ Section 250.06(1), F.S.

¹² Florida National Guard, *About*, available at <https://fl.ng.mil/About/> (last visited March 5, 2025).

¹³ Section 250.10(7), F.S.

¹⁴ Ch. 2009-123, s. 1, Laws of Fla.

in an authorized course of study at an accredited public or private postsecondary institution or technical center.¹⁵ Preference and priority is given to a person previously deployed on federal military orders while serving in the FNG.¹⁶

The Adjutant General must adopt rules for the overall policy, guidance, administration, implementation, and proper use of the EDD program.¹⁷

The EDD program application requirements include, but are not limited to, requirements that the applicant:

- Be 17 years of age or older.
- Be presently domiciled in the state.
- Be an active drilling member and in good standing in the FNG at the beginning of and throughout the entire academic term for which benefits are received.
- Maintain continuous satisfactory participation in the FNG for the school term for which benefits are received.
- Upon enrollment in the program, complete a memorandum of agreement with the FNG.¹⁸

The EDD program defines those members of the FNG who are ineligible to participate and those courses of study which are not authorized for the EDD program.

- Ineligible members include, but are not limited to, a member, commissioned officer, warrant officer, or enlisted person who has obtained a master's degree using the EDD program.
- Inactive members of the FNG and members of the Individual Ready Reserve are not eligible to participate in the EDD program.
- Courses not authorized include noncredit courses, courses that do not meet degree requirements, courses that do not meet requirements for completion of career training, or other courses as determined by EDD program definitions.
- The EDD program may not pay repeat course fees.¹⁹

Administered by the DMA, funding for the EDD program is subject to legislative appropriation.²⁰ In Fiscal Year 2023-2024, the Legislature appropriated \$5,167,900 for the EDD program.²¹ When appropriated, the DMA may pay the full cost of tuition and fees for current National Guard members who take courses at a public postsecondary institution or technical program. If, however, the eligible member is enrolled at a private postsecondary institution or technical program, payment may not exceed the rate of the highest in-state tuition and fees at a public postsecondary education institution or public vocational-technical program.²²

The DMA may reimburse a member of the FNG for student textbook and instructional material costs in accordance with limits set each fiscal year based on funding availability and regardless

¹⁵ Section 250.10(7), F.S.

¹⁶ Section 250.10(8)(a), F.S.

¹⁷ Section 250.10(7)(d), F.S.

¹⁸ Section 250.10(7)(a), F.S.

¹⁹ Section 250.10(7)(b), F.S.

²⁰ Section 250.10(8), F.S.

²¹ Ch. 2023-239 Laws of Fla., Specific Appropriation 3066, Section 6, General Government, General Appropriations Act.

²² Section 250.10(8), F.S.

of the source of tuition funding, but only after tuition and fees for all eligible FNG members are paid for that fiscal year.²³

Penalties for noncompliance with EDD program requirements include, but are not limited to, the following:

- If a member of the FNG receives payment of tuition and fees for an academic term and fails to maintain satisfactory participation in the FNG during that academic term, the member shall reimburse the DMA for all tuition charges and student fees for the academic term for which the member received payment.
- If a member of the FNG leaves the FNG during the period specified in the member’s enlistment or reenlistment contract, the member shall reimburse the DMA for all tuition charges and student fees for which the member received payments, regardless of whether the obligation to reimburse the DMA was incurred before, on, or after July 1, 2009, unless the Adjutant General finds that there are justifiable extenuating circumstances.
- If the service of a member of the FNG is terminated or the member is placed on scholastic probation while receiving payments, the member shall reimburse the DMA for all tuition charges and student fees for the academic term for which the member received payment.
- If a member of the FNG defaults on any reimbursement made under this paragraph, the DMA may charge the member the maximum interest rate authorized by law.²⁴

During the 2023-2024 fiscal year, the program provided educational assistance to 1,524 FNG members.²⁵

Educational Dollars for Duty Program Funding

Funding for the EDD program is subject to appropriation.²⁶ As indicated by the funds appropriated the last 2 fiscal years, with the 2024-2025 fiscal year to be determined, the entirety of the funds appropriated in each fiscal year were used to provide educational assistance to FNG members under the EDD program.

Fiscal Year	Funds Appropriated	Funds Reverted
2022-2023	\$5,167,900 ²⁷	\$0 ²⁸
2023-2024	\$5,167,900 ²⁹	\$0 ³⁰
2024-2025	\$5,167,900 ³¹	TBD

²³ Section 250.10(8)(b), F.S.

²⁴ Section 250.10(8)(c), F.S.

²⁵ Email from Glen O’Brien, Educational Dollars for Duty Program Director, Florida Department of Military Affairs, to Tim Proctor, Staff Director, Senate Committee on Military and Veterans Affairs, Space, and Domestic Security (March 5, 2025) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

²⁶ Section 250.10(8), F.S.

²⁷ Chapter 2022-156 Laws of Fla., Specific Appropriation 2998.

²⁸ Email from Sarah Nortelus, Staff Director, Senate Appropriations Committee on Transportation, Tourism, and Economic Development, to Tim Proctor, Staff Director, Senate Committee on Military and Veterans Affairs, Space, and Domestic Security (February 4, 2025) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

²⁹ Chapter 2023-239 Laws of Fla., Specific Appropriation 3066.

³⁰ Email from Sarah Nortelus, *supra* note 28.

³¹ Chapter 2024-231 Laws of Fla., Specific Appropriation 3055.

III. Effect of Proposed Changes:

The bill creates the Educational Dollars for Duty Program Expansion Act by transferring the FNG EDD program to a newly created section of statute and expanding the program to include spouses and children of active members of the FNG.

Spouses and children of active members of the FNG would be eligible for financial assistance of up to 50 percent of tuition. The DMA will be required to oversee the implementation and enforcement of the Educational Dollars for Duty Program Expansion Act in addition to establishing procedures for verifying eligibility and distributing funds.

The bill sets aside \$500,000 of funds appropriated for the EDD program each fiscal year to provide tuition assistance for spouses and children of active members of the FNG, reducing appropriated funds available for active members of the FNG under the EDD program.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Spouses and children of active members of the FNG may be eligible for financial assistance of up to 50 percent of tuition. It is unknown how many individuals will be eligible for or utilize the financial assistance.

C. Government Sector Impact:

Funding for the EDD program is subject to appropriation. From the funds appropriated for the EDD program each fiscal year, the bill sets aside \$500,000 to provide tuition assistance for spouses and children of active members of the FNG, reducing the appropriated funds available for active members of the FNG under the EDD program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 250.10 of the Florida Statutes.
This bill creates section 250.101 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Arrington

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1 A bill to be entitled
 2 An act relating to the Educational Dollars for Duty
 3 program; providing a short title; transferring,
 4 renumbering, and amending s. 250.10(7) and (8), F.S.;
 5 requiring the program to set aside a certain amount of
 6 funds to provide tuition assistance to spouses and
 7 children of active members of the Florida National
 8 Guard; authorizing the Legislature to increase the
 9 amount of such funds; requiring the Department of
 10 Military Affairs to oversee implementation and
 11 enforcement; requiring the department to establish
 12 certain procedures; providing an effective date.

