

By Senator Storms

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1                   A bill to be entitled  
 2           An act relating to the food assistance program;  
 3           amending ss. 97.021, 402.33, 409.2554, 409.2576,  
 4           409.942, 414.0252, 414.065, 414.075, 414.085, 414.095,  
 5           414.14, 414.175, 414.31, 414.32, 414.33, 414.34,  
 6           414.35, 414.36, 414.39, 414.41, 420.624, 430.2053,  
 7           445.004, 445.009, 445.024, 445.026, 445.048, 718.115,  
 8           817.568, 921.0022, and 943.401, F.S.; conforming  
 9           provisions to comply with nomenclature changes made to  
 10          the program by the Federal Government; providing an  
 11          effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

14  
 15           Section 1. Subsection (29) of section 97.021, Florida  
 16 Statutes, is amended to read:

17           97.021 Definitions.—For the purposes of this code, except  
 18 where the context clearly indicates otherwise, the term:

19           (29) "Public assistance" means assistance provided through  
 20 the food assistance ~~stamp~~ program under the federal Supplemental  
 21 Nutrition Assistance Program; the Medicaid program; the Special  
 22 Supplemental Food Program for Women, Infants, and Children; and  
 23 the Temporary Cash Assistance ~~WAGES~~ Program.

24           Section 2. Paragraph (g) of subsection (1) of section  
 25 402.33, Florida Statutes, is amended to read:

26           402.33 Department authority to charge fees for services  
 27 provided.—

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

29           (g) "State and federal aid" means cash assistance or cash

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30 equivalent benefits based on an individual's proof of financial  
31 need, including, but not limited to, temporary cash assistance  
32 and food assistance ~~stamps~~.

33 Section 3. Subsection (7) of section 409.2554, Florida  
34 Statutes, is amended to read:

35 409.2554 Definitions; ss. 409.2551-409.2598.—As used in ss.  
36 409.2551-409.2598, the term:

37 (7) "Public assistance" means money assistance paid on the  
38 basis of Title IV-E and Title XIX of the Social Security Act,  
39 temporary cash assistance, or food assistance benefits ~~stamps~~  
40 received on behalf of a child under 18 years of age who has an  
41 absent parent.

42 Section 4. Paragraph (a) of subsection (9) of section  
43 409.2576, Florida Statutes, is amended to read:

44 409.2576 State Directory of New Hires.—

45 (9) DISCLOSURE OF INFORMATION.—

46 (a) New hire information shall be disclosed to the state  
47 agency administering the following programs for the purposes of  
48 determining eligibility under those programs:

49 1. Any state program funded under part A of Title IV of the  
50 Social Security Act;

51 2. The Medicaid program under Title XIX of the Social  
52 Security Act;

53 3. The unemployment compensation program under s. 3304 of  
54 the Internal Revenue Code of 1954;

55 4. The food assistance ~~stamp~~ program under the Food and  
56 Nutrition Act of 2008 ~~Food Stamp Act of 1977~~; and

57 5. Any state program under a plan approved under Title I  
58 (Old-Age Assistance for the Aged), Title X (Aid to the Blind),

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59 Title XIV (Aid to the Permanently and Totally Disabled), or  
60 Title XVI (Aid to the Aged, Blind, or Disabled; Supplemental  
61 Security Income for the Aged, Blind, and Disabled) of the Social  
62 Security Act.

63 Section 5. Subsection (1) of section 409.942, Florida  
64 Statutes, is amended to read:

65 409.942 Electronic benefit transfer program.—

66 (1) The Department of Children and Family Services shall  
67 establish an electronic benefit transfer program for the  
68 dissemination of food assistance ~~stamp~~ benefits and temporary  
69 cash assistance payments, including refugee cash assistance  
70 payments, asylum applicant payments, and child support disregard  
71 payments. If the Federal Government does not enact legislation  
72 or regulations providing for dissemination of supplemental  
73 security income by electronic benefit transfer, the state may  
74 include supplemental security income in the electronic benefit  
75 transfer program.

76 Section 6. Subsection (10) of section 414.0252, Florida  
77 Statutes, is amended to read:

78 414.0252 Definitions.—As used in ss. 414.025-414.55, the  
79 term:

80 (10) "Public assistance" means benefits paid on the basis  
81 of the temporary cash assistance, food assistance ~~stamp~~,  
82 Medicaid, or optional state supplementation program.

83 Section 7. Subsections (1), (2), and (3) of section  
84 414.065, Florida Statutes, are amended to read:

85 414.065 Noncompliance with work requirements.—

86 (1) PENALTIES FOR NONPARTICIPATION IN WORK REQUIREMENTS AND  
87 FAILURE TO COMPLY WITH ALTERNATIVE REQUIREMENT PLANS.—The

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88 department shall establish procedures for administering  
89 penalties for nonparticipation in work requirements and failure  
90 to comply with the alternative requirement plan. If an  
91 individual in a family receiving temporary cash assistance fails  
92 to engage in work activities required in accordance with s.  
93 445.024, the following penalties shall apply. Prior to the  
94 imposition of a sanction, the participant shall be notified  
95 orally or in writing that the participant is subject to sanction  
96 and that action will be taken to impose the sanction unless the  
97 participant complies with the work activity requirements. The  
98 participant shall be counseled as to the consequences of  
99 noncompliance and, if appropriate, shall be referred for  
100 services that could assist the participant to fully comply with  
101 program requirements. If the participant has good cause for  
102 noncompliance or demonstrates satisfactory compliance, the  
103 sanction shall not be imposed. If the participant has  
104 subsequently obtained employment, the participant shall be  
105 counseled regarding the transitional benefits that may be  
106 available and provided information about how to access such  
107 benefits. The department shall administer sanctions related to  
108 food assistance stamps ~~stamps~~ consistent with federal regulations.

109 (a)1. First noncompliance: temporary cash assistance shall  
110 be terminated for the family for a minimum of 10 days or until  
111 the individual who failed to comply does so.

112 2. Second noncompliance: temporary cash assistance shall be  
113 terminated for the family for 1 month or until the individual  
114 who failed to comply does so, whichever is later. Upon meeting  
115 this requirement, temporary cash assistance shall be reinstated  
116 to the date of compliance or the first day of the month

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117 following the penalty period, whichever is later.

118 3. Third noncompliance: temporary cash assistance shall be  
119 terminated for the family for 3 months or until the individual  
120 who failed to comply does so, whichever is later. The individual  
121 shall be required to comply with the required work activity upon  
122 completion of the 3-month penalty period, before reinstatement  
123 of temporary cash assistance. Upon meeting this requirement,  
124 temporary cash assistance shall be reinstated to the date of  
125 compliance or the first day of the month following the penalty  
126 period, whichever is later.

