

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

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

Section 1. Section 409.1663, Florida Statutes, is created to read:

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

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

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

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

(c) "Qualifying adoptive employee" means a full-time or part-time employee of a state agency who is paid from regular salary appropriations or who otherwise meets the employer's definition of a regular rather than temporary employee and who adopts a child pursuant to chapter 63. For purposes of this section, the term includes instructional personnel, as defined in s. 1012.01, employed by the Florida School for the Deaf and the Blind.

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

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

(2) A qualifying adoptive employee who adopts a special needs child shall be eligible to receive a lump-sum monetary

57 benefit in the amount of \$10,000 per child subject to applicable
58 taxes. Any qualifying adoptive employee who adopts a child whose
59 permanent custody has been awarded to the department or to a
60 licensed child-placing agency, other than a special needs child,
61 shall be eligible to receive a lump-sum monetary benefit in the
62 amount of \$5,000 per child subject to applicable taxes.

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

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

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

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

77 (4) This section does not affect the right of any
78 qualifying adoptive employee who adopts a special needs child to
79 receive adoption assistance under s. 409.166 or any other
80 statute that provides financial incentives for the adoption of
81 children.

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

85 (6) The department shall adopt rules to administer this
86 section. The rules may provide for an application process such
87 as, but not limited to, an open enrollment period during which
88 qualifying adoptive parents may apply for monetary benefits
89 under this section.

90 (7) A monetary benefit paid to a qualifying adoptive
91 employee employed in a state agency for which the Chief
92 Financial Officer processes payroll requisitions shall be
93 disbursed by the Chief Financial Office upon submission of a
94 payroll requisition by the department. The Chief Financial
95 Officer shall transfer funds from the department to a state
96 university, community college, school district unit, or water
97 management district to enable payment to the respective
98 qualifying adoptive employee through the respective payroll
99 systems as long as funds are available for such purpose.

100 (8) Each state agency shall develop a uniform procedure
101 for informing employees about this benefit and for assisting the
102 department in making eligibility determinations and processing
103 applications. Any procedure adopted by a state agency is valid
104 and enforceable so long as it does not conflict with the express
105 terms of this section.

106 Section 2. Participation by employees of a state
107 university, community college, or school district unit as
108 provided in this act shall commence with the 2008 open
109 enrollment period for adoption benefits to be funded in the
110 2008-2009 fiscal year.

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

113 Section 4. The resources provided to the Department of
114 Management Services for the adoption benefits for state
115 employees originally enacted in section 110.152, Florida
116 Statutes, are transferred to the Department of Children and
117 Family Services by a type two transfer pursuant to section
118 20.06(2), Florida Statutes.

119 Section 5. This act shall take effect July 1, 2007.