

By Senator Smith

5-109-02

1 A bill to be entitled
2 An act relating to death benefits for certain
3 public employees; amending ss. 112.19, 112.191,
4 112.1915, F.S.; providing that the same
5 education benefits extended to the children of
6 law enforcement, correctional, and correctional
7 probation officers, firefighters, and teachers
8 and school administrators will be extended to
9 the surviving spouse of any such person;
10 prescribing eligibility requirements for and
11 limits on such benefits; 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. Subsection (3) of section 112.19, Florida
17 Statutes, is amended to read:

18 112.19 Law enforcement, correctional, and correctional
19 probation officers; death benefits.--

20 (3) If a law enforcement, correctional, or
21 correctional probation officer is accidentally killed as
22 specified in paragraph (2)(b) on or after June 22, 1990, or
23 unlawfully and intentionally killed as specified in paragraph
24 (2)(c) on or after July 1, 1980, the state shall waive certain
25 educational expenses which children or the surviving spouse of
26 the deceased officer incur while obtaining a
27 vocational-technical certificate or an undergraduate
28 education. The amount waived by the state shall be an amount
29 equal to the cost of tuition and matriculation and
30 registration fees for a total of 120 credit hours. The child
31 or spouse may attend a state vocational-technical school, a

1 state community college, or a state university. The child or
2 spouse may attend any or all of the institutions specified in
3 this subsection, on either a full-time or part-time basis. The
4 benefits provided to a child under this subsection shall
5 continue to the child until the child's 25th birthday; the
6 benefits provided to a surviving spouse under this subsection
7 shall continue so long as the spouse remains in good academic
8 standing, subject to the 120-hour limitation.

9 (a) Upon failure of any person ~~child~~ benefited by the
10 provisions of this subsection ~~section~~ to comply with the
11 ordinary and minimum requirements of the institution attended,
12 both as to discipline and scholarship, the benefits shall be
13 withdrawn as to the person ~~child~~ and no further moneys may be
14 expended for his or her ~~the child's~~ benefits so long as such
15 failure or delinquency continues.

16 (b) Only a student in good standing in his or her
17 respective institution may receive the benefits thereof.

18 (c) A person ~~child~~ receiving benefits under this
19 subsection ~~section~~ must be enrolled according to the customary
20 rules and requirements of the institution attended.

21 Section 2. Subsection (3) of section 112.191, Florida
22 Statutes, is amended to read:

23 112.191 Firefighters; death benefits.--

24 (3) If a firefighter is accidentally killed as
25 specified in paragraph (2)(b) on or after June 22, 1990, or
26 unlawfully and intentionally killed as specified in paragraph
27 (2)(c), on or after July 1, 1980, the state shall waive
28 certain educational expenses which children or the surviving
29 spouse of the deceased firefighter incur while obtaining a
30 vocational-technical certificate or an undergraduate
31 education. The amount waived by the state shall be an amount

1 equal to the cost of tuition and matriculation and
2 registration fees for a total of 120 credit hours. The child
3 or spouse may attend a state vocational-technical school, a
4 state community college, or a state university. The child or
5 spouse may attend any or all of the institutions specified in
6 this subsection, on either a full-time or part-time basis. The
7 benefits provided to a child under this subsection shall
8 continue to such a child until the child's 25th birthday; the
9 benefits provided to a surviving spouse under this subsection
10 shall continue so long as the spouse remains in good academic
11 standing, subject to the 120-hour limitation.

12 (a) Upon failure of any person ~~child~~ benefited by the
13 provisions of this subsection ~~section~~ to comply with the
14 ordinary and minimum requirements of the institution attended,
15 both as to discipline and scholarship, the benefits thereof
16 shall be withdrawn as to the person ~~child~~ and no further
17 moneys expended for his or her ~~the child's~~ benefits so long as
18 such failure or delinquency continues.

19 (b) Only students in good standing in their respective
20 institutions shall receive the benefits thereof.

21 (c) A person ~~All children~~ receiving benefits under
22 this subsection must ~~section shall~~ be enrolled according to
23 the customary rules and requirements of the institution
24 attended.

25 Section 3. Paragraph (d) of subsection (3) of section
26 112.1915, Florida Statutes, is amended to read:

27 112.1915 Teachers and school administrators; death
28 benefits.--Any other provision of law to the contrary
29 notwithstanding:
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1 (3) If a teacher or school administrator dies under
2 the conditions in subsection (2), benefits shall be provided
3 as follows:

4 (d) Waiver of certain educational expenses which
5 children or the surviving spouse of the deceased teacher or
6 school administrator incur while obtaining a
7 vocational-technical certificate or an undergraduate education
8 shall be according to conditions set forth in this paragraph.
9 The amount waived by the state shall be an amount equal to the
10 cost of tuition and matriculation and registration fees for a
11 total of 120 credit hours at a university. The child or spouse
12 may attend a state vocational-technical school, a state
13 community college, or a state university. The child or spouse
14 may attend any or all of the institutions specified in this
15 paragraph, on either a full-time or part-time basis. The
16 benefits provided to a child under this paragraph shall
17 continue to the child until the child's 25th birthday; the
18 benefits provided to a surviving spouse under this paragraph
19 shall continue so long as the spouse remains in good academic
20 standing, subject to the 120-hour limitation.

21 1. Upon failure of any person ~~child~~ benefited by the
22 provisions of this paragraph to comply with the ordinary and
23 minimum requirements of the institution attended, both as to
24 discipline and scholarship, the benefits shall be withdrawn as
25 to the person ~~child~~ and no further moneys may be expended for
26 his or her ~~the child's~~ benefits so long as such failure or
27 delinquency continues.

28 2. A student who becomes eligible for benefits under
29 the provisions of this paragraph while enrolled in an
30 institution must be in good standing with the institution to
31 receive the benefits provided herein.

1 3. A person ~~child~~ receiving benefits under this
2 paragraph must be enrolled according to the customary rules
3 and requirements of the institution attended.

4 Section 4. This act shall take effect July 1, 2002.

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7 SENATE SUMMARY

8 Provides educational benefits to the surviving spouse of
9 a law enforcement officer, correctional officer,
10 correctional probation officer, firefighter, teacher, or
11 school administrator in the same amount as is provided
12 for the children of such person.
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