127 (b) If a participant receiving temporary cash assistance  
128 who is otherwise exempted from noncompliance penalties fails to  
129 comply with the alternative requirement plan required in  
130 accordance with this section, the penalties provided in  
131 paragraph (a) shall apply.

132  
133 If a participant fully complies with work activity requirements  
134 for at least 6 months, the participant shall be reinstated as  
135 being in full compliance with program requirements for purpose  
136 of sanctions imposed under this section.

137 (2) CONTINUATION OF TEMPORARY CASH ASSISTANCE FOR CHILDREN;  
138 PROTECTIVE PAYEES.—

139 (a) Upon the second or third occurrence of noncompliance,  
140 temporary cash assistance and food assistance ~~stamps~~ for the  
141 child or children in a family who are under age 16 may be  
142 continued. Any such payments must be made through a protective  
143 payee or, in the case of food assistance ~~stamps~~, through an  
144 authorized representative. Under no circumstances shall  
145 temporary cash assistance or food assistance ~~stamps~~ be paid to

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146 an individual who has failed to comply with program  
147 requirements.

148 (b) Protective payees shall be designated by the department  
149 and may include:

150 1. A relative or other individual who is interested in or  
151 concerned with the welfare of the child or children and agrees  
152 in writing to utilize the assistance in the best interest of the  
153 child or children.

154 2. A member of the community affiliated with a religious,  
155 community, neighborhood, or charitable organization who agrees  
156 in writing to utilize the assistance in the best interest of the  
157 child or children.

158 3. A volunteer or member of an organization who agrees in  
159 writing to fulfill the role of protective payee and to utilize  
160 the assistance in the best interest of the child or children.

161 (c) The protective payee designated by the department shall  
162 be the authorized representative for purposes of receiving food  
163 assistance ~~stamps~~ on behalf of a child or children under age 16.  
164 The authorized representative must agree in writing to use the  
165 food assistance ~~stamps~~ in the best interest of the child or  
166 children.

167 (d) If it is in the best interest of the child or children,  
168 as determined by the department, for the staff member of a  
169 private agency, a public agency, the department, or any other  
170 appropriate organization to serve as a protective payee or  
171 authorized representative, such designation may be made, except  
172 that a protective payee or authorized representative must not be  
173 any individual involved in determining eligibility for temporary  
174 cash assistance or food assistance ~~stamps~~ for the family, staff

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175 handling any fiscal processes related to issuance of temporary  
176 cash assistance or food assistance ~~stamps~~, or landlords,  
177 grocers, or vendors of goods, services, or items dealing  
178 directly with the participant.

179 (e) The department may pay incidental expenses or travel  
180 expenses for costs directly related to performance of the duties  
181 of a protective payee as necessary to implement the provisions  
182 of this subsection.

183 (3) PROPORTIONAL REDUCTION OF TEMPORARY CASH ASSISTANCE  
184 RELATED TO PAY AFTER PERFORMANCE.—Notwithstanding the provisions  
185 of subsection (1), if an individual is receiving temporary cash  
186 assistance under a pay-after-performance arrangement and the  
187 individual participates, but fails to meet the full  
188 participation requirement, then the temporary cash assistance  
189 received shall be reduced and shall be proportional to the  
190 actual participation. Food assistance ~~stamps~~ may be included in  
191 a pay-after-performance arrangement if permitted under federal  
192 law.

193 Section 8. Section 414.075, Florida Statutes, is amended to  
194 read:

195 414.075 Resource eligibility standards.—For purposes of  
196 program simplification and effective program management, certain  
197 resource definitions, as outlined in the food assistance ~~stamp~~  
198 regulations at 7 C.F.R. s. 273.8, shall be applied to the  
199 Temporary Cash Assistance ~~WAGES~~ Program as determined by the  
200 department to be consistent with federal law regarding temporary  
201 cash assistance and Medicaid for needy families, except that:

202 (1) The maximum allowable resources, including liquid and  
203 nonliquid resources, of all members of the family may not exceed

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204 \$2,000.

205 (2) In determining the resources of a family, the following  
206 shall be excluded:

207 (a) Licensed vehicles needed for individuals subject to the  
208 work participation requirement, not to exceed a combined value  
209 of \$8,500, and needed for training, employment, or education  
210 purposes. For any family without an individual subject to the  
211 work participation requirement, one vehicle valued at not more  
212 than \$8,500 shall be excluded. Any vehicle that is necessary to  
213 transport a physically disabled family member shall be excluded.  
214 A vehicle shall be considered necessary for the transportation  
215 of a physically disabled family member if the vehicle is  
216 specially equipped to meet the specific needs of the disabled  
217 person or if the vehicle is a special type of vehicle and makes  
218 it possible to transport the disabled person.

219 (b) Funds paid to a homeless shelter which are being held  
220 for the family to enable the family to pay deposits or other  
221 costs associated with moving to a new shelter arrangement.

222 (3) A vacation home that annually produces income  
223 consistent with its fair market value, and that is excluded as a  
224 resource in determining eligibility for food assistance ~~stamps~~  
225 under federal regulations, may not be excluded as a resource in  
226 determining a family's eligibility for temporary cash  
227 assistance.

228 (4) An individual and the assistance group in which the  
229 individual is a current member will be ineligible for a period  
230 of 2 years from the original date of a transfer of an asset made  
231 for the purpose of qualifying for or maintaining eligibility for  
232 temporary cash assistance.



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233 Section 9. Subsection (1) of section 414.085, Florida  
234 Statutes, is amended to read:

235 414.085 Income eligibility standards.—

236 (1) For purposes of program simplification and effective  
237 program management, certain income definitions, as outlined in  
238 the food assistance ~~stamp~~ regulations at 7 C.F.R. s. 273.9,  
239 shall be applied to the temporary cash assistance program as  
240 determined by the department to be consistent with federal law  
241 regarding temporary cash assistance and Medicaid for needy  
242 families, except as to the following:

243 (a) Participation in the temporary cash assistance program  
244 shall be limited to those families whose gross family income is  
245 equal to or less than 185 percent of the federal poverty level  
246 established in s. 673(2) of the Community Services Block Grant  
247 Act, 42 U.S.C. s. 9901(2).

248 (b) Income security payments, including payments funded  
249 under part B of Title IV of the Social Security Act, as amended;  
250 supplemental security income under Title XVI of the Social  
251 Security Act, as amended; or other income security payments as  
252 defined by federal law shall be excluded as income unless  
253 required to be included by federal law.

254 (c) The first \$50 of child support paid to a parent  
255 receiving temporary cash assistance may not be disregarded in  
256 calculating the amount of temporary cash assistance for the  
257 family, unless such exclusion is required by federal law.

258 (d) An incentive payment to a participant authorized by a  
259 regional workforce board shall not be considered income.