14 WHEREAS, members of the Florida National Guard are
 15 frequently deployed and respond to emergencies, often taking
 16 them away from their families, and

17 WHEREAS, many National Guard families are left alone during
 18 a member's overseas deployments and during natural disasters,
 19 often having to take care of themselves while the member is away
 20 helping Florida or our nation, and

21 WHEREAS, providing educational support to the families of
 22 National Guard members will offer significant relief and support
 23 to these dedicated individuals, NOW, THEREFORE,

24 Be It Enacted by the Legislature of the State of Florida:

25 Section 1. This act may be cited as the "Educational
 26 Dollars for Duty Program Expansion Act."

27 Section 2. Present subsections (7) and (8) of section
 28
 29

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

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30 250.10, Florida Statutes, are transferred and renumbered as
 31 section 250.101, Florida Statutes, and that section is amended,
 32 to read:

33 250.101 Educational Dollars for Duty program.-

34 ~~(1)(7)~~ The Adjutant General shall develop an education
 35 assistance program for members in good standing of the Florida
 36 National Guard who enroll in an authorized course of study at a
 37 public or nonpublic postsecondary institution or technical
 38 center in the state which has been accredited by an accrediting
 39 body recognized by the United States Department of Education or
 40 licensed by the Commission for Independent Education. Education
 41 assistance also may be used for training to obtain industry
 42 certifications approved by the Department of Education pursuant
 43 to s. 1008.44 and continuing education to maintain license
 44 certifications. The education assistance program shall be known
 45 as the Educational Dollars for Duty program (EDD).

46 (a) The program shall establish application requirements,
 47 including, but not limited to, requirements that the applicant:

- 48 1. Be 17 years of age or older.
- 49 2. Be presently domiciled in the state.
- 50 3. Be an active drilling member and in good standing in the
 51 Florida National Guard at the beginning of and throughout the
 52 entire academic term for which benefits are received.
- 53 4. Maintain continuous satisfactory participation in the
 54 Florida National Guard for the school term for which benefits
 55 are received.
- 56 5. Upon enrollment in the program, complete a memorandum of
 57 agreement to:
 58 a. Comply with the rules of the program.

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59 b. Serve in the Florida National Guard for the period
60 specified in the member's enlistment or reenlistment contract.

61 c. Authorize the release of information pursuant to
62 subparagraph (d)6. by the postsecondary institution or technical
63 center to the education service office of the Department of
64 Military Affairs, subject to applicable federal and state law.

65 (b) The program shall define those members of the Florida
66 National Guard who are ineligible to participate in the program
67 and those courses of study which are not authorized for the
68 program.

69 1. Ineligible members include, but are not limited to, a
70 member, commissioned officer, warrant officer, or enlisted
71 person who has obtained a master's degree using the program.

72 2. Inactive members of the Florida National Guard and
73 members of the Individual Ready Reserve are not eligible to
74 participate in the program.

75 3. Courses not authorized include noncredit courses,
76 courses that do not meet degree requirements, courses that do
77 not meet requirements for completion of career training, or
78 other courses as determined by program definitions.

79 4. The program may not pay repeat course fees.

80 (c) The program may include, but is not limited to:

81 1. Courses at a public or nonpublic postsecondary
82 institution or technical center in the state which is accredited
83 by an accrediting body recognized by the United States
84 Department of Education or licensed by the Commission for
85 Independent Education.

86 2. Training to obtain industry certifications, limited to
87 certifications approved by the Department of Education under s.

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88 1008.44.

89 3. Continuing education to maintain a license or
90 certification. Notwithstanding subparagraph (b)1., members who
91 have obtained a master's degree using the program are eligible
92 for funding under this subparagraph.

93 4. Licensing and industry certification examination fees.
94 Notwithstanding subparagraph (b)1., members who have obtained a
95 master's degree using the program are eligible for funding under
96 this subparagraph.

97 5. Notwithstanding subparagraph (b)3., developmental
98 educational courses.

99 (d) The Adjutant General shall adopt rules for the overall
100 policy, guidance, administration, implementation, and proper use
101 of the program. Such rules must include, but need not be limited
102 to:

103 1. Guidelines for certification by the Adjutant General of
104 a guard member's eligibility.

105 2. Procedures for notification to a postsecondary
106 institution or technical center of a guard member's termination
107 of eligibility.

108 3. Guidelines for approving courses of study that are
109 authorized for the program, including online courses, industry
110 certification training, and continuing education to maintain
111 license certifications.

112 4. Guidelines for approving the use of program funds for
113 licensing and industry certification examination fees.

114 5. Procedures for restitution when a guard member fails to
115 comply with the penalties described in this section.

116 6. Procedures that require a public or nonpublic

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117 postsecondary institution or technical center that receives
 118 funding from the program to provide information regarding course
 119 enrollment, course withdrawal, course cancellation, course
 120 completion, course failure, and grade verification of enrolled
 121 members to the education service office of the Department of
 122 Military Affairs.

123 7. Guidelines for the payment of tuition and fees, not to
 124 exceed the highest in-state tuition rate charged by a public
 125 postsecondary institution in the state.

126 ~~(2)(8)~~ Subject to appropriations, the Department of
 127 Military Affairs may pay the full cost of tuition and fees for
 128 required courses for current members of the Florida National
 129 Guard. Members are eligible to use the program upon enlistment
 130 in the Florida National Guard. If a member is enrolled in a
 131 nonpublic postsecondary education institution or a nonpublic
 132 vocational-technical program, the Department of Military Affairs
 133 shall pay an amount that may not exceed the rate of the highest
 134 in-state tuition and fees at a public postsecondary education
 135 institution or public vocational-technical program.

136 (a) The Adjutant General shall give preference and priority
 137 to eligible members who have deployed on federal military orders
 138 while a member of the Florida National Guard.

139 (b) The Department of Military Affairs may reimburse a
 140 member for student textbook and instructional material costs in
 141 accordance with limits set each fiscal year based on funding
 142 availability and regardless of the source of tuition funding,
 143 but only after tuition and fees for all eligible members are
 144 paid for that fiscal year.

145 (c) Penalties for noncompliance with program requirements

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146 include, but are not limited to, the following:

147 1. If a member of the Florida National Guard receives
 148 payment of tuition and fees for an academic term and fails to
 149 maintain satisfactory participation in the Florida National
 150 Guard during that academic term, the member shall reimburse the
 151 Department of Military Affairs all tuition charges and student
 152 fees for the academic term for which the member received
 153 payment.

154 2. If a member of the Florida National Guard leaves the
 155 Florida National Guard during the period specified in the
 156 member's enlistment or reenlistment contract, the member shall
 157 reimburse the Department of Military Affairs all tuition charges
 158 and student fees for which the member received payments,
 159 regardless of whether the obligation to reimburse the department
 160 was incurred before, on, or after July 1, 2009, unless the
 161 Adjutant General finds that there are justifiable extenuating
 162 circumstances.

163 3. If the service of a member of the Florida National Guard
 164 is terminated or the member is placed on scholastic probation
 165 while receiving payments, the member shall reimburse the
 166 Department of Military Affairs all tuition charges and student
 167 fees for the academic term for which the member received
 168 payment.

169 4. If a member defaults on any reimbursement made under
 170 this paragraph, the department may charge the member the maximum
 171 interest rate authorized by law.

