By the Committees on Health and Human Services Appropriations; Children, Families, and Elder Affairs; and Senators Wilson and Lynn

603-2631-07

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1 A bill to be entitled 2 An act relating to adoption benefits; creating s. 409.1663, F.S.; expanding a monetary benefit 3 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 Children and Family Services to administer the 11 12 program; providing for rules; providing for 13 parental leave; providing for application and eligibility procedures; providing for the 14 transfer of funding from the department to 15 nonstate public entities; providing that 16 application for the monetary benefit will begin 18 with the 2008 open enrollment period and the availability of the benefit will begin in the 19 2008-2009 fiscal year; repealing ss. 110.152, 20 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 and employees of a water management district 2.4 and that is administered by the Department of 25 Management Services; requiring the Department 26 27 of Management Services to transfer specified 2.8 resources related to adoptions to the 29 Department of Children and Family Services; 30 providing an effective date. 31

1	Be It Enacted by the Legislature of the State of Florida:
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3	Section 1. Section 409.1663, Florida Statutes, is
4	created to read:
5	409.1663 Adoption benefits for qualifying adoptive
6	employees of state agencies
7	(1) As used in this section, the term:
8	(a) "Department" means the Department of Children and
9	Family Services.
10	(b) "Licensed child-placing agency" has the same
11	meaning as in s. 39.01.
12	(c) "Qualifying adoptive employee" means a full-time
13	or part-time employee of a state agency who is paid from
14	regular salary appropriations or who otherwise meets the
15	employer's definition of a regular rather than temporary
16	employee and who adopts a child pursuant to this section. For
17	purposes of this section, the term includes instructional
18	personnel, as defined in s. 1012.01, employed by the Florida
19	School for the Deaf and the Blind.
20	(d) "Special needs child" has the same meaning as in
21	s. 409.166.
22	(e) "State agency" means a branch, department, or
23	agency of state government for which the Chief Financial
24	Officer processes payroll requisitions, a state university or
25	community college as defined in s. 1000.21, a school district
26	unit as defined in s. 1001.30, or a water management district
27	as defined in s. 373.019.
28	(2) A qualifying adoptive employee who adopts a
29	special needs child shall be eligible to receive a lump-sum
30	monetary benefit in the amount of \$10,000 per child subject to
31	applicable taxes. Any qualifying adoptive employee who adopts

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1	a child whose permanent custody has been awarded to the
2	department or to a licensed child-placing agency, other than a
3	special needs child, shall be eliqible to receive a lump-sum
4	monetary benefit in the amount of \$5,000 per child subject to
5	applicable taxes.
6	(a) Benefits paid to a part-time employee must be
7	prorated based on the employee's full-time-equivalency status
8	at the time of applying for the benefits.
9	(b) Monetary benefits are limited to one award per
10	child adopted regardless of the number of adoptive parents or
11	an employee's change of employer.
12	(c) The payment of a lump-sum monetary benefit for
13	adopting a child under this section is subject to a specific
14	appropriation to the department for such purpose.
15	(3) A qualifying adoptive employee must apply to his
16	or her agency head to obtain the monetary benefit provided in
17	subsection (2). Applications must be on forms approved by the
18	department and must include a certified copy of the final
19	order of adoption naming the applicant as the adoptive parent.
20	(4) This section does not affect the right of any
21	qualifying adoptive employee who adopts a special needs child
22	to receive adoption assistance under s. 409.166 or any other
23	statute that provides financial incentives for the adoption of
24	children.
25	(5) Parental leave for qualifying adoptive employees
26	must be provided in accordance with the personnel policies and
27	procedures of the respective state agency employer.
28	(6) The department shall adopt rules to administer
29	this section. The rules may provide for an application process

such as, but not limited to, an open enrollment period during

which qualifying adoptive parents may apply for monetary 2 benefits under this section. (7) A monetary benefit paid to a qualifying adoptive 3 4 employee employed in a state agency for which the Chief 5 Financial Officer processes payroll requisitions shall be 6 disbursed by the Chief Financial Office upon submission of a 7 payroll requisition by the department. The Chief Financial 8 Officer shall transfer funds from the department to a state university, community college, school district unit, or water 9 10 management district to enable payment to the respective qualifying adoptive employee through the respective payroll 11 12 systems as long as funds are available for such purpose. 13 (8) Each state agency shall develop a uniform procedure for informing employees about this benefit and for 14 assisting the department in making eligibility determinations 15 and processing applications. Any procedure adopted by a state 16 agency is valid and enforceable so long as it does not 18 conflict with the express terms of this section. Section 2. Participation by employees of a state 19 university, community college, or school district unit as 2.0 21 provided in this act shall commence with the 2008 open 2.2 enrollment period for adoption benefits to be funded in the 23 2008-2009 fiscal year. Section 3. <u>Sections 110.152, 110.15201,</u> 2.4 215.32(2)(c)5., and 373.6065, Florida Statutes, are repealed. 2.5 Section 4. The Department of Management Services shall 2.6 27 transfer the resources provided for adoption benefits for 2.8 state employees originally enacted in s. 110.152, Florida Statutes, to the Department of Children and Family Services by 29 a type two transfer pursuant to s. 20.06(2), Florida Statutes. 30 Section 5. This act shall take effect July 1, 2007. 31

1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
2	CS for SB 362
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4	Mandates the Department of Management Services to transfer the
5	Special Needs Adoption Incentives funding to the Department of Children and Family Services by a type two transfer.
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