260 Section 10. Subsections (1), (9), and (14) of section  
261 414.095, Florida Statutes, are amended to read:

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262 414.095 Determining eligibility for temporary cash  
263 assistance.—

264 (1) ELIGIBILITY.—An applicant must meet eligibility  
265 requirements of this section before receiving services or  
266 temporary cash assistance under this chapter, except that an  
267 applicant shall be required to register for work and engage in  
268 work activities in accordance with s. 445.024, as designated by  
269 the regional workforce board, and may receive support services  
270 or child care assistance in conjunction with such requirement.  
271 The department shall make a determination of eligibility based  
272 on the criteria listed in this chapter. The department shall  
273 monitor continued eligibility for temporary cash assistance  
274 through periodic reviews consistent with the food assistance  
275 ~~stamp~~ eligibility process. Benefits shall not be denied to an  
276 individual solely based on a felony drug conviction, unless the  
277 conviction is for trafficking pursuant to s. 893.135. To be  
278 eligible under this section, an individual convicted of a drug  
279 felony must be satisfactorily meeting the requirements of the  
280 temporary cash assistance program, including all substance abuse  
281 treatment requirements. Within the limits specified in this  
282 chapter, the state opts out of the provision of Pub. L. No. 104-  
283 193, s. 115, that eliminates eligibility for temporary cash  
284 assistance and food assistance ~~stamps~~ for any individual  
285 convicted of a controlled substance felony.

286 (9) OPPORTUNITIES AND OBLIGATIONS.—An applicant for  
287 temporary cash assistance has the following opportunities and  
288 obligations:

289 (a) To participate in establishing eligibility by providing  
290 facts with respect to circumstances that affect eligibility and

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291 by obtaining, or authorizing the department to obtain, documents  
292 or information from others in order to establish eligibility.

293 (b) To have eligibility determined without discrimination  
294 based on race, color, sex, age, marital status, handicap,  
295 religion, national origin, or political beliefs.

296 (c) To be advised of any reduction or termination of  
297 temporary cash assistance or food assistance ~~stamps~~.

298 (d) To provide correct and complete information about the  
299 family's circumstances that relate to eligibility, at the time  
300 of application and at subsequent intervals.

301 (e) To keep the department informed of any changes that  
302 could affect eligibility.

303 (f) To use temporary cash assistance and food assistance  
304 ~~stamps~~ for the purpose for which the assistance is intended.

305 (g) To receive information regarding services available  
306 from certified domestic violence centers or organizations that  
307 provide counseling and supportive services to individuals who  
308 are past or present victims of domestic violence or who are at  
309 risk of domestic violence and, upon request, to be referred to  
310 such organizations in a manner which protects the individual's  
311 confidentiality.

312 (14) PROHIBITIONS AND RESTRICTIONS.—

313 (a) A family without a minor child living in the home is  
314 not eligible to receive temporary cash assistance or services  
315 under this chapter. However, a pregnant woman is eligible for  
316 temporary cash assistance in the ninth month of pregnancy if all  
317 eligibility requirements are otherwise satisfied.

318 (b) Temporary cash assistance, without shelter expense, may  
319 be available for a teen parent who is a minor child and for the

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320 child. Temporary cash assistance may not be paid directly to the  
321 teen parent but must be paid, on behalf of the teen parent and  
322 child, to an alternative payee who is designated by the  
323 department. The alternative payee may not use the temporary cash  
324 assistance for any purpose other than paying for food, clothing,  
325 shelter, and medical care for the teen parent and child and for  
326 other necessities required to enable the teen parent to attend  
327 school or a training program. In order for the child of the teen  
328 parent and the teen parent to be eligible for temporary cash  
329 assistance, the teen parent must:

330 1. Attend school or an approved alternative training  
331 program, unless the child is less than 12 weeks of age or the  
332 teen parent has completed high school; and

333 2. Reside with a parent, legal guardian, or other adult  
334 caretaker relative. The income and resources of the parent shall  
335 be included in calculating the temporary cash assistance  
336 available to the teen parent since the parent is responsible for  
337 providing support and care for the child living in the home.

338 3. Attend parenting and family classes that provide a  
339 curriculum specified by the department or the Department of  
340 Health, as available.

341 (c) The teen parent is not required to live with a parent,  
342 legal guardian, or other adult caretaker relative if the  
343 department determines that:

344 1. The teen parent has suffered or might suffer harm in the  
345 home of the parent, legal guardian, or adult caretaker relative.

346 2. The requirement is not in the best interest of the teen  
347 parent or the child. If the department determines that it is not  
348 in the best interest of the teen parent or child to reside with

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349 a parent, legal guardian, or other adult caretaker relative, the  
350 department shall provide or assist the teen parent in finding a  
351 suitable home, a second-chance home, a maternity home, or other  
352 appropriate adult-supervised supportive living arrangement. Such  
353 living arrangement may include a shelter obligation in  
354 accordance with subsection (10).

355  
356 The department may not delay providing temporary cash assistance  
357 to the teen parent through the alternative payee designated by  
358 the department pending a determination as to where the teen  
359 parent should live and sufficient time for the move itself. A  
360 teen parent determined to need placement that is unavailable  
361 shall continue to be eligible for temporary cash assistance so  
362 long as the teen parent cooperates with the department and the  
363 Department of Health. The teen parent shall be provided with  
364 counseling to make the transition from independence to  
365 supervised living and with a choice of living arrangements.

366 (d) Notwithstanding any law to the contrary, if a parent or  
367 caretaker relative without good cause does not cooperate with  
368 the state agency responsible for administering the child support  
369 enforcement program in establishing, modifying, or enforcing a  
370 support order with respect to a child of a teen parent or other  
371 family member, or a child of a family member who is in the care  
372 of an adult relative, temporary cash assistance to the entire  
373 family shall be denied until the state agency indicates that  
374 cooperation by the parent or caretaker relative has been  
375 satisfactory. To the extent permissible under federal law, a  
376 parent or caretaker relative shall not be penalized for failure  
377 to cooperate with paternity establishment or with the

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378 establishment, modification, or enforcement of a support order  
379 when such cooperation could subject an individual to a risk of  
380 domestic violence. Such risk shall constitute good cause to the  
381 extent permitted by Title IV-D of the Social Security Act, as  
382 amended, or other federal law.

383 (e) If a parent or caretaker relative does not assign any  
384 rights a family member may have to support from any other person  
385 as required by subsection (7), temporary cash assistance to the  
386 entire family shall be denied until the parent or caretaker  
387 relative assigns the rights to the department.

388 (f) An individual who is convicted in federal or state  
389 court of receiving benefits under this chapter, Title XIX, the  
390 Food and Nutrition Act of 2008 ~~Stamp Act of 1977~~, or  
391 supplemental security income under Title XVI of the Social  
392 Security Act ~~(Supplemental Security Income)~~, in two or more  
393 states simultaneously may not receive temporary cash assistance  
394 or services under this chapter for 10 years following the date  
395 of conviction.