172 (3) (a) The Educational Dollars for Duty program shall set
 173 aside \$500,000 of existing funds every fiscal year to provide
 174 financial assistance for up to 50 percent of tuition to spouses

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175 and children of active members of the Florida National Guard.
176 The amount set aside may be increased by the Legislature as
177 deemed necessary.

178 (b) The Department of Military Affairs shall oversee the
179 implementation and enforcement of this subsection. The
180 department shall establish procedures for verifying eligibility
181 and distributing funds.

182 Section 3. This act shall take effect July 1, 2025.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SB 402

INTRODUCER: Senator Wright

SUBJECT: Unlawful Use of Uniforms, Medals, or Insignia

DATE: March 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wyant	Stokes	CJ	Favorable
2.	Proctor	Proctor	MS	Pre-meeting
3.			RC	

I. Summary:

SB 402 amends s. 817.312 F.S., to replace a list of specified armed forces with *armed forces as defined in s. 250.01, F.S.* Current law provides it is a third degree felony for a person to misrepresent himself or herself as a member or veteran of such specified armed forces, or to wear the uniform or insignia of specified armed forces, under certain circumstances.

The bill ensures that the same branches of armed forces are listed in each provision of the statute. Under s. 250.01, F.S., “armed forces,” includes the United States Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard.

The bill takes effect on October 1, 2025.

II. Present Situation:

Armed Forces

The Department of Defense is America’s largest government agency and is composed of 3.4 million service members and civilians. The department’s mission is to provide the armed forces needed to deter war and ensure our nation’s security.¹ Section 250.01, F.S., provides that “armed forces” means the United States Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard.² The National Guard is defined separately as the Army National Guard and the Air National Guard, both of which specify that part of the National Guard of a state or territory of the United States, Puerto Rico, or the District of Columbia, active or inactive, which is:

- Trained, and has its officers appointed, under the United States Constitution;
- Organized, armed, and equipped wholly or partially at federal expense; and

¹ U.S. Department of Defense, *About*, available at: <https://www.defense.gov/About/> (last visited March 3, 2025).

² Section 250.01(4), F.S.

- Federally recognized.³

The United States Space Force was established in 2019, creating the first new branch of the armed services since 1947. “The military and civilian guardians who work for the Space Force protect and defend American interests in space to ensure that our forces, our allies, and our people have the ability to harness space whenever and wherever they need it.”⁴

Armed Forces Uniforms and Insignia

A person commits a third degree felony⁵ if, while in the process of soliciting for charitable donations or for the purpose of material gain, including but not limited to, obtaining employment or public office resulting in receiving compensation, such person misrepresents himself or herself as a member or veteran⁶ of the:

- United States Air Force;
- United States Army;
- United States Coast Guard;
- United States Marine Corps;
- United States Navy;
- United States Space Force; or,
- National Guard.

Additionally, a person commits a third degree felony if, while in the process of soliciting for charitable donations or material gain, such person wears the uniform of, or any medal or insignia authorized for use by members or veterans⁷ of the:

- United States Air Force;
- United States Army;
- United States Coast Guard;
- United States Marine Corps;
- United States Navy; or,
- The National Guard.

These crimes do not apply to persons in the theatrical profession while engaged in such profession.

In 2022, SB 438 amended the definition of “armed forces” in s. 250.01, F.S., to incorporate the newly established Space Force, and amended s. 817.312(1)(a)1., F.S., to prohibit a person from misrepresenting himself or herself as a member or veteran of the United States Space Force. However, that bill did not include Space force in s. 817.312(1)(a)2., F.S. Therefore, there is no prohibition for wearing the uniform of or any medal or insignia of the United States Space Force.

³ Sections 250.01(2)(b)-(d) and 250.01(6)(b)-(d), F.S.

⁴ United States Space Force, *About Us*, available at <https://www.spaceforce.mil/About-Us/> (last visited March 3, 2025).

⁵ A third degree felony is generally punishable by not more than 5 years in state prison and a fine not exceeding \$5,000. Section 775.082 and 775.083, F.S.

⁶ Section 817.312(1)(a)1., F.S.

⁷ Section 817.312(1)(a)2., F.S.

Similar Provisions of Law

Other provisions of Florida law and Federal law govern wearing a uniform or insignia of rank, some of which have been held unconstitutional by the courts.

In 2005, President George W. Bush signed into law the first Stolen Valor Act (the Act).⁸ The law broadened provisions of federal law prohibiting the unauthorized wearing, manufacture, or sale of any military decorations and medals. Under the law, it was a federal misdemeanor to falsely represent oneself as having received any U.S. military decoration or medal. In 2012, the United States Supreme Court overturned the Act.

In *United States v. Alvarez*,⁹ the Court ruled that the Act violated the First Amendment's guarantee to free speech and was therefore unconstitutional. In considering whether the conduct prohibited by the statute was protected free speech, the Court noted that "(t)he statute seeks to control and suppress all false statements on this one subject in almost limitless times and settings. And it does so entirely without regard to whether the lie was made for the purpose of material gain."¹⁰

Consequently, President Barack Obama signed into law the Stolen Valor Act of 2013.¹¹ The Act amended the federal criminal code to prohibit a person from claiming to have served in the military, from embellishing the rank attained, or from fraudulently claiming to have received a valor award with the intention of obtaining money, property, or other tangible benefit.

Similarly, s. 250.43, F.S., provides it is a first degree misdemeanor¹² for a person, other than persons entitled, to wear the uniform or insignia of rank worn by officers of the Florida National Guard. Additionally, every person other than an officer or enlisted person of a specified entity¹³ who wears the uniform or any part of such uniform, or imitation thereof, of the United States Army, Navy, Marine Corps, Air Force, Space Force, National Guard, Naval Militia, or Marine Corps commits a first degree misdemeanor.

In *State v. Montas*,¹⁴ the district court held that s. 250.43, F.S., was overbroad and a violation of due process because the statute has the potential to criminalize activities protected by the First Amendment. However, s. 817.312, F.S. addresses the intent element, by prohibiting the unlawful use of uniforms, medals, or insignia *while soliciting for charitable donations or for the purpose of material gain*.

⁸ GovTrack, Stolen Valor Act of 2005, Pub. L. No. 109-437, S. 1998, 109th Cong. (December 20, 2006), available at: <https://www.govtrack.us/congress/bills/109/s1998> (last visited March 3, 2025).

⁹ *United States v. Alvarez*, 567, U.S. 709, 132 S. Ct. 2537, 183 L. Ed. 2d 574 (2012).

¹⁰ *Id.* at 2547.

¹¹ 18 U.S.C. § 704. See GovTrack, Stolen Valor Act of 2013, Pub. L. No. 113-12, H.R. 258, 113th Cong. (June 3, 2013), available at: <https://www.govtrack.us/congress/bills/113/hr258> (last visited March 3, 2025).

¹² A first degree misdemeanor is punishable by a term of imprisonment not exceeding 1 year and a fine of up to \$1,000. Sections 775.082 and 775.083, F.S.

¹³ Section 250.43(2), F.S., Specified entities include Florida National Guard, naval militia, or marine corps of this state, any other state, Puerto Rico, or the District of Columbia, or of the United States Army, Navy, Marine Corps, Air Force, or Space Force.

