

By the Committee on Governmental Oversight and Productivity;
and Senator Cowin

302-1747-01

1 A bill to be entitled
2 An act providing adoption benefits for
3 employees of the state or water management
4 districts; amending s. 110.152, F.S.;
5 specifying employees who are entitled to
6 receive such benefits for adopting a
7 special-needs child; deleting references to
8 water management district employees;
9 prescribing the manner of establishing the
10 amount of such benefits; amending s. 110.15201,
11 F.S.; providing that rules for administering
12 such adoption benefits may provide for an
13 application process; deleting a reference to
14 water management district employees; amending
15 s. 215.32, F.S.; requiring the Comptroller and
16 the Department of Management Services to
17 transfer funds to water management districts to
18 pay monetary benefits to water management
19 district employees; creating s. 373.6065, F.S.;
20 providing child-adoption monetary benefits to
21 water management district employees; providing
22 for priority in the allocation of funds;
23 providing an effective date.

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

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27 Section 1. Section 110.152, Florida Statutes, is
28 amended to read:

29 110.152 Adoption benefits for state ~~or water~~
30 ~~management district~~ employees; parental leave.--

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1 (1)(a) Any full-time or part-time employee of the
2 state who is paid from regular salary appropriations and ~~or of~~
3 ~~a water management district~~ who adopts a special-needs child,
4 as defined in paragraph (b), is eligible to receive a monetary
5 benefit in the amount of \$10,000 per child, \$5,000 of which is
6 payable in equal monthly installments over a 2-year period.
7 Any employee of the state ~~or of a water management district~~
8 who adopts a child, other than a special-needs child as
9 defined in paragraph (b), shall be eligible to receive a
10 monetary benefit in the amount of \$5,000 per child, \$2,000 of
11 which is payable in equal monthly installments over a 2-year
12 period. Benefits paid under this subsection to a part-time
13 employee must be prorated based on the employee's
14 full-time-equivalency status at the time of applying for the
15 benefits.

16 (b) For purposes of this section, a "special-needs
17 child" is a child whose permanent custody has been awarded to
18 the Department of Children and Family Services or to a
19 Florida-licensed child-placing agency and who is not likely to
20 be adopted because he or she is:

- 21 1. Eight years of age or older.
- 22 2. A person with a developmental disability.
- 23 3. A person with a physical or emotional handicap.
- 24 4. Of a minority race or of a racially mixed heritage.
- 25 5. A member of a sibling group of any age, provided
26 that two or more members of a sibling group remain together
27 for the purposes of adoption.

28 (2) An employee of the state ~~or of a water management~~
29 ~~district~~ who adopts a special-needs child must apply to his or
30 her agency head to obtain the monetary benefit provided in
31 subsection (1). Applications must be on forms approved by the

1 department and must include a certified copy of the final
2 order of adoption naming the applicant as the adoptive parent.

3 (3) Nothing in this section shall affect the right of
4 any state employee who adopts a special-needs child to receive
5 financial aid for adoption expenses pursuant to s. 409.166 or
6 any other statute that provides financial incentives for the
7 adoption of children.

8 (4) Any employee of the state ~~or of a water management~~
9 ~~district~~ who has a child placed in the custody of the employee
10 for adoption, and who continues to reside in the same
11 household as the child placed for adoption, shall be granted
12 parental leave for a period not to exceed 6 months as provided
13 in s. 110.221.

14 Section 2. Section 110.15201, Florida Statutes, is
15 amended to read:

16 110.15201 Adoption benefits for state ~~or water~~
17 ~~management district~~ employees; rulemaking authority.--The
18 Department of Management Services may adopt rules to
19 administer the provisions of this act. Such rules may provide
20 for an application process such as, but not limited to, an
21 open-enrollment period during which employees may apply for
22 monetary benefits as provided in subsection (1).