396 (g) An individual is ineligible to receive temporary cash  
397 assistance or services under this chapter during any period when  
398 the individual is fleeing to avoid prosecution, custody, or  
399 confinement after committing a crime, attempting to commit a  
400 crime that is a felony under the laws of the place from which  
401 the individual flees or a high misdemeanor in the State of New  
402 Jersey, or violating a condition of probation or parole imposed  
403 under federal or state law.

404 (h) The parent or other caretaker relative must report to  
405 the department by the end of the 5-day period that begins on the  
406 date it becomes clear to the parent or caretaker relative that a

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407 minor child will be absent from the home for 30 or more  
408 consecutive days. A parent or caretaker relative who fails to  
409 report this information to the department shall be disqualified  
410 from receiving temporary cash assistance for 30 days for the  
411 first occurrence, 60 days for the second occurrence, and 90 days  
412 for the third or subsequent occurrence.

413 (i) If the parents of a minor child live apart and equally  
414 share custody and control of the child, a parent is ineligible  
415 for temporary cash assistance unless the parent clearly  
416 demonstrates to the department that the parent provides primary  
417 day-to-day custody.

418 (j) The payee of the temporary cash assistance payment is  
419 the caretaker relative with whom a minor child resides and who  
420 assumes primary responsibility for the child's daily  
421 supervision, care, and control, except in cases where a  
422 protective payee is established.

423 Section 11. Section 414.14, Florida Statutes, is amended to  
424 read:

425 414.14 Public assistance policy simplification.—To the  
426 extent possible, the department shall align the requirements for  
427 eligibility under this chapter with the food assistance ~~stamp~~  
428 program and medical assistance eligibility policies and  
429 procedures to simplify the budgeting process and reduce errors.  
430 If the department determines that s. 414.075, relating to  
431 resources, or s. 414.085, relating to income, is inconsistent  
432 with related provisions of federal law which govern the food  
433 assistance ~~stamp~~ program or medical assistance, and that  
434 conformance to federal law would simplify administration of the  
435 Temporary Cash Assistance ~~WAGES~~ Program or reduce errors without

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436 materially increasing the cost of the program to the state, the  
437 secretary of the department may propose a change in the resource  
438 or income requirements of the program by rule. The secretary  
439 shall provide written notice to the President of the Senate, the  
440 Speaker of the House of Representatives, and the chairs  
441 ~~chairpersons~~ of the appropriate legislative ~~relevant~~ committees  
442 ~~of both houses of the Legislature~~ summarizing the proposed  
443 modifications to be made by rule and changes necessary to  
444 conform state law to federal law. The proposed rule shall take  
445 effect 14 days after written notice is given unless the  
446 President of the Senate or the Speaker of the House of  
447 Representatives advises the secretary that the proposed rule  
448 exceeds the delegated authority of the Legislature.

449 Section 12. Subsection (2) of section 414.175, Florida  
450 Statutes, is amended to read:

451 414.175 Review of existing waivers.—

452 (2) The department shall review federal law, including  
453 revisions to federal food assistance ~~stamp~~ requirements. If the  
454 department determines that federal food assistance ~~stamp~~ waivers  
455 will further the goals of this chapter, including simplification  
456 of program policies or program administration, the department  
457 may obtain waivers if this can be accomplished within available  
458 resources.

459 Section 13. Section 414.31, Florida Statutes, is amended to  
460 read:

461 414.31 State agency for administering federal food  
462 assistance ~~stamp~~ program.—

463 (1) The department shall place into operation in each of  
464 the several counties of the state a food assistance ~~stamp~~



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465 program as authorized by the Congress of the United States. The  
466 department is designated as the state agency responsible for the  
467 administration and operation of such programs.

468 (2) The department shall provide for such instruction and  
469 counseling as will best assure that the recipients are able to  
470 provide a nutritionally adequate diet through the increased  
471 purchasing power received. This program shall be administered  
472 and operated in such a way that the distribution of food  
473 assistance stamps shall be in locations reasonably accessible to  
474 those areas in which persons eligible for the benefit of this  
475 program are likely to be concentrated.

476 Section 14. Section 414.32, Florida Statutes, is amended to  
477 read:

478 414.32 Prohibitions and restrictions with respect to food  
479 assistance program stamps.—

480 (1) COOPERATION WITH CHILD SUPPORT ENFORCEMENT AGENCY.—

481 (a) A parent or caretaker relative who receives temporary  
482 cash assistance or food assistance stamps on behalf of a child  
483 under 18 years of age who has an absent parent is ineligible for  
484 food assistance stamps unless the parent or caretaker relative  
485 cooperates with the state agency that administers the child  
486 support enforcement program in establishing the paternity of the  
487 child, if the child is born out of wedlock, and in obtaining  
488 support for the child or for the parent or caretaker relative  
489 and the child. This paragraph does not apply if the state agency  
490 that administers the food assistance stamp program determines  
491 that the parent or caretaker relative has good cause for failing  
492 to cooperate. The Department of Revenue shall determine good  
493 cause for failure to cooperate if the Department of Children and

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494 Family Services obtains written authorization from the United  
495 States Department of Agriculture approving such arrangements.

496 (b) A putative or identified noncustodial parent of a child  
497 under 18 years of age is ineligible for food assistance ~~stamps~~  
498 if the parent fails to cooperate with the state agency that  
499 administers the child support enforcement program in  
500 establishing the paternity of the child, if the child is born  
501 out of wedlock, or fails to provide support for the child. This  
502 paragraph does not apply if the state agency that administers  
503 the child support enforcement program determines that the  
504 noncustodial parent has good cause for refusing to cooperate in  
505 establishing the paternity of the child.

506 (2) REDUCTION OR DENIAL OF TEMPORARY CASH ASSISTANCE.—The  
507 food assistance ~~stamp~~ allotment shall be reduced or terminated  
508 as otherwise provided in this chapter if ~~temporary~~ cash  
509 assistance under the Temporary Cash Assistance ~~WAGES~~ Program is  
510 reduced or denied because an individual in the family fails to  
511 perform an action required under the program.

512 (3) DENIAL OF FOOD ASSISTANCE ~~STAMP~~ BENEFITS FOR RECEIPT OF  
513 MULTIPLE FOOD ASSISTANCE ~~STAMP~~ BENEFITS.—An individual is  
514 ineligible to participate in the food assistance ~~stamp~~ program  
515 individually, or as a member of any assistance group, for 10  
516 years following a conviction in federal or state court of having  
517 made a fraudulent statement or representation with respect to  
518 the identity or place of residence of the individual in order to  
519 receive multiple benefits simultaneously under the food  
520 assistance ~~stamp~~ program.