¹⁴ *State v. Montas*, 993 So. 2d 1127 (Fla. 5th DCA 2008).

III. Effect of Proposed Changes:

The bill amends s. 817.312, F.S., which provides that it is a third degree felony for a person to misrepresent himself or herself as a member or veteran of specified armed forces, or to wear the uniform or insignia of specified armed forces, under certain circumstances.

Specifically the bill amends s. 817.312(1)(a)1., F.S., to replace “United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, and United States Space Force” with “*armed forces as defined in s. 250.01.*”

Additionally, s. 817.312(1)(a)2., F.S., is amended to replace “United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy” with “*armed forces as defined in s. 250.01.*”

The bill ensures that the same branches of armed forces are listed in each provision of the statute. Under s. 250.01, F.S., “armed forces,” includes the United States Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard.

The bill takes effect on October 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill relates to criminal laws prohibiting wearing specified uniforms or insignia, and criminal laws are exempt from the requirements of Article VII, Section 18 of the Florida Constitution, relating to unfunded mandates.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an insignificant prison bed impact on the Department of Corrections by expanding the conduct prohibited as a third degree felony.

VI. Technical Deficiencies:**VII. Related Issues:**

None.

VIII. Statutes Affected:

This bill amends section 817.312 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Wright

8-00553-25

2025402__

A bill to be entitled

An act relating to unlawful use of uniforms, medals, or insignia; amending s. 817.312, F.S.; prohibiting persons from wearing the uniform of or any medal or insignia authorized for use by members or veterans of the Space Force; making technical changes; providing criminal penalties; providing an effective date.

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

Section 1. Section 817.312, Florida Statutes, is amended to read:

817.312 Unlawful use of uniforms, medals, or insignia.—

(1) (a) A person may not:

1. Misrepresent himself or herself as a member or veteran of the armed forces as defined in s. 250.01 ~~United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, United States Space Force,~~ or the National Guard; or

2. Wear the uniform of or any medal or insignia authorized for use by members or veterans of the armed forces as defined in s. 250.01 ~~United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy,~~ or the National Guard which he or she is not authorized to wear,

while soliciting for charitable contributions or for the purpose of material gain, including, but not limited to, obtaining employment or public office resulting in receiving compensation.

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

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(b) This subsection does not prohibit persons in the theatrical profession from wearing such uniforms, medals, or insignia while actually engaged in such profession.

(2) A person who violates subsection (1) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. This act shall take effect October 1, 2025.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SB 884

INTRODUCER: Senator Martin

SUBJECT: Florida State Guard

DATE: March 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Ingram	Proctor	MS	Pre-meeting
2.			ATD	
3.			FP	

I. Summary:

SB 884 expands state benefits for members of the Florida State Guard (FSG), to include:

- Authorizing administrative leaves of absence for employees or officers of the state and its political subdivisions who are members of the FSG that are engaged in FSG training. Such administrative leave would preclude an employee or officer from losing vacation leave, pay, time, or efficiency rating.
- Providing a 15-percent discount on annual entrance passes to state parks for current members of the FSG. An FSG member is required to provide written documentation indicating his or her eligibility in order to receive the discount.
- Establishing an annual Florida State Guard gold sportsman’s license for hunting and fishing for members of the FSG. Upon presentation of a current FSG identification card, an FSG member may purchase an annual Florida State Guard gold sportsman’s license for \$34.48, rather than the \$98.50 charged for the annual gold sportsman’s license.
- Creating the Florida State Guard Scholarship Program (program), administered by the Department of Education (DOE), to reward eligible FSG members enrolled in eligible Florida public or independent postsecondary education institutions. The bill provides eligibility criteria to receive a scholarship under the program and to receive continued scholarship funding. The DOE is required to issue rewards in a specified manner and the program is subject to appropriation by the Legislature. The State Board of Education and the Board of Governors are directed to adopt rules and regulations, respectively, to implement the program.

The bill may have an indeterminate negative fiscal impact. See Section V. Fiscal Impact Statement.

The bill takes effect on July 1, 2025.

II. Present Situation:

Florida State Guard

The Florida State Guard (FSG) was created in 2022¹ as a component of the organized guard of the state, separate and apart from the Florida National Guard (FNG). The FSG is a state-funded volunteer force that partners with the FNG and other disaster response agencies to ensure communities are provided with humanitarian assistance and rapid response during manmade and natural disasters.^{2,3}

The FSG is under the command and control of the governor and is authorized for exclusive use within the state when activated by the Governor⁴ or for use in other states for specific purposes.⁵ The FSG may not be called, ordered, or drafted into the armed forces of the United States and is authorized to have a maximum number of 1,500 volunteer personnel.⁶ As of March 4, 2025, the Florida State Guard is anticipated to have a year-end strength of over 1,000 soldiers.⁷

The Division of the State Guard (division) within the Department of Military Affairs is responsible for the organization, recruitment, training, equipping, management, and functions of the FSG. The division is led by a director who is appointed by and serves at the pleasure of the governor.⁸ Subject to approval by the Governor, the director determines the number of volunteer personnel within the FSG.⁹ Members of the FSG must:

- Be citizens of the United States and residents of Florida;
- Have no felony conviction and submit fingerprints as required by state and federal law for purposes of conducting a criminal background check;
- Not be an active duty servicemember, a member of the armed forces reserves, or a member of the FNG; and
- Have been separated under terms no less than a general discharge under honorable conditions if the applicant is a former member of the armed forces or of any military or naval organization of a state.¹⁰

¹ The Florida State Guard (FSG) was created via the Implementing Act of the General Appropriations Act for the 2022-23 fiscal year, Ch. 2022-157, s. 80, Laws of Fla., and is codified in statutes as s. 251.001, F.S., the Florida State Guard Act.

² The FSG, *FAQ-Application Process*, available at <https://www.floridastateguard.org/application-faq> (last visited Mar. 4, 2025).

³ Executive Office of the Governor, *More Border Support: Governor Ron DeSantis Sends Additional Florida National Guard and Florida State Guard to Assist Texas* (February 1, 2024), available at <https://www.flgov.com/eog/news/press/2024/more-border-support-governor-ron-desantis-sends-additional-florida-national-guard> (last visited Mar. 4, 2025).

⁴ Section 251.001(2), F.S.

⁵ The FSG is authorized to support other states under the Emergency Management Assistance Compact (EMAC) as provided for in part III of ch. 252, F.S. Section 251.001(8)(a)4., F.S.

⁶ Section 251.001(2), F.S.

⁷ The FSG, Video Release: Florida State Guard Enhances, Personnel Strength with 160+ New Soldiers (Mar. 4, 2025), available at <https://www.floridastateguard.org/post/video-release-florida-state-guard-enhances-personnel-strength-with-160-new-soldiers> (last visited Mar. 5, 2025).

⁸ Section 251.001(3), F.S.

⁹ Section 251.001(5)(a), F.S.

¹⁰ Section 251.001(5)(c), F.S.

