

By Representatives Lynn, Atwater, Murman, Wilson and
Mayfield

1 A bill to be entitled
2 An act relating to teacher death benefits;
3 creating the "Barry Grunow Act"; creating s.
4 112.1915, F.S.; providing definitions;
5 providing death benefits with respect to
6 teachers killed in the line of duty; providing
7 for payment of certain health insurance
8 premiums; providing for rules; providing for
9 the waiver of certain educational expenses for
10 children of certain deceased teachers;
11 providing for rules; providing an effective
12 date.

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

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16 Section 1. Short title.--This act may be cited as the
17 "Barry Grunow Act."

18 Section 2. Section 112.1915, Florida Statutes, is
19 created to read:

20 112.1915 Teachers; death benefits.--Any other
21 provision of law to the contrary notwithstanding:

22 (1) As used in this section, the term:

23 (a) "Employer" means the school board.

24 (b) "Teacher" means any instructional staff person as
25 defined in s. 228.041(9)(a)-(d).

26 (c) "Insurance" means insurance procured from a stock
27 company or mutual company or association or exchange
28 authorized to do business as an insurer in this state.

29 (2)(a) If a teacher, while engaged in the performance
30 of teaching duties, is killed or dies in the line of duty, the
31 sum of \$75,000 shall be paid as provided in this section.

1 (b) The payment described in paragraph (a), whether
2 secured by insurance or not, shall be made to the beneficiary
3 designated by such teacher in writing, signed by the teacher
4 and delivered to the employer during the teacher's lifetime.
5 If no such designation is made, payment shall be made to the
6 teacher's surviving child or children and spouse in equal
7 portions, or if there is no surviving child or spouse, to the
8 teacher's parent or parents. If a beneficiary is not
9 designated and there is no surviving child, spouse, or parent,
10 payment shall be made to the teacher's estate.

11 (c) The payment described in paragraph (a) shall be in
12 addition to any workers' compensation or pension benefits and
13 shall be exempt from the claims and demands of creditors of
14 such teacher.

15 (d) If a teacher is killed in the line of duty as a
16 result of an act of violence inflicted by another person while
17 the teacher is engaged in the performance of teaching duties,
18 the sum of \$1,000 shall be paid, as provided for in paragraph
19 (b), toward the funeral and burial expenses of such teacher.
20 Such benefits are in addition to any other benefits that
21 employee beneficiaries and dependents are entitled to under
22 the provisions of the Workers' Compensation Law or any other
23 state or federal statutes.

24 (e) Any school board in the state that employs a
25 teacher who is killed in the line of duty on or after May 26,
26 2000, as a result of an act of violence inflicted by another
27 person while the teacher is engaged in the performance of
28 teaching duties shall continue to pay health insurance
29 premiums until the end of the current fiscal year or until the
30 end of the health plan contract for the employee's surviving
31 spouse until remarried, and for each dependent child of the

1 employee until the child reaches the age of majority or until
2 the end of the calendar year in which the child reaches the
3 age of 25 if:

4 1. At the time of the employee's death, the child is
5 dependent upon the employee for support; and

6 2. The surviving child continues to be dependent for
7 support, or the surviving child is a full-time or part-time
8 student and is dependent for support.

9 (f) After the expiration of the current health plan,
10 the state shall pay the cost of the premium for the employee's
11 surviving spouse and for each dependent child as defined in
12 paragraph (e) to be covered under the state health insurance
13 plan.

14 (g) The Board of Education shall adopt rules necessary
15 to implement paragraph (a).

16 (3) If a teacher is killed as specified in paragraph
17 (2)(a) on or after May 26, 2000, the state shall waive certain
18 educational expenses which children of the deceased teacher
19 incur while obtaining a vocational-technical certificate or an
20 undergraduate education. The amount waived by the state shall
21 be an amount equal to the cost of tuition and matriculation
22 and registration fees for a total of 120 credit hours. The
23 child may attend a state vocational-technical school, a state
24 community college, or a state university. The child may attend
25 any or all of the institutions specified in this subsection,
26 on either a full-time or part-time basis. The benefits
27 provided under this subsection shall continue to the child
28 until the child's 25th birthday.

29 (a) Upon failure of any child benefited by the
30 provisions of this section to comply with the ordinary and
31 minimum requirements of the institution attended, both as to

1 discipline and scholarship, the benefits shall be withdrawn as
2 to the child and no further moneys may be expended for the
3 child's benefits so long as such failure or delinquency
4 continues.

5 (b) A student who becomes eligible for benefits under
6 the provisions of this section while enrolled in an
7 institution must be in good standing with the institution to
8 receive the benefits provided herein.

9 (c) A child receiving benefits under this section must
10 be enrolled according to the customary rules and requirements
11 of the institution attended.

12 (4) The Department of Education shall adopt rules and
13 procedures as are necessary to implement the educational
14 benefits provisions of this section.

15 Section 3. This act shall take effect upon becoming
16 law.

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19 HOUSE SUMMARY

20 Creates the "Barry Grunow Act" to provide death benefits
21 with respect to teachers who are killed in the line of
22 duty. See bill for details.

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