521 (4) DENIAL OF FOOD ASSISTANCE ~~STAMP~~ BENEFITS TO FLEEING  
522 FELONS.—An individual is ineligible to participate in the food

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523 assistance ~~stamp~~ program during any period when the individual  
524 is fleeing to avoid prosecution, custody, or confinement after  
525 committing a crime, attempting to commit a crime that is a  
526 felony under the laws of the place from which the individual  
527 flees or a high misdemeanor in the State of New Jersey, or  
528 violating a condition of probation or parole imposed under  
529 federal or state law.

530 Section 15. Section 414.33, Florida Statutes, is amended to  
531 read:

532 414.33 Violations of food assistance ~~stamp~~ program.—

533 (1) In accordance with federal law and regulations, the  
534 department shall establish procedures for notifying the  
535 appropriate federal and state agencies of any violation of  
536 federal or state laws or rules governing the food assistance  
537 ~~stamp~~ program.

538 (2) In addition, the department shall establish procedures  
539 for referring to the Department of Law Enforcement any case that  
540 involves a suspected violation of federal or state law or rules  
541 governing the administration of the food assistance ~~stamp~~  
542 program.

543 Section 16. Section 414.34, Florida Statutes, is amended to  
544 read:

545 414.34 Annual report concerning administrative complaints  
546 and disciplinary actions involving food assistance ~~stamp~~ program  
547 violations.—The department shall prepare and submit a report to  
548 the President of the Senate, the Speaker of the House of  
549 Representatives, the chairs of the appropriate legislative  
550 committees, and the Department of Law Enforcement by January 1  
551 of each year. In addition to any other information the

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552 Legislature may require, the report must include statistics and  
553 relevant information detailing:

554 (1) The number of complaints received and investigated.

555 (2) The number of findings of probable cause made.

556 (3) The number of findings of no probable cause made.

557 (4) The number of administrative complaints filed.

558 (5) The disposition of all administrative complaints.

559 (6) The number of criminal complaints brought under s.  
560 414.39, and their disposition.

561 (7) The status of the development and implementation of  
562 rules governing the electronic benefits transfer program,  
563 including any recommendations for statutory changes.

564 Section 17. Section 414.35, Florida Statutes, is amended to  
565 read:

566 414.35 Emergency relief.—

567 (1) The department shall adopt rules for the administration  
568 of emergency assistance programs delegated to the department  
569 either by executive order in accordance with the Disaster Relief  
570 Act of 1974 or pursuant to the Food and Nutrition Act of 2008  
571 ~~Food Stamp Act of 1977~~.

572 (2) In promulgating the rules required in this section, the  
573 department shall give particular consideration to the prevention  
574 of fraud in emergency assistance programs. Such rules shall, at  
575 a minimum, provide for:

576 (a) Verification of an applicant's identity and address.

577 (b) Determination of an applicant's need for assistance and  
578 verification of an applicant's need in accordance with  
579 appropriate federal law and regulations.

580 (c) The timely and adequate dissemination of accurate

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581 certification information to local emergency management  
582 agencies.

583 (3) In administering emergency food assistance ~~stamp~~ and  
584 other emergency assistance programs, the department shall  
585 cooperate fully with the United States Government and with other  
586 departments, instrumentalities, and agencies of this state.

587 Section 18. Section 414.36, Florida Statutes, is amended to  
588 read:

589 414.36 Public assistance overpayment recovery program;  
590 contracts.—

591 (1) The department shall develop and implement a plan for  
592 the statewide privatization of activities relating to the  
593 recovery of public assistance overpayment claims. These  
594 activities shall include, at a minimum, voluntary cash  
595 collections functions for recovery of fraudulent and  
596 nonfraudulent benefits paid to recipients of temporary cash  
597 assistance, food assistance ~~stamps~~, and aid to families with  
598 dependent children.

599 (2) For purposes of privatization of public assistance  
600 overpayment recovery, the department shall enter into contracts  
601 consistent with federal law with for-profit corporations, not-  
602 for-profit corporations, or other entities capable of providing  
603 the services for recovering public assistance required under  
604 this section. The department shall issue requests for proposals,  
605 enter into a competitive bidding process, and negotiate  
606 contracts for such services. Contracts for such services may be  
607 funded on a contingency fee basis, per fiscal year, based on a  
608 percentage of the state-retained share of collections, for  
609 claims for food assistance ~~stamps~~, aid to families with

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610 dependent children, and temporary cash assistance. This section  
 611 does not prohibit districts from entering into contracts to  
 612 carry out the provisions of this section, if that is a cost-  
 613 effective use of resources.

614 (3) The Economic Self-Sufficiency ~~Self-sufficiency~~ Services  
 615 Program Office of the department shall have responsibility for  
 616 contract management and for monitoring and policy development  
 617 functions relating to privatization of the public assistance  
 618 overpayment recovery program.

619 Section 19. Subsections (2), (3), (5), and (10) of section  
 620 414.39, Florida Statutes, are amended to read:

621 414.39 Fraud.—

622 (2) Any person who knowingly:

623 (a) Uses, transfers, acquires, traffics, alters, forges, or  
 624 possesses, or

625 (b) Attempts to use, transfer, acquire, traffic, alter,  
 626 forge, or possess, or

627 (c) Aids and abets another person in the use, transfer,  
 628 acquisition, traffic, alteration, forgery, or possession of, a  
 629 ~~food stamp~~, a food assistance stamp identification card, an  
 630 authorization, including, but not limited to, an electronic  
 631 authorization, for the expenditure purchase of food assistance  
 632 benefits stamps, a certificate of eligibility for medical  
 633 services, or a Medicaid identification card in any manner not  
 634 authorized by law is guilty of a crime and shall be punished as  
 635 provided in subsection (5). ~~For the purposes of this section,~~  
 636 ~~the value of an authorization to purchase food stamps shall be~~  
 637 ~~the difference between the coupon allotment and the amount paid~~  
 638 ~~by the recipient for that allotment.~~

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639 (3) Any person having duties in the administration of a  
640 state or federally funded public assistance program or in the  
641 distribution of public assistance, or authorizations or  
642 identifications to obtain public assistance, under a state or  
643 federally funded public assistance program and who:

644 (a) Fraudulently misappropriates, attempts to  
645 misappropriate, or aids and abets in the misappropriation of, a  
646 food assistance stamp, an authorization for food assistance  
647 ~~stamps~~, a food assistance stamp identification card, a  
648 certificate of eligibility for prescribed medicine, a Medicaid  
649 identification card, or public assistance from any other state  
650 or federally funded program with which he or she has been  
651 entrusted or of which he or she has gained possession by virtue  
652 of his or her position, or who knowingly fails to disclose any  
653 such fraudulent activity; or

654 (b) Knowingly misappropriates, attempts to misappropriate,  
655 or aids or abets in the misappropriation of, funds given in  
656 exchange for food assistance program benefits stamps or for any  
657 form of food assistance stamp benefits authorization,

658  
659 is guilty of a crime and shall be punished as provided in  
660 subsection (5).