The director determines the minimum standards for the age, physical and health condition, and physical fitness of applicants¹¹ and a training program for members of the FSG.¹² The standards and training program determined by the director may be no less than the standards and training requirements required by the FNG.¹³ Members of the FSG are reimbursed for per diem and travel expenses incurred to attend required training or in the course of active service.¹⁴ FSG members may be compensated for time spent training or in the course of active service at rates established by the director, which is subject to legislative appropriation.¹⁵ While activated or in training, FSG members are not liable for any lawful act done in the performance of his or her FSG duties while acting in good faith within the scope of such duties. In addition, while activated or in training, FSG members are considered volunteers for the state, and are entitled to workers' compensation protections pursuant to chapter 440, F.S., and are guaranteed the same protections as members of the FNG.¹⁶

The FSG may be activated by order of the Governor:

- During any period when any part of the FNG is in active federal service and the governor has declared a state of emergency;
- To preserve the public peace, execute the laws of the state, enhance domestic security, respond to terrorist threats or attacks, protect and defend the people of the state from threats to public safety, respond to an emergency¹⁷ or imminent danger thereof, or respond to any need for emergency aid to civil authorities;
- To augment any existing state or local agency; or
- To provide support to other states under the Emergency Management Assistance Compact.¹⁸

The FSG is deactivated at the expiration of the Governor's activation order or by a separate order by the Governor deactivating the FSG.¹⁹

The director is also responsible for organizing a specialized unit within the FSG in which members are vested with authority to bear arms, detect, and apprehend while activated.²⁰ Members of the specialized unit must meet the minimum qualifications for employment or appointment as a law enforcement officer defined in law²¹ and are certified as law enforcement officers.²² The specialized unit is authorized to have the same law enforcement authority as the law enforcement agency the specialized group is working with when activated.²³

¹¹ Section 251.001(5)(d), F.S.

¹² Section 251.001(7), F.S.

¹³ *Id.*

¹⁴ Section 251.001(9)(a), F.S.

¹⁵ Section 251.001(9)(b), F.S.

¹⁶ Section 251.001(10), F.S.

¹⁷ Section 252.34(4), F.S., defines the term "emergency" to mean any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property.

¹⁸ Section 251.001(8)(a), F.S.

¹⁹ Section 251.001(8)(b), F.S.

²⁰ Section 251.001(6), F.S.

²¹ Such qualifications are provided in s. 943.13, F.S.

²² Members must be certified as law enforcement officers as defined by s. 943.10(1), F.S.

²³ Section 251.001(6), F.S.

Leaves of Absence for Servicemembers

Any officer or employee of the state or its political subdivisions, including school districts, who is a member of the FNG is entitled to a leave of absence for up to 30 days without loss of pay, time, or efficiency rating, when engaged in state active duty for a named event, declared disaster, or operation.²⁴

Under Ch. 115, F.S., the Florida Legislature's intent is to safeguard the state and national security through a strong armed force of qualified and mobilization-ready personnel. Officers or employees of the state, of the several counties of the state, and of the municipalities or political subdivisions of the state who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard, are granted up to 240 hours of administrative leave per year on days during which such officers or employees are engaged in training that is ordered under the provisions of the United States military or naval training regulations for such personnel when assigned to active or inactive duty.²⁵ In accordance with s. 115.07, F.S., such administrative military leave of absence for training is provided without loss of vacation leave, pay, time, or efficiency rating. If the administrative leave of absence for training is necessary beyond the 240 hours for military assignment, such leave may be granted without loss of time or efficiency rating, however, such leave will be without pay.²⁶

When an employee's assigned employment duty conflicts with ordered active or inactive military duty training, the employing agency of the state or political subdivision is responsible for providing a substitute employee, if necessary, for the assumption of such employment duty while the employee is on assignment for the military training.²⁷

Recreation Benefits for Servicemembers and Veterans

State Parks Entrance Fees

The Department of Environmental Protection's (DEP) Division of Recreation and Parks may charge reasonable fees, rentals, or charges for the use or operation of facilities and concessions in state parks.²⁸ All fees, rentals, and charges collected are deposited into the State Treasury for the benefit of the State Park Trust Fund. Monies collected in the State Park Trust Fund are to be used for the administration, improvement, and maintenance of state parks and for purchasing and developing land for state park purposes.²⁹

Under current law, the following discounts on state park fees apply with written documentation to:

²⁴ National Guard members who are officers or employees of the state, of any county or school district of the state, or of any municipality or political subdivision of the state, are also entitled to leave of absence when engaged in active state duty for a named event, declared disaster, or operation pursuant to s. 250.28 or s. 252.36. However, the leave of absence may not exceed 30 days for each emergency or disaster, as established by executive order. Section 250.48, F.S.

²⁵ Section 115.07(1), F.S.

²⁶ Section 115.07(2), F.S.

²⁷ Section 115.07(3), F.S.

²⁸ Section 258.014(1)(a), F.S.

²⁹ *Id.*

- Active duty members and honorably discharged veterans of the United States Armed Forces (U.S.A.F.), National Guard, or reserve components: 25-percent discount on annual entrance passes.³⁰
- Honorably discharged veterans who have service-connected disabilities: lifetime family annual entrance passes at no charge.³¹
- Surviving spouses and parents of a deceased member of the U.S.A.F., a reserve component, or the National Guard, who died in combat: lifetime family annual entrance passes at no charge.³²

Recreational Licenses

General law and the Florida Fish and Wildlife Conservation Commission (FWC) rules prohibit the taking of game, freshwater or saltwater fish, or fur-bearing animals within this state without having first obtained a license, permit, or authorization number and paid the associated fees.³³ Resident and nonresident hunting and fishing licenses and permits and their associated fees are set out in statute.³⁴

Under current law, a member of the U.S.A.F. stationed in the state and his or her family member who resides with the U.S.A.F. member is considered a resident of this state for purposes of applying for a hunting, fishing, or other recreational license.³⁵ In addition, a member of the FSG, who is a resident of the state as required in general law³⁶ qualifies for those same resident license applications. A resident pays reduced fees on licenses, such as paying \$15.50 for an annual freshwater or saltwater fishing license, rather than \$45.50; \$15.50 for an annual hunting license to take game, rather than \$150; and \$46.50 for the option of an annual combined hunting, freshwater fishing, and saltwater fishing license (no such option is available for a combination license for a nonresident).³⁷

Additionally, disabled veterans; active duty or reserve duty servicemembers of the U.S.A.F., the U.S. Coast Guard, military reserves, the FNG, or the U.S. Coast Guard Reserve; the immediate family, such as a parent, spouse, or child, of such disabled veterans and servicemembers; and one additional person designated to assist a disabled veteran, are exempt from having to possess a hunting, freshwater fishing, or saltwater fishing license or permit during outdoor recreational events permitted by the FWC whose primary purpose is the rehabilitation or enjoyment of disabled veterans.³⁸

An annual military gold sportsman's license is available to a state resident who is an active or retired member of the U.S.A.F., U.S.A.F. Reserve, the National Guard, the U.S. Coast Guard, or the U.S. Coast Guard Reserve.³⁹ The fee for the annual military gold sportsman's license is

³⁰ Section 258.0145(1), F.S.

³¹ Section 258.0145(2), F.S.

³² Section 258.0145(3), F.S.

³³ Section 379.354(1), F.S.

³⁴ Section 379.354, F.S.

³⁵ Section 379.101(30)(b)1., F.S.

³⁶ Section 251.001(5)(c)1., F.S.

³⁷ Compare s. 379.354(4) with s. 379.354(5), F.S.

