

By the Committee on Children, Families, and Elder Affairs; and  
Senators Wilson and Lynn

586-2252-07

1                                   A bill to be entitled  
2           An act relating to adoption benefits; creating  
3           s. 409.1663, F.S.; expanding a monetary benefit  
4           paid to employees who adopt special needs  
5           children and children in the custody of the  
6           state to include employees of state  
7           universities, community colleges, and school  
8           districts; clarifying that the availability of  
9           the monetary benefit is subject to an  
10          appropriation; authorizing the Department of  
11          Children and Family Services to administer the  
12          program; providing for rules; providing for  
13          parental leave; providing for application and  
14          eligibility procedures; providing for the  
15          transfer of funding from the department to  
16          nonstate public entities; providing that  
17          application for the monetary benefit will begin  
18          with the 2008 open enrollment period and the  
19          availability of the benefit will begin in the  
20          2008-2009 fiscal year; repealing ss. 110.152,  
21          110.15201, 215.32(2)(c)5., and 373.6065, F.S.,  
22          relating to the present program that provides a  
23          monetary benefit only to state agency employees  
24          and employees of a water management district  
25          and that is administered by the Department of  
26          Management Services; providing an effective  
27          date.

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29 Be It Enacted by the Legislature of the State of Florida:  
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1           Section 1. Section 409.1663, Florida Statutes, is  
2 created to read:

3           409.1663 Adoption benefits for qualifying adoptive  
4 employees of state agencies.--

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

6           (a) "Department" means the Department of Children and  
7 Family Services.

8           (b) "Licensed child-placing agency" has the same  
9 meaning as in s. 39.01.

10           (c) "Qualifying adoptive employee" means a full-time  
11 or part-time employee of a state agency who is paid from  
12 regular salary appropriations or who otherwise meets the  
13 employer's definition of a regular rather than temporary  
14 employee and who adopts a child pursuant to this section. For  
15 purposes of this section, the term includes instructional  
16 personnel, as defined in s. 1012.01, employed by the Florida  
17 School for the Deaf and the Blind.

18           (d) "Special needs child" has the same meaning as in  
19 s. 409.166.

20           (e) "State agency" means a branch, department, or  
21 agency of state government for which the Chief Financial  
22 Officer processes payroll requisitions, a state university or  
23 community college as defined in s. 1000.21, a school district  
24 unit as defined in s. 1001.30, or a water management district  
25 as defined in s. 373.019.

26           (2) A qualifying adoptive employee who adopts a  
27 special needs child shall be eligible to receive a lump-sum  
28 monetary benefit in the amount of \$10,000 per child subject to  
29 applicable taxes. Any qualifying adoptive employee who adopts  
30 a child whose permanent custody has been awarded to the  
31 department or to a licensed child-placing agency, other than a

1 special needs child, shall be eligible to receive a lump-sum  
2 monetary benefit in the amount of \$5,000 per child subject to  
3 applicable taxes.

4 (a) Benefits paid to a part-time employee must be  
5 prorated based on the employee's full-time-equivalency status  
6 at the time of applying for the benefits.

7 (b) Monetary benefits are limited to one award per  
8 child adopted regardless of the number of adoptive parents or  
9 an employee's change of employer.

10 (c) The payment of a lump-sum monetary benefit for  
11 adopting a child under this section is subject to a specific  
12 appropriation to the department for such purpose.

13 (3) A qualifying adoptive employee must apply to his  
14 or her agency head to obtain the monetary benefit provided in  
15 subsection (2). Applications must be on forms approved by the  
16 department and must include a certified copy of the final  
17 order of adoption naming the applicant as the adoptive parent.

18 (4) This section does not affect the right of any  
19 qualifying adoptive employee who adopts a special needs child  
20 to receive adoption assistance under s. 409.166 or any other  
21 statute that provides financial incentives for the adoption of  
22 children.

23 (5) Parental leave for qualifying adoptive employees  
24 must be provided in accordance with the personnel policies and  
25 procedures of the respective state agency employer.

26 (6) The department shall adopt rules to administer  
27 this section. The rules may provide for an application process  
28 such as, but not limited to, an open enrollment period during  
29 which qualifying adoptive parents may apply for monetary  
30 benefits under this section.

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1           (7) A monetary benefit paid to a qualifying adoptive  
2 employee employed in a state agency for which the Chief  
3 Financial Officer processes payroll requisitions shall be  
4 disbursed by the Chief Financial Office upon submission of a  
5 payroll requisition by the department. The Chief Financial  
6 Officer shall transfer funds from the department to a state  
7 university, community college, school district unit, or water  
8 management district to enable payment to the respective  
9 qualifying adoptive employee through the respective payroll  
10 systems as long as funds are available for such purpose.

11           (8) Each state agency shall develop a uniform  
12 procedure for informing employees about this benefit and for  
13 assisting the department in making eligibility determinations  
14 and processing applications. Any procedure adopted by a state  
15 agency is valid and enforceable so long as it does not  
16 conflict with the express terms of this section.

17           Section 2. Participation by employees of a state  
18 university, community college, or school district unit as  
19 provided in this act shall commence with the 2008 open  
20 enrollment period for adoption benefits to be funded in the  
21 2008-2009 fiscal year.

22           Section 3. Sections 110.152, 110.15201,  
23 215.32(2)(c)5., and 373.6065, Florida Statutes, are repealed.

24           Section 4. This act shall take effect July 1, 2007.

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26                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
27   COMMITTEE SUBSTITUTE FOR  
28   Senate Bill 362

29 The committee substitute consolidates and transfers the  
30 administration of the state employee adoption program to the  
31 Department of Children and Families from the Department of  
Management Services, and changes the benefit that is paid to  
the adoptive parent from monthly installments over a year to a  
lump sum payment.