661 (5) (a) If the value of the public assistance or  
662 identification wrongfully received, retained, misappropriated,  
663 sought, or used is less than an aggregate value of \$200 in any  
664 12 consecutive months, such person commits a misdemeanor of the  
665 first degree, punishable as provided in s. 775.082 or s.  
666 775.083.

667 (b) If the value of the public assistance or identification

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668 wrongfully received, retained, misappropriated, sought, or used  
 669 is of an aggregate value of \$200 or more in any 12 consecutive  
 670 months, such person commits a felony of the third degree,  
 671 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

672 (c) As used in this subsection, the value of a food  
 673 assistance ~~stamp~~ authorization benefit is the cash or exchange  
 674 value unlawfully obtained by the fraudulent act committed in  
 675 violation of this section.

676 (d) As used in this section, "fraud" includes the  
 677 introduction of fraudulent records into a computer system, the  
 678 unauthorized use of computer facilities, the intentional or  
 679 deliberate alteration or destruction of computerized information  
 680 or files, and the stealing of financial instruments, data, and  
 681 other assets.

682 (10) The department shall create an error-prone or fraud-  
 683 prone case profile within its public assistance information  
 684 system and shall screen each application for public assistance,  
 685 including food assistance ~~stamps~~, Medicaid, and temporary cash  
 686 assistance, against the profile to identify cases that have a  
 687 potential for error or fraud. Each case so identified shall be  
 688 subjected to preeligibility fraud screening.

689 Section 20. Section 414.41, Florida Statutes, is amended to  
 690 read:

691 414.41 Recovery of payments made due to mistake or fraud.-

692 (1) Whenever it becomes apparent that any person or  
 693 provider has received any public assistance under this chapter  
 694 to which she or he is not entitled, through either simple  
 695 mistake or fraud on the part of the department or on the part of  
 696 the recipient or participant, the department shall take all



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697 necessary steps to recover the overpayment. Recovery may include  
698 Federal Income Tax Refund Offset Program collections activities  
699 in conjunction with Food and Nutrition ~~Consumer~~ Service and the  
700 Internal Revenue Service to intercept income tax refunds due to  
701 clients who owe food assistance ~~stamp~~ or temporary cash  
702 assistance ~~WAGES~~ debt to the state. The department will follow  
703 the guidelines in accordance with federal rules and regulations  
704 and consistent with the Food Assistance ~~Stamp~~ Program. The  
705 department may make appropriate settlements and shall establish  
706 a policy and cost-effective rules to be used in the computation  
707 and recovery of such overpayments.

708 (a) The department will consider an individual who has  
709 willfully provided false information or omitted information to  
710 become or remain eligible for temporary cash assistance to have  
711 committed an intentional program violation.

712 (b) When the intentional program violation or case facts do  
713 not warrant criminal prosecution for fraud as defined in s.  
714 414.39, the department will initiate an administrative  
715 disqualification hearing. The administrative disqualification  
716 hearing will be initiated regardless of the individual's current  
717 eligibility.

718 (c) Upon a finding through the administrative  
719 disqualification hearing process that the individual did commit  
720 an intentional program violation, the department will impose a  
721 disqualification period consistent with those established for  
722 food assistance ~~stamp~~ program purposes.

723 (2) The department shall determine if recovery of an  
724 overpayment as a result of department error regarding ~~temporary~~  
725 cash assistance provided under the Temporary Cash Assistance

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726 ~~WAGES~~ Program or benefits provided to a recipient of aid to  
 727 families with dependent children would create extreme hardship.  
 728 The department shall provide by rule the circumstances that  
 729 constitute an extreme hardship. The department may reduce the  
 730 amount of repayment if a recipient or participant demonstrates  
 731 to the satisfaction of the department that repayment of the  
 732 entire overpayment would result in extreme hardship, but the  
 733 department may not excuse repayment. A determination of extreme  
 734 hardship is not grounds for a waiver of repayment in whole or in  
 735 part.

736 (3) The department, or its designee, shall enforce an order  
 737 of income deduction by the court against the liable adult  
 738 recipient or participant, including the head of a family, for  
 739 overpayment received as an adult under the temporary cash  
 740 assistance program, the AFDC program, the food assistance ~~stamp~~  
 741 program, or the Medicaid program.

742 Section 21. Subsection (8) of section 420.624, Florida  
 743 Statutes, is amended to read:

744 420.624 Local homeless assistance continuum of care.—

745 (8) Continuum of care plans must promote participation by  
 746 all interested individuals and organizations and may not exclude  
 747 individuals and organizations on the basis of race, color,  
 748 national origin, sex, handicap, familial status, or religion.  
 749 Faith-based organizations must be encouraged to participate. To  
 750 the extent possible, these components should be coordinated and  
 751 integrated with other mainstream health, social services, and  
 752 employment programs for which homeless populations may be  
 753 eligible, including Medicaid, State Children's Health Insurance  
 754 Program, Temporary Assistance for Needy Families, Food

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755 Assistance Program ~~Stamps~~, and services funded through the  
 756 Mental Health and Substance Abuse Block Grant, the Workforce  
 757 Investment Act, and the welfare-to-work grant program.

758 Section 22. Paragraph (g) of subsection (5) of section  
 759 430.2053, Florida Statutes, is amended to read:

760 430.2053 Aging resource centers.—

761 (5) The duties of an aging resource center are to:

762 (g) Enhance the existing area agency on aging in each  
 763 planning and service area by integrating, either physically or  
 764 virtually, the staff and services of the area agency on aging  
 765 with the staff of the department's local CARES Medicaid nursing  
 766 home preadmission screening unit and a sufficient number of  
 767 staff from the Department of Children and Family Services'  
 768 Economic Self-Sufficiency Unit necessary to determine the  
 769 financial eligibility for all persons age 60 and older residing  
 770 within the area served by the aging resource center that are  
 771 seeking Medicaid services, Supplemental Security Income, and  
 772 food assistance ~~stamps~~.

773 Section 23. Paragraph (b) of subsection (5) of section  
 774 445.004, Florida Statutes, is amended to read:

775 445.004 Workforce Florida, Inc.; creation; purpose;  
 776 membership; duties and powers.—

777 (5) Workforce Florida, Inc., shall have all the powers and  
 778 authority, not explicitly prohibited by statute, necessary or  
 779 convenient to carry out and effectuate the purposes as  
 780 determined by statute, Pub. L. No. 105-220, and the Governor, as  
 781 well as its functions, duties, and responsibilities, including,  
 782 but not limited to, the following:

783 (b) Providing oversight and policy direction to ensure that

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784 the following programs are administered by the Agency for  
785 Workforce Innovation in compliance with approved plans and under  
786 contract with Workforce Florida, Inc.:

787 1. Programs authorized under Title I of the Workforce  
788 Investment Act of 1998, Pub. L. No. 105-220, with the exception  
789 of programs funded directly by the United States Department of  
790 Labor under Title I, s. 167.