³⁸ Section 379.353(2)(q), F.S.

³⁹ Section 379.354(4)(j), F.S.

\$18.50, rather than the \$98.50 charged for the annual gold sportsman's license, which authorizes the same activities.⁴⁰ Activities authorized under both licenses include the taking of freshwater fish, saltwater fish, and game, subject to state and federal law, rules, and regulations.⁴¹ Other eligible activities include those authorized by a management area permit, a muzzle-loading gun season permit, a crossbow season permit, a turkey permit, a Florida waterfowl permit, a deer permit, an archery season permit, a snook permit, and a spiny lobster permit.⁴²

Scholarship and Grant Programs

The Department of Education (DOE) administers several post-secondary scholarship and grant programs identified in ch. 1009, F.S., created and established for students with a variety of needs and academic backgrounds and goals.

No student is eligible to receive more than one state scholarship that is based on academic merit. Students who qualify for more than one such scholarship are notified of all awards for which they qualify and are provided the opportunity to accept one of their choosing.⁴³

Florida Bright Futures Scholarship Program

One of the scholarship programs that DOE administers is the Florida Bright Futures Scholarship Program, a lottery-funded scholarship program for Florida high school graduates who merit high academic achievement and enroll in a degree, certificate, or applied technology program at an eligible Florida public or private postsecondary education institution.^{44,45}

In order to meet the initial requirements to be eligible for a Florida Bright Futures Scholarship Program award, a Florida high school student must:⁴⁶

- Be a Florida resident for no less than 1 year preceding an award.⁴⁷
- Earn a Florida high school diploma, or a substitution identified in current law.⁴⁸
- Be accepted by and enrolled for at least 6 credit hours or its equivalency in an eligible Florida public or independent postsecondary education institution.⁴⁹
- Not have been found guilty of, or entered a plea of nolo contendere to, a felony charge, unless the student has been granted clemency by the Governor and Cabinet sitting as the Executive Office of Clemency.⁵⁰
- Apply for a scholarship from the program by high school graduation.⁵¹

⁴⁰ Section 379.354(4)(i) and (j), F.S.

⁴¹ *Id.*

⁴² *Id.*

⁴³ Section 1009.40(4), F.S.

⁴⁴ Section 1009.53(1), F.S.

⁴⁵ Florida Dep't of Education, Office of Student Financial Assistance, *Florida Student Scholarship Grant Programs*, available at <https://www.floridastudentfinancialaidsg.org/SAPBFMAIN/SAPBFMAIN> (last visited Mar 10, 2025).

⁴⁶ Section 1009.531(1), F.S., identifies initial eligibility criteria.

⁴⁷ Section 1009.531(1)(a), F.S.

⁴⁸ Section 1009.531(1)(b), F.S.

⁴⁹ Section 1009.531(1)(c) and (d), F.S.

⁵⁰ Section 1009.531(1)(e), F.S.

⁵¹ Section 1009.531(1)(f), F.S.

There are four awards through the Florida Bright Futures Scholarship program, including the Florida Academic Scholars (FAS) award,⁵² the Florida Medallion Scholars (FMS) award,⁵³ the Florida Gold Seal CAPE Scholars (GSC) award, and the Florida Gold Seal Vocational Scholars (GSVS) award.⁵⁴ Florida high school students must meet certain academic eligibility requirements in order to qualify for the FAS award,⁵⁵ the FMS award,⁵⁶ the GSC award,⁵⁷ or the GSVS award.⁵⁸

William L. Boyd, IV, Effective Access to Student Education Grant Program

The DOE administers the William L. Boyd, IV, Effective Access to Student Education (EASE) program.⁵⁹ The EASE grant program provides tuition assistance to Florida undergraduate students attending an eligible private, nonprofit Florida college or university.⁶⁰ The program is not related to a student's financial need or other criteria upon which financial aid programs are based.⁶¹

In order to meet the initial eligibility requirements of the EASE grant program, a student must:

- Meet the general requirements for student eligibility for state financial aid awards and tuition assistance grants provided under s. 1009.40, F.S.
- Be a Florida resident for no less than 1 year preceding an award.⁶²
- Be accepted by and enrolled as a full-time undergraduate student at an eligible college or university in a program of study leading to a baccalaureate degree.⁶³
- Not be enrolled in a program of study leading to a degree in theology or divinity.⁶⁴
- Be making satisfactory academic progress as defined by the State Board of Education.⁶⁵
- Not have completed more than 110 percent of the degree program in which he or she is enrolled.⁶⁶

To participate in the EASE program, the institutions must meet all of the following criteria:

- Be an independent nonprofit college or university.
- Be located in and chartered by the state of Florida.
- Be accredited by the Southern Association of Colleges and Schools Commission on Colleges.
- Grant baccalaureate degrees.

⁵² Section 1009.534, F.S.

⁵³ Section 1009.535, F.S.

⁵⁴ Section 1009.536, F.S.

⁵⁵ See Florida Department of Education, 2024-25 *Bright Futures Student Handbook*, Chapter 1: Initial Eligibility Requirements available at <https://www.floridastudentfinancialaidsg.org/pdf/bfhandbookchapter1.pdf>, at 3.

⁵⁶ *Id.*

⁵⁷ *Id.* at 8.

⁵⁸ *Id.* at 6.

⁵⁹ Section 1009.89(2), F.S. See also Rule 6A-20.007, F.A.C.

⁶⁰ Section 1009.89(1), (3), and (4), F.S.

⁶¹ Section 1009.89(1), F.S.

⁶² Section 1009.40(1)(a)2., F.S.

⁶³ Section 1009.89(4)(b), F.S.

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ *Id.*

- Not be a state university⁶⁷ or Florida College System institution.⁶⁸
- Have a secular purpose, so long as the receipt of state aid by students at the institution would not have the primary effect of advancing or impeding religion or result in an excessive entanglement between the state and any religious group.⁶⁹

Funding for the EASE program is provided for in the General Appropriations Act.⁷⁰ During the 2021 Regular Session, the Legislature required an institution which receives EASE funding to submit an accountability report to the DOE by September 1 of each year.⁷¹

III. Effect of Proposed Changes:

SB 884 amends s. 115.07, F.S., authorizing officers or employees of the state, of the several counties of the state, and of the municipalities or political subdivisions of the state who are FSG members administrative leaves of absence from their respective employment duties while engaged in training at the direction of the FSG. Such administrative leave, not to exceed 240 working hours annually, will be without loss of vacation leave, pay, time, or efficiency rating. The employing agency of the state or local government is responsible for providing a substitute employee, if needed for the assumption of employment duties while the employee is on assignment for his or her FSG training. The bill also amends the intent in which the Legislature supports the state and national security through a strong armed force of qualified and mobilization ready personnel by granting administrative leaves of absence to FSG members.

The bill amends s. 258.0145, F.S., by directing the DEP's Division of Recreation and Parks to provide current members of the FSG with a 15-percent discount on annual entrance passes to state parks if such a member presents written documentation satisfactory to DEP's Division of Recreation and Parks which indicates the FSG member's eligibility.

