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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).

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



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



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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
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.



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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.