791 2. Programs authorized under the Wagner-Peyser Act of 1933,  
792 as amended, 29 U.S.C. ss. 49 et seq.

793 3. Activities authorized under Title II of the Trade Act of  
794 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade  
795 Adjustment Assistance Program.

796 4. Activities authorized under 38 U.S.C., chapter 41,  
797 including job counseling, training, and placement for veterans.

798 5. Employment and training activities carried out under  
799 funds awarded to this state by the United States Department of  
800 Housing and Urban Development.

801 6. Welfare transition services funded by the Temporary  
802 Assistance for Needy Families Program, created under the  
803 Personal Responsibility and Work Opportunity Reconciliation Act  
804 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,  
805 of the Social Security Act, as amended.

806 7. Displaced homemaker programs, provided under s. 446.50.

807 8. The Florida Bonding Program, provided under Pub. L. No.  
808 97-300, s. 164(a)(1).

809 9. The Food Assistance ~~Stamp~~ Employment and Training  
810 Program, provided under the Food and Nutrition Act of 2008 ~~Food~~  
811 ~~Stamp Act of 1977~~, 7 U.S.C. ss. 2011-2032; the Food Security Act  
812 of 1988, Pub. L. No. 99-198; and the Hunger Prevention Act, Pub.

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813 L. No. 100-435.

814 10. The Quick-Response Training Program, provided under ss.  
815 288.046-288.047. Matching funds and in-kind contributions that  
816 are provided by clients of the Quick-Response Training Program  
817 shall count toward the requirements of s. 288.90151(5)(d),  
818 pertaining to the return on investment from activities of  
819 Enterprise Florida, Inc.

820 11. The Work Opportunity Tax Credit, provided under the Tax  
821 and Trade Relief Extension Act of 1998, Pub. L. No. 105-277, and  
822 the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

823 12. Offender placement services, provided under ss.  
824 944.707-944.708.

825 Section 24. Paragraph (b) of subsection (9) of section  
826 445.009, Florida Statutes, is amended to read:

827 445.009 One-stop delivery system.-

828 (9)

829 (b) The network shall assure that a uniform method is used  
830 to determine eligibility for and management of services provided  
831 by agencies that conduct workforce development activities. The  
832 Department of Management Services shall develop strategies to  
833 allow access to the databases and information management systems  
834 of the following systems in order to link information in those  
835 databases with the one-stop delivery system:

836 1. The Unemployment Compensation Program of the Agency for  
837 Workforce Innovation.

838 2. The public employment service described in s. 443.181.

839 3. The FLORIDA System and the components related to  
840 temporary cash assistance ~~WAGES~~, food assistance ~~stamps~~, and  
841 Medicaid eligibility.

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842 4. The Student Financial Assistance System of the  
843 Department of Education.

844 5. Enrollment in the public postsecondary education system.

845 6. Other information systems determined appropriate by  
846 Workforce Florida, Inc.

847 Section 25. Subsection (2) of section 445.024, Florida  
848 Statutes, is amended to read:

849 445.024 Work requirements.—

850 (2) WORK ACTIVITY REQUIREMENTS.—Each individual who is not  
851 otherwise exempt from work activity requirements must  
852 participate in a work activity for the maximum number of hours  
853 allowable under federal law; however, a participant may not be  
854 required to work more than 40 hours per week. The maximum number  
855 of hours each month that a family may be required to participate  
856 in community service or work experience programs is the number  
857 of hours that would result from dividing the family's monthly  
858 amount for temporary cash assistance and food assistance ~~stamps~~  
859 by the applicable minimum wage. However, the maximum hours  
860 required per week for community service or work experience may  
861 not exceed 40 hours.

862 (a) A participant in a work activity may also be required  
863 to enroll in and attend a course of instruction designed to  
864 increase literacy skills to a level necessary for obtaining or  
865 retaining employment if the instruction plus the work activity  
866 does not require more than 40 hours per week.

867 (b) Program funds may be used, as available, to support the  
868 efforts of a participant who meets the work activity  
869 requirements and who wishes to enroll in or continue enrollment  
870 in an adult general education program or other training

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871 programs.

872 Section 26. Section 445.026, Florida Statutes, is amended  
873 to read:

874 445.026 Cash assistance severance benefit.—An individual  
875 who meets the criteria listed in this section may choose to  
876 receive a lump-sum payment in lieu of ongoing cash assistance  
877 payments, provided the individual:

878 (1) Is employed and is receiving earnings.

879 (2) Has received cash assistance for at least 6 consecutive  
880 months.

881 (3) Expects to remain employed for at least 6 months.

882 (4) Chooses to receive a one-time, lump-sum payment in lieu  
883 of ongoing monthly payments.

884 (5) Provides employment and earnings information to the  
885 regional workforce board, so that the regional workforce board  
886 can ensure that the family's eligibility for severance benefits  
887 can be evaluated.

888 (6) Signs an agreement not to apply for or accept cash  
889 assistance for 6 months after receipt of the one-time payment.  
890 In the event of an emergency, such agreement shall provide for  
891 an exception to this restriction, provided that the one-time  
892 payment shall be deducted from any cash assistance for which the  
893 family subsequently is approved. This deduction may be prorated  
894 over an 8-month period. The board of directors of Workforce  
895 Florida, Inc., shall adopt criteria defining the conditions  
896 under which a family may receive cash assistance due to such  
897 emergency.

898

899 Such individual may choose to accept a one-time, lump-sum

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900 payment of \$1,000 in lieu of receiving ongoing cash assistance.  
901 Such payment shall only count toward the time limitation for the  
902 month in which the payment is made in lieu of cash assistance. A  
903 participant choosing to accept such payment shall be terminated  
904 from cash assistance. However, eligibility for Medicaid, food  
905 assistance ~~stamps~~, or child care shall continue, subject to the  
906 eligibility requirements of those programs.

907 Section 27. Subsection (2) of section 445.048, Florida  
908 Statutes, is amended to read:

909 445.048 Passport to Economic Progress program.—

910 (2) WAIVERS.—If Workforce Florida, Inc., in consultation  
911 with the Department of Children and Family Services, finds that  
912 federal waivers would facilitate implementation of the program,  
913 the department shall immediately request such waivers, and  
914 Workforce Florida, Inc., shall report to the Governor, the  
915 President of the Senate, and the Speaker of the House of  
916 Representatives if any refusal of the federal government to  
917 grant such waivers prevents the implementation of the program.  
918 If Workforce Florida, Inc., finds that federal waivers to  
919 provisions of the Food Assistance ~~Stamp~~ Program would facilitate  
920 implementation of the program, the Department of Children and  
921 Family Services shall immediately request such waivers in  
922 accordance with s. 414.175.