The bill amends s. 379.354, F.S., establishing an annual Florida State Guard gold sportsman's license. A resident who is a current member of the FSG may purchase an annual Florida State Guard gold sportsman's license for \$34.48, upon presentation of a current FSG identification card. The annual Florida State Guard gold sportsman license authorizes the same activities as the annual gold sportsman license, which include the taking of freshwater fish, saltwater fish, and game, subject to state and federal law, rules, and regulations.⁷² Other eligible activities include those authorized by a management area permit, a muzzle-loading gun season permit, a crossbow season permit, a turkey permit, a Florida waterfowl permit, a deer permit, an archery season permit, a snook permit, and a spiny lobster permit.⁷³

The bill creates s. 1009.8959, F.S., establishing the Florida State Guard Scholarship Program (program), under the administration of the DOE in accordance with the rules and regulations

⁶⁷ Section 1000.21(9), F.S., defines state university by listing all of the institutions and specifies that branch campuses, centers, or other affiliates of the identified institutions in the list are included.

⁶⁸ Section 1000.21(5), F.S., defines Florida College System institution by listing all of the institutions, and specifies that branch campuses, centers, or other affiliates of the identified institutions in the list are included.

⁶⁹ Section 1009.89(3), F.S.

⁷⁰ Section 1009.89(5), F.S.

⁷¹ Section. 4, ch. 2021-46, Laws of Fla. Section 1009.89(5)(c), F.S.

⁷² 379.354(4)(i), F.S.

⁷³ *Id.*

established by the State Board of Education and the Board of Governors, respectively, to reward members of the Florida State Guard enrolled in eligible Florida public or independent postsecondary educational institutions.

The bill provides eligibility criteria an individual must meet in order to be a scholarship recipient under the program. The individual must:

- Have completed 4 years of active service with the FSG;
- Have graduated with a standard high school diploma or its equivalent;
- Be a current or former member of the FSG in good standing as determined by rules adopted by the director of the FSG;
- Have not yet earned a baccalaureate degree; and
- Be enrolled in a career certificate or an associate or a baccalaureate degree program at a state university, a Florida College System institution, or an independent Florida college or university that is eligible to participate in the EASE grant program under s. 1009.89, F.S.

Upon becoming a scholarship recipient and in order to receive continued funding under the program, the individual must:

- Enroll in at least 6 credit hours per semester; and
- Earn at least 24 semester credit hours in the last academic year or the academic year in which he or she earned the scholarship, if he or she was enrolled as a full-time student; or a prorated number of credit hours as determined by the DOE if the student was enrolled for less than full time for any part of the academic year.

The DOE is required to issue rewards as follows:

- Students enrolled in a state university or a Florida College System institution are eligible for an award equal to 100 percent of tuition and fees.
- Students enrolled in an eligible independent Florida college or university are eligible for a fixed award calculated by using the average tuition and fee calculation as prescribed by the DOE for full-time attendance at a public postsecondary education institution at the comparable level.
- A stipend for textbooks if the Legislature appropriates sufficient funding to cover the cost of such stipends.
- Students may receive an award for a maximum of 100 percent of the number of credits required to complete a baccalaureate degree program.

The DOE must issue awards from the program annually, subject to the appropriation of funds by the Legislature. If funds appropriated are not adequate to provide the maximum allowable award to each eligible applicant, awards in all components of the program must be prorated using the same percentage reduction.

The State Board of Education and the Board of Governors must adopt rules and regulations, respectively, to implement this program.

This bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, section 18 (a) of the Florida Constitution provides in part that a county or municipality may not be bound by a general law requiring a county or municipality to spend funds or take an action that requires the expenditure of funds unless certain specified exemptions or exceptions are met.

The bill authorizes administrative leaves of absence for officers or employees of the state, of the several counties of the state, and of the municipalities or political subdivisions of the state who are FSG members from their employment duties while engaged in training at the direction of the FSG. Such administrative leave, up to 240 working hours annually, will be without loss of vacation leave, pay, time, or efficiency rating. In addition, the employing governmental agency is also responsible for providing a substitute employee, if needed for the assumption of employment duties while the FSG member is on assignment for his or her FSG training.

If the bill does qualify as a mandate, in order to be binding upon cities and counties, the bill must contain a finding of important state interest and be approved by a two-thirds vote of the membership of each house.

However, the mandate requirements do not apply to laws having an insignificant fiscal impact, which for Fiscal Year 2025-2026 is forecast at approximately \$2.4 million.^{74,75,76}

The Revenue Estimating Conference has not reviewed this bill. If the costs imposed by the bill exceed \$2.4 million, the mandates provisions may apply. If the bill does qualify as a mandate, in order to be binding upon cities and counties, the bill must contain a finding of important state interest and be approved by a two-thirds vote of the membership of each house.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁷⁴ FLA. CONST. art. VII, s. 18(d).

⁷⁵ An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year times \$0.10. See Florida Senate Committee on Community Affairs, Interim Report 2012-115: Insignificant Impact, (Sept. 2011), available at <https://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Mar. 7, 2025).

⁷⁶ Based on the Florida Demographic Estimating Conference's February 4, 2025, population forecast for 2025 of 23,332,606. The conference packet is available at: https://edr.state.fl.us/content/conferences/population/ConferenceResults_Tables.pdf (last visited Mar. 7, 2025).

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

FSG members will be able to purchase discounted state park annual passes and a Florida State Guard gold sportsman's license. In addition, current and former FSG members may also be eligible to receive a scholarship reward to attend an eligible state university, Florida College System institution, or an independent Florida college or university.

C. Government Sector Impact:

The FSG is authorized to have a maximum number of 1,500 volunteer personnel.⁷⁷ The FSG have indicated they expect to have over 1,000 volunteers by the end of 2025,⁷⁸ however, the actual number of FSG members may vary at any given time.

The revision to s. 115.07, F.S., applies to FSG members who are officers or employees of the state, of the several counties of the state, and of the municipalities or political subdivisions of the state. The cost to the state and the counties of the state, and the municipalities or political subdivisions of the state is indeterminate, though likely negative, due to the varying number of FSG members at any given time and whether they are employees of the state and its political subdivisions. In addition, the impact to the state and its political subdivisions is also contingent on the indeterminate number of hours for training, differing employee salary and benefits costs, and existing governmental entity contingency policies covering workloads during an absence of FSG members.

The provision for a 15-percent discount on annual state park entrance passes may have an indeterminate fiscal impact on the State Park Trust Fund. The number of FSG members who may or may not purchase the annual state park entrance passes is indeterminate. This may lead to an insignificant increase in revenue for the State Park Trust Fund or an insignificant decrease in revenue for the State Park Trust Fund depending on the number of FSG members who currently purchase annual state park entrance passes each year.

⁷⁷ Section 251.001(2), F.S.

⁷⁸ The FSG, *supra* note 7.

The creation of the annual Florida State Guard gold sportsman's license may have an indeterminate fiscal impact to the state. The number of FSG members who may have purchased a fishing, hunting, sportsman's, or gold sportsman's annual license in the past and the number of FSG members who may purchase such licenses in the future is indeterminate. The difference in the fee for the annual Florida State Guard gold sportsman's license, \$34.48, and an annual gold sportsman's license, \$98.50,⁷⁹ is \$64.02.