23 Section 3. Paragraph (c) of subsection (2) of section
24 215.32, Florida Statutes, is amended to read:

25 215.32 State funds; segregation.--

26 (2) The source and use of each of these funds shall be
27 as follows:

28 (c)1. The Budget Stabilization Fund shall consist of
29 amounts equal to at least 5 percent of net revenue collections
30 for the General Revenue Fund during the last completed fiscal
31 year. The Budget Stabilization Fund's principal balance shall

1 not exceed an amount equal to 10 percent of the last completed
2 fiscal year's net revenue collections for the General Revenue
3 Fund. As used in this paragraph, the term "last completed
4 fiscal year" means the most recently completed fiscal year
5 prior to the regular legislative session at which the
6 Legislature considers the General Appropriations Act for the
7 year in which the transfer to the Budget Stabilization Fund
8 must be made under this paragraph.

9 2. By September 15 of each year, the Governor shall
10 authorize the Comptroller to transfer, and the Comptroller
11 shall transfer pursuant to appropriations made by law, to the
12 Budget Stabilization Fund the amount of money needed for the
13 balance of that fund to equal the amount specified in
14 subparagraph 1., less any amounts expended and not restored.
15 The moneys needed for this transfer may be appropriated by the
16 Legislature from any funds.

17 3. Unless otherwise provided in this subparagraph, an
18 expenditure from the Budget Stabilization Fund must be
19 restored pursuant to a restoration schedule that provides for
20 making five equal annual transfers from the General Revenue
21 Fund, beginning in the fiscal year following that in which the
22 expenditure was made. For any Budget Stabilization Fund
23 expenditure, the Legislature may establish by law a different
24 restoration schedule and such change may be made at any time
25 during the restoration period. Moneys are hereby appropriated
26 for transfers pursuant to this subparagraph.

27 4. The Budget Stabilization Fund and the Working
28 Capital Fund may be used as revolving funds for transfers as
29 provided in s. 18.125; however, any interest earned must be
30 deposited in the General Revenue Fund.

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1 5. The Comptroller and the Department of Management
2 Services shall transfer funds to water management districts to
3 pay eligible water management district employees for all
4 benefits due under s. 373.6065, as long as funds remain
5 available for the program described under s. 100.152.

6 Section 4. Section 373.6065, Florida Statutes, is
7 created to read:

8 373.6065 Adoption benefits for water management
9 district employees.--

10 (1) Any employee of a water management district is
11 eligible to receive monetary benefits for child adoption to
12 the same extent as is an employee of the state, as described
13 in s. 110.152.

14 (2) The Comptroller and the Department of Management
15 Services shall transfer funds to water management districts to
16 pay eligible water management district employees for these
17 child adoption monetary benefits in accordance with s.
18 215.32(1)(c)5., as long as funds remain available for the
19 program described under s. 110.152.

20 (3) Parental leave for eligible water management
21 district employees shall be provided according to the policies
22 and procedures of the individual water management district in
23 existence at the time eligibility is determined.

24 (4) Each water management district shall develop means
25 of implementing these monetary adoption benefits for water
26 management district employees, consistent with its current
27 practices. Water management district rules, policies,
28 guidelines, or procedures so implemented will remain valid and
29 enforceable as long as they do not conflict with the express
30 terms of s. 110.152.

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1 Section 5. From funds specifically appropriated for
2 this purpose, the department may reimburse state agencies and
3 water management districts for adoption benefits under this
4 section. Agencies with a disproportionate number of adoption
5 subsidy payments shall receive priority in the distribution of
6 these funds, with special needs adoptions receiving the
7 highest priority, followed by domestic adoptions receiving the
8 next highest priority, and foreign adoptions receiving the
9 next level of priority.

10 Section 6. This act shall take effect July 1, 2001.

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 SB 1368

15 The Committee Substitute provides adoption benefits only to
16 employees paid from salary appropriations and prorates them on
17 the basis of full-time employment. Water management districts
18 participate under the same terms. The Comptroller may transfer
19 funds to water management districts for adoption benefit
20 purposes provided enough money remains in the program. The
21 committee substitute also provides for the setting of a
22 priority for adoption benefits with the highest priority
23 accorded to special needs, followed by domestic and foreign
24 adoptions.
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