

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 (8) 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 (8) "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 ~~stamp~~
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 ~~stamp~~
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,

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

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639 ~~by the recipient for that allotment.~~

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

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

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

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

662 (5) (a) If the value of the public assistance or
663 identification wrongfully received, retained, misappropriated,
664 sought, or used is less than an aggregate value of \$200 in any
665 12 consecutive months, such person commits a misdemeanor of the
666 first degree, punishable as provided in s. 775.082 or s.
667 775.083.

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

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

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

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

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

692 414.41 Recovery of payments made due to mistake or fraud.-

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

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

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

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

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

724 (2) The department shall determine if recovery of an
725 overpayment as a result of department error regarding ~~temporary~~

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

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

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

745 420.624 Local homeless assistance continuum of care.—

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

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

759 Section 22. Paragraph (g) of subsection (5) of section
760 430.2053, Florida Statutes, is amended to read:

761 430.2053 Aging resource centers.—

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

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

774 Section 23. Paragraph (b) of subsection (5) of section
775 445.004, Florida Statutes, is amended to read:

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

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

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784 (b) Providing oversight and policy direction to ensure that
785 the following programs are administered by the Agency for
786 Workforce Innovation in compliance with approved plans and under
787 contract with Workforce Florida, Inc.:

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

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

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

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

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

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

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

808 8. The Florida Bonding Program, provided under Pub. L. No.
809 97-300, s. 164(a)(1).

810 9. The Food Assistance ~~Stamp~~ Employment and Training
811 Program, provided under the Food and Nutrition Act of 2008 ~~Food~~
812 ~~Stamp Act of 1977~~, 7 U.S.C. ss. 2011-2032; the Food Security Act

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813 of 1988, Pub. L. No. 99-198; and the Hunger Prevention Act, Pub.
814 L. No. 100-435.

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

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

824 12. Offender placement services, provided under ss.
825 944.707-944.708.

826 Section 24. Paragraph (b) of subsection (9) of section
827 445.009, Florida Statutes, is amended to read:

828 445.009 One-stop delivery system.—

829 (9)

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

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

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

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

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842 Medicaid eligibility.

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

845 5. Enrollment in the public postsecondary education system.

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

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

850 445.024 Work requirements.—

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

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

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

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871 in an adult general education program or other training
872 programs.

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

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

879 (1) Is employed and is receiving earnings.

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

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

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

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

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

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

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

910 445.048 Passport to Economic Progress program.—

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

924 Section 28. Paragraph (d) of subsection (1) of section
 925 718.115, Florida Statutes, is amended to read:

926 718.115 Common expenses and common surplus.—

927 (1)

928 (d) If so provided in the declaration, the cost of a master

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

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

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

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

970 Section 29. Paragraph (f) of subsection (1) of section
971 817.568, Florida Statutes, is amended to read:

972 817.568 Criminal use of personal identification
973 information.—

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

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

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

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

997 Section 30. Paragraph (a) of subsection (3) of section
 998 921.0022, Florida Statutes, is amended to read:

999 921.0022 Criminal Punishment Code; offense severity ranking
 1000 chart.—

1001 (3) OFFENSE SEVERITY RANKING CHART

1002 (a) LEVEL 1

| Florida Statute | Felony Degree | Description |
|---------------------|------------------|---|
| 1003 24.118(3) (a) | 3rd | Counterfeit or altered state lottery ticket. |
| 1004 212.054(2) (b) | 3rd | Discretionary sales surtax; limitations, administration, and collection. |
| 1005 212.15(2) (b) | 3rd | Failure to remit sales taxes, amount greater than \$300 but less than \$20,000. |
| 1006 316.1935(1) | 3rd | Fleeing or attempting to elude law |

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enforcement officer.

1007

319.30 (5) 3rd Sell, exchange, give away certificate of title or identification number plate.

1008

319.35 (1) (a) 3rd Tamper, adjust, change, etc., an odometer.

1009

320.26 (1) (a) 3rd Counterfeit, manufacture, or sell registration license plates or validation stickers.

1010

322.212 (1) (a) - 3rd Possession of forged, stolen, (c) counterfeit, or unlawfully issued driver's license; possession of simulated identification.

1011

322.212 (4) 3rd Supply or aid in supplying unauthorized driver's license or identification card.

1012

322.212 (5) (a) 3rd False application for driver's license or identification card.

1013

414.39 (2) 3rd Unauthorized use, possession, forgery, or alteration of food assistance program ~~stamps~~, Medicaid ID, value greater than \$200.

1014

414.39 (3) (a) 3rd Fraudulent misappropriation of public

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assistance funds by employee/official,
value more than \$200.

1015

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

1016

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

1017

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

1018

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

1019

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

1020

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

1021

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

1022

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

1023

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

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vehicle services.

1024

817.569 (2) 3rd Use of public record or public records information to facilitate commission of a felony.

1025

826.01 3rd Bigamy.

1026

828.122 (3) 3rd Fighting or baiting animals.

1027

831.04 (1) 3rd Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.

1028

831.31 (1) (a) 3rd Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.

1029

832.041 (1) 3rd Stopping payment with intent to defraud \$150 or more.

1030

832.05 (2) (b) & 3rd Knowing, making, issuing worthless
(4) (c) checks \$150 or more or obtaining property in return for worthless check \$150 or more.

1031

838.15 (2) 3rd Commercial bribe receiving.

1032

838.16 3rd Commercial bribery.

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|------------------|-----|--|
| 843.18 | 3rd | Fleeing by boat to elude a law enforcement officer. |
| 847.011(1)(a) | 3rd | Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction). |
| 849.01 | 3rd | Keeping gambling house. |
| 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. |
| 849.23 | 3rd | Gambling-related machines; "common offender" as to property rights. |
| 849.25(2) | 3rd | Engaging in bookmaking. |
| 860.08 | 3rd | Interfere with a railroad signal. |
| 860.13(1)(a) | 3rd | Operate aircraft while under the influence. |
| 893.13(2)(a)2. | 3rd | Purchase of cannabis. |
| 893.13(6)(a) | 3rd | Possession of cannabis (more than 20 grams). |

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934.03(1)(a) 3rd Intercepts, or procures any other person to intercept, any wire or oral communication.

1044

1045 Section 31. Paragraph (a) of subsection (1) of section
1046 943.401, Florida Statutes, is amended to read:

1047 943.401 Public assistance fraud.—

1048 (1)(a) The Department of Law Enforcement shall investigate
1049 all public assistance provided to residents of the state or
1050 provided to others by the state. In the course of such
1051 investigation the Department of Law Enforcement shall examine
1052 all records, including electronic benefits transfer records and
1053 make inquiry of all persons who may have knowledge as to any
1054 irregularity incidental to the disbursement of public moneys,
1055 food assistance stamps, or other items or benefits
1056 authorizations to recipients.

1057 Section 32. This act shall take effect July 1, 2010.