The creation of the Florida State Guard Scholarship Program may have an indeterminate negative fiscal impact should the Legislature appropriate funds to the program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill does not provide for the execution of an agreement with the Florida State Guard Scholarship Program recipient which could address rule compliance or the release of information from institutions to track course enrollment and completion. The bill does not define any courses of study that may not be authorized, such as repeat courses, noncredit courses, and courses that do not meet degree requirements. In addition, the bill does not provide for repayment of tuition and fees or penalties for noncompliance with program requirements, such as scholastic probation of the scholarship recipient.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 115.07, 258.0145, and 379.354.

This bill creates section 1009.8959 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

⁷⁹ Section 379.354(4)(i), F.S.

By Senator Martin

33-01178-25

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A bill to be entitled

An act relating to the Florida State Guard; amending s. 115.07, F.S.; authorizing leaves of absence for members of the Florida State Guard when they are engaged in certain ordered training; revising legislative intent; amending s. 258.0145, F.S.; providing a discount on annual entrance passes to state parks for current members of the Florida State Guard; amending s. 379.354, F.S.; creating and specifying the annual fee for the Florida State Guard gold sportsman's license for hunting and fishing; specifying application requirements for the license; providing construction; creating s. 1009.8959, F.S.; creating the Florida State Guard Scholarship Program for a specified purpose; requiring the Department of Education to administer the program according to rules and procedures established by the State Board of Education; specifying eligibility requirements for initial and recurring funding under the program; providing for the issuance of awards under the program; requiring the Department of Education to issue the awards annually, subject to legislative appropriation; specifying requirements if appropriated funds are not sufficient to fully fund awards; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; providing an effective date.

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

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Section 1. Subsections (1) and (4) of section 115.07, Florida Statutes, are amended to read:

115.07 Officers and employees' leaves of absence for reserve or guard training.—

(1) All officers or employees of the state, of the several counties of the state, and of the municipalities or political subdivisions of the state who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service, ~~or~~ members of the National Guard, or members of the Florida State Guard are entitled to leaves of absence from their respective duties, without loss of vacation leave, pay, time, or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations for such personnel when assigned to active or inactive duty or training ordered by the Florida State Guard, as applicable.

(4) It is the intent of the Legislature that the state, its several counties, and its municipalities and political subdivisions shall grant leaves of absence for active or inactive training to all employees who are members of the United States Reserve Forces or the National Guard or members of the Florida State Guard, to ensure the state and national security at all times through a strong armed force of qualified and mobilization-ready personnel.

Section 2. Section 258.0145, Florida Statutes, is amended to read:

258.0145 Military, Florida State Guard, law enforcement, and firefighter state park fee discounts.—The Division of

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59 Recreation and Parks shall provide the following discounts on
60 park fees to persons who present written documentation
61 satisfactory to the division which evidences their eligibility
62 for the discounts:

63 (1) Active duty members and honorably discharged veterans
64 of the United States Armed Forces, National Guard, or reserve
65 components thereof shall receive a 25-percent discount on annual
66 entrance passes.

67 (2) Current members of the Florida State Guard shall
68 receive a 15-percent discount on annual entrance passes.

69 (3) Honorably discharged veterans who have service-
70 connected disabilities shall receive lifetime family annual
71 entrance passes at no charge.

72 (4)(3) Surviving spouses and parents of deceased members of
73 the United States Armed Forces, National Guard, or reserve
74 components thereof who have fallen in combat shall receive
75 lifetime family annual entrance passes at no charge.

76 (5)(4) The surviving spouse and parents of a law
77 enforcement officer, as defined in s. 943.10(1), or a
78 firefighter, as defined in s. 633.102, who has died in the line
79 of duty shall receive lifetime family annual entrance passes at
80 no charge.

81 Section 3. Present paragraph (k) of subsection (4) of
82 section 379.354, Florida Statutes, is redesignated as paragraph
83 (l), and a new paragraph (k) is added to that subsection, to
84 read:

85 379.354 Recreational licenses, permits, and authorization
86 numbers; fees established.—

87 (4) RESIDENT HUNTING AND FISHING LICENSES.—The licenses and

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88 fees for residents participating in hunting and fishing
89 activities in this state are as follows:

90 (k) Annual Florida State Guard gold sportsman's license,
91 \$34.48. A resident who is a current member of the Florida State
92 Guard may purchase the Florida State Guard gold sportsman's
93 license upon presenting a current Florida State Guard
94 identification card. The annual Florida State Guard gold
95 sportsman's license authorizes the same activities as the annual
96 gold sportsman's license.

97 Section 4. Section 1009.8959, Florida Statutes, is created
98 to read:

99 1009.8959 The Florida State Guard Scholarship Program.—

100 (1) The Florida State Guard Scholarship Program is created
101 to reward members of the Florida State Guard enrolled in
102 eligible Florida public or independent postsecondary educational
103 institutions who meet the eligibility criteria established in
104 subsection (2). The Department of Education shall administer the
105 program according to rules and procedures established by the
106 State Board of Education.

107 (2) To be eligible to receive a scholarship under the
108 program, an individual must meet all of the following criteria:

109 (a) Have completed 4 years of active service with the
110 Florida State Guard.

111 (b) Have graduated with a standard high school diploma or
112 its equivalent.

113 (c) Be a current or former member the Florida State Guard
114 in good standing as determined by rules adopted by the director
115 of the Florida State Guard.

116 (d) Have not yet earned a baccalaureate degree.

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117 (e) Be enrolled in a career certificate or an associate or
 118 a baccalaureate degree program at a state university, a Florida
 119 College System institution, or an independent Florida college or
 120 university that is eligible to participate in the William L.
 121 Boyd, IV, Effective Access to Student Education Grant Program
 122 under s. 1009.89.

123 (3) To be eligible for continued scholarship funding under
 124 the program, an individual must:

125 (a) Enroll in at least 6 credit hours per semester; and

126 (b) Earn at least 24 semester credit hours in the last
 127 academic year or the academic year in which the student earned
 128 the scholarship, if the student was enrolled full time; or a
 129 prorated number of credit hours as determined by the Department
 130 of Education if the student was enrolled for less than full time
 131 for any part of the academic year.

132 (4) The Department of Education shall issue awards as
 133 follows:

134 (a) Students enrolled in a state university or a Florida
 135 College System institution are eligible for an award equal to
 136 100 percent of tuition and fees.

137 (b) Students enrolled in an eligible independent Florida
 138 college or university are eligible for a fixed award calculated
 139 by using the average tuition and fee calculation as prescribed
 140 by the Department of Education for full-time attendance at a
 141 public postsecondary education institution at the comparable
 142 level.

143 (c) A stipend for textbooks may be granted if the
 144 Legislature appropriates sufficient funding to cover the cost of
 145 such stipends.

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146 (d) Students may receive an award for a maximum of 100
 147 percent of the number of credits required to complete a
 148 baccalaureate degree program.

149 (5) The Department of Education shall issue awards from the
 150 scholarship program annually, subject to the appropriation of
 151 funds by the Legislature. If funds appropriated are not adequate
 152 to provide the maximum allowable award to each eligible
 153 applicant, awards in all components of the program must be
 154 prorated using the same percentage reduction.

155 (6) The State Board of Education and the Board of Governors
 156 shall adopt rules and regulations, respectively, to implement
 157 this program.

158 Section 5. This act shall take effect July 1, 2025.

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