



HB 1399

2003

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A bill to be entitled  
 An act relating to district school board employees;  
 creating s. 112.1916, F.S.; extending special death  
 benefits to certain district school board employees who  
 provide indirect services to students; providing an  
 effective date.

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

Section 1. Section 112.1916, Florida Statutes, is created  
 to read:

112.1916 District school board employees; death  
 benefits.--Any other provision of law to the contrary  
 notwithstanding:

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

(a) "Beneficiary" means the person designated by the  
 employee in writing, signed by the employee and delivered to the  
 employer during the employee's lifetime. If a beneficiary is  
 not designated, the beneficiary is the employee's estate.

(b) "Duties" means the actual performance of duties  
 required by an employee's employment during his or her regularly  
 scheduled working hours or irregular working hours as required  
 by the employer.

(c) "Employee" means an employee of a district school  
 board but does not include independent contractors, personnel  
 employed by another entity who provide services to the district  
 school board pursuant to contract, instructional staff personnel  
 as described in s. 1012.01(2), or school administrators as  
 described in s. 1012.01(3)(c).



HB 1399

2003

30 (d) "Employer" means the district school board.

31 (2) The benefits described in subsection (3) shall be  
32 provided when an employee is killed or injured and dies as a  
33 result of an unlawful and intentional act, provided that such  
34 killing or injury and death is the result of an act of violence  
35 inflicted by another person, and provided that such act is  
36 inflicted upon the employee while he or she is engaged in the  
37 performance of the employee's duties.

38 (3) If an employee dies under the conditions described in  
39 subsection (2), benefits shall be provided as follows:

40 (a) The sum of \$75,000 shall be paid, whether secured by  
41 insurance or not, to the beneficiary. The payment shall be in  
42 addition to any other insurance, workers' compensation, or  
43 pension benefits or other benefits that employee beneficiaries  
44 and dependents are entitled to under state or federal statutes  
45 and shall be exempt from the claims and demands of creditors of  
46 such employee, pursuant to s. 732.402(2)(d).

47 (b) The sum of \$1,000 shall be paid, whether secured by  
48 insurance or not, to the beneficiary toward the funeral and  
49 burial expenses of such employee. The payment shall be in  
50 addition to any workers' compensation or pension benefits or  
51 other benefits that employee beneficiaries and dependents are  
52 entitled to under state or federal statutes and shall be exempt  
53 from the claims and demands of creditors of such employee,  
54 pursuant to s. 732.402(2)(d).

55 (c) Payment of the entire health insurance premium for the  
56 school district's health insurance plan shall continue for the  
57 employee's surviving spouse until remarried, and for each  
58 dependent child of the employee until the child reaches the age



HB 1399

2003

59 of majority or until the end of the calendar year in which the  
60 child reaches the age of 25 if:

61 1. At the time of the employee's death, the child is  
62 dependent upon the employee for support.

63 2. The surviving child continues to be dependent for  
64 support, or the surviving child is a full-time or part-time  
65 student and is dependent for support.

66  
67 The district school board that employed the employee who is  
68 killed shall pay the health insurance premiums. The district  
69 school board shall report annually to the Department of  
70 Education the amount of premiums paid pursuant to this  
71 paragraph. The Department of Education shall provide  
72 reimbursement to the district for the premium payments.

73 (d) Waiver of certain educational expenses which children  
74 of the deceased employee incur while obtaining a vocational-  
75 technical certificate or an undergraduate education shall be  
76 according to conditions set forth in this paragraph. The amount  
77 waived by the state shall be an amount equal to the cost of  
78 tuition and matriculation and registration fees for a total of  
79 120 credit hours at a university. The child may attend a state  
80 vocational-technical school, a state community college, or a  
81 state university. The child may attend any or all of the  
82 institutions specified in this paragraph, on either a full-time  
83 or part-time basis. The benefits provided under this paragraph  
84 shall continue to the child until the child's 25th birthday.

85 1. Upon failure of any child benefited by the provisions  
86 of this paragraph to comply with the ordinary and minimum  
87 requirements of the institution attended, both as to discipline



HB 1399

2003

88 and scholarship, the benefits shall be withdrawn as to the child  
89 and no further moneys may be expended for the child's benefits  
90 so long as such failure or delinquency continues.

91 2. A student who becomes eligible for benefits under the  
92 provisions of this paragraph while enrolled in an institution  
93 must be in good standing with the institution to receive the  
94 benefits provided herein.

95 3. A child receiving benefits under this paragraph must be  
96 enrolled according to the customary rules and requirements of  
97 the institution attended.

98 (4) The State Board of Education shall adopt rules and  
99 procedures necessary to implement the provisions of this  
100 section, pursuant to ss. 120.536(1), 120.54, and 120.541.

101 (5) State funding shall be as provided annually in the  
102 General Appropriations Act.

103 Section 2. This act shall take effect July 1, 2003.