923 Section 28. Paragraph (d) of subsection (1) of section  
924 718.115, Florida Statutes, is amended to read:

925 718.115 Common expenses and common surplus.—

926 (1)

927 (d) If so provided in the declaration, the cost of a master  
928 antenna television system or duly franchised cable television



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929 service obtained pursuant to a bulk contract shall be deemed a  
930 common expense. If the declaration does not provide for the cost  
931 of a master antenna television system or duly franchised cable  
932 television service obtained under a bulk contract as a common  
933 expense, the board may enter into such a contract, and the cost  
934 of the service will be a common expense but allocated on a per-  
935 unit basis rather than a percentage basis if the declaration  
936 provides for other than an equal sharing of common expenses, and  
937 any contract entered into before July 1, 1998, in which the cost  
938 of the service is not equally divided among all unit owners, may  
939 be changed by vote of a majority of the voting interests present  
940 at a regular or special meeting of the association, to allocate  
941 the cost equally among all units. The contract shall be for a  
942 term of not less than 2 years.

943 1. Any contract made by the board after the effective date  
944 hereof for a community antenna system or duly franchised cable  
945 television service may be canceled by a majority of the voting  
946 interests present at the next regular or special meeting of the  
947 association. Any member may make a motion to cancel said  
948 contract, but if no motion is made or if such motion fails to  
949 obtain the required majority at the next regular or special  
950 meeting, whichever is sooner, following the making of the  
951 contract, then such contract shall be deemed ratified for the  
952 term therein expressed.

953 2. Any such contract shall provide, and shall be deemed to  
954 provide if not expressly set forth, that any hearing-impaired or  
955 legally blind unit owner who does not occupy the unit with a  
956 non-hearing-impaired or sighted person, or any unit owner  
957 receiving supplemental security income under Title XVI of the

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958 Social Security Act or food assistance ~~stamps~~ as administered by  
959 the Department of Children and Family Services pursuant to s.  
960 414.31, may discontinue the service without incurring disconnect  
961 fees, penalties, or subsequent service charges, and, as to such  
962 units, the owners shall not be required to pay any common  
963 expenses charge related to such service. If less than all  
964 members of an association share the expenses of cable  
965 television, the expense shall be shared equally by all  
966 participating unit owners. The association may use the  
967 provisions of s. 718.116 to enforce payment of the shares of  
968 such costs by the unit owners receiving cable television.

969 Section 29. Paragraph (f) of subsection (1) of section  
970 817.568, Florida Statutes, is amended to read:

971 817.568 Criminal use of personal identification  
972 information.-

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

974 (f) "Personal identification information" means any name or  
975 number that may be used, alone or in conjunction with any other  
976 information, to identify a specific individual, including any:

977 1. Name, postal or electronic mail address, telephone  
978 number, social security number, date of birth, mother's maiden  
979 name, official state-issued or United States-issued driver's  
980 license or identification number, alien registration number,  
981 government passport number, employer or taxpayer identification  
982 number, Medicaid or food assistance ~~stamp~~ account number, bank  
983 account number, credit or debit card number, or personal  
984 identification number or code assigned to the holder of a debit  
985 card by the issuer to permit authorized electronic use of such  
986 card;

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- 987 2. Unique biometric data, such as fingerprint, voice print,
- 988 retina or iris image, or other unique physical representation;
- 989 3. Unique electronic identification number, address, or
- 990 routing code;
- 991 4. Medical records;
- 992 5. Telecommunication identifying information or access
- 993 device; or
- 994 6. Other number or information that can be used to access a
- 995 person's financial resources.

996 Section 30. Paragraph (a) of subsection (3) of section  
 997 921.0022, Florida Statutes, is amended to read:

998 921.0022 Criminal Punishment Code; offense severity ranking  
 999 chart.—

1000 (3) OFFENSE SEVERITY RANKING CHART

1001 (a) LEVEL 1

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.

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319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
322.212 (4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
322.212 (5) (a)	3rd	False application for driver's license or identification card.
414.39 (2)	3rd	Unauthorized use, possession, forgery, or alteration of food <u>assistance program</u> <del>stamps</del> , Medicaid ID, value greater than \$200.
414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official,

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value more than \$200.

1014

443.071(1) 3rd False statement or representation to obtain or increase unemployment compensation benefits.

1015

509.151(1) 3rd Defraud an innkeeper, food or lodging value greater than \$300.

1016

517.302(1) 3rd Violation of the Florida Securities and Investor Protection Act.

1017

562.27(1) 3rd Possess still or still apparatus.

1018

713.69 3rd Tenant removes property upon which lien has accrued, value more than \$50.

1019

812.014(3)(c) 3rd Petit theft (3rd conviction); theft of any property not specified in subsection (2).

1020

812.081(2) 3rd Unlawfully makes or causes to be made a reproduction of a trade secret.

1021

815.04(4)(a) 3rd Offense against intellectual property (i.e., computer programs, data).

1022

817.52(2) 3rd Hiring with intent to defraud, motor vehicle services.

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817.569 (2)	3rd	Use of public record or public records information to facilitate commission of a felony.
826.01	3rd	Bigamy.
828.122 (3)	3rd	Fighting or baiting animals.
831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
838.15 (2)	3rd	Commercial bribe receiving.
838.16	3rd	Commercial bribery.

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1033	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
1034	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
1035	849.01	3rd	Keeping gambling house.
1036	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
1037	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
1038	849.25(2)	3rd	Engaging in bookmaking.
1039	860.08	3rd	Interfere with a railroad signal.
1040	860.13(1)(a)	3rd	Operate aircraft while under the influence.
1041	893.13(2)(a)2.	3rd	Purchase of cannabis.
1042	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
	934.03(1)(a)	3rd	Intercepts, or procures any other person

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to intercept, any wire or oral  
communication.

1043 Section 31. Paragraph (a) of subsection (1) of section  
1044 943.401, Florida Statutes, is amended to read:

1045 943.401 Public assistance fraud.—

1046 (1) (a) The Department of Law Enforcement shall investigate  
1047 all public assistance provided to residents of the state or  
1048 provided to others by the state. In the course of such  
1049 investigation the Department of Law Enforcement shall examine  
1050 all records, including electronic benefits transfer records and  
1051 make inquiry of all persons who may have knowledge as to any  
1052 irregularity incidental to the disbursement of public moneys,  
1053 food assistance ~~stamps~~, or other items or benefits  
1054 authorizations to recipients.

1055 Section 32. This act shall take effect July 1, 2009.