

1 A bill to be entitled
2 An act relating to the Arthur G. Dozier School for
3 Boys; requiring certain historical resources, records,
4 archives, artifacts, researches, medical records, and
5 human remains to remain in the custody of the
6 University of South Florida; providing exceptions;
7 requiring the Department of State to contract with the
8 university for the identification and location of
9 eligible next of kin of certain children; requiring
10 the department to notify the next of kin of certain
11 payment or reimbursement provisions; requiring the
12 department to reimburse the next of kin of children
13 whose bodies are buried and exhumed or otherwise
14 recovered at the Dozier School for Boys or to pay
15 directly to a provider for the costs associated with
16 funeral services, reinterment, and grave marker
17 expenses; providing a process for reimbursement or
18 payment by the department; providing that a charitable
19 donation made toward funeral, reinterment, and grave
20 marker expenses is not eligible for reimbursement;
21 requiring the department to submit a report;
22 authorizing the department to adopt rules;
23 establishing a task force to make recommendations
24 regarding a memorial and a location of a site for the
25 reinterment of unidentified or unclaimed remains;
26 providing membership of the task force; requiring the

27 | task force to submit its recommendations by a certain
28 | date; providing for future repeal of provisions
29 | relating to the task force; providing appropriations;
30 | providing an effective date.
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32 | WHEREAS, the Arthur G. Dozier School for Boys, or the
33 | Dozier School for Boys, operated from 1900 until it was closed
34 | in 2011 after allegations of abuse were confirmed in separate
35 | investigations by the Department of Law Enforcement in 2010 and
36 | the Civil Rights Division of the United States Department of
37 | Justice in 2011, and

38 | WHEREAS, official records indicated that 31 graves had been
39 | dug at the facility between 1914 and 1952, and

40 | WHEREAS, a forensic investigation by the University of
41 | South Florida found that there are no records of where children
42 | who died at the Dozier School for Boys are buried and that
43 | families were often notified after the child was buried or
44 | denied access to their remains at the time of burial, and

45 | WHEREAS, exhumations of bodies began in August 2013, and
46 | the excavations yielded 55 burial sites, 24 more sites than
47 | reported in official records, and

48 | WHEREAS, one of the bodies exhumed during the forensic
49 | investigation was of a child reported missing since 1940, and

50 | WHEREAS, nearly 100 deaths were recorded at the school and
51 | 51 sets of remains were exhumed from burials, and additional
52 | victims of a fatal fire in 1914 are still buried with the fire

53 debris on site, and

54 WHEREAS, many families of children whose bodies have been
55 exhumed lack the resources to properly reinter those children at
56 a suitable location, and

57 WHEREAS, the State of Florida recognizes an obligation to
58 help the families of children formerly buried at the Dozier
59 School for Boys reinter the bodies of those children, NOW,
60 THEREFORE,

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62 Be It Enacted by the Legislature of the State of Florida:

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64 Section 1. (1) (a) Any historical resource, record,
65 archive, artifact, public research, or medical record that was
66 recovered from the Arthur G. Dozier School for Boys by the
67 University of South Florida shall remain in the custody of the
68 university for archiving and preservation until the Department
69 of State requests custody of such resource, record, archive,
70 artifact, public research, or medical record.

71 (b) Any human remains exhumed from the Arthur G. Dozier
72 School for Boys by the University of South Florida shall remain
73 in the custody of the university for identification purposes
74 until the remains are returned to the next of kin or reburied
75 pursuant to this act.

76 (2) (a) The Department of State shall contract with the
77 University of South Florida for the identification and location
78 of eligible next of kin for such children and the update of

79 information on associated artifacts and materials.

80 (b) No later than July 1, 2016, the University of South
81 Florida must provide the Department of State with contact
82 information for the next of kin for each set of human remains
83 which has been returned to a next to kin.

84 (c) For any identification of next of kin occurring on or
85 after July 1, 2016, the University of South Florida must provide
86 location information of the next of kin to the Department of
87 State at least 5 days before returning the human remains to the
88 next of kin.

89 (d) Beginning July 1, 2016, the Department of State must
90 notify the next of kin responsible for a set of human remains
91 about the payment or reimbursement provisions under subsection
92 (3). Such notification must be made within 15 business days
93 after the department's receipt of the location information of
94 the next of kin.

95 (3) The Department of State shall reimburse the next of
96 kin or pay directly to the provider up to \$7,500 for funeral,
97 reinterment, and grave marker expenses for each child whose body
98 was buried at and exhumed, or otherwise recovered, from the
99 Dozier School for Boys.

100 (a) In order to receive reimbursement, the next of kin
101 must submit to the department receipts for, or documentation of,
102 expenses. Reimbursement shall be made pursuant to s. 215.422,
103 Florida Statutes.

104 (b) If expenses are to be paid directly to the provider,

105 the funeral home or other similar entity must submit an invoice
106 to the department for the cost of the child's funeral,
107 reinterment, and grave marker expenses. Payment shall be made
108 pursuant to s. 215.422, Florida Statutes.

109 (c) A charitable donation made toward funeral,
110 reinterment, and grave marker expenses is not eligible for
111 reimbursement.

112 (4) By February 1, 2018, the Department of State shall
113 submit a report to the Governor and Cabinet, the President of
114 the Senate, and the Speaker of the House of Representatives
115 regarding any payments and reimbursements made pursuant to this
116 section.

117 (5) The department may adopt rules necessary to administer
118 this section.

119 Section 2. (1) A task force is established adjunct to the
120 Department of State to advise the department and, except as
121 otherwise provided in this section, shall operate consistent
122 with s. 20.052, Florida Statutes. The task force shall be known
123 as the "Dozier Task Force." The Department of State shall
124 provide administrative and staff support services relating to
125 the functions of the task force.

126 (2) (a) The task force shall consist of the following
127 members:

128 1. The Secretary of State, or his or her designee, who
129 shall serve as the chair.

130 2. One person appointed by the President of the Florida

131 State Conference of the National Association for the Advancement
132 of Colored People.

133 3. One representative of the Florida Council of Churches,
134 appointed by the executive director of the council.

135 4. A next of kin of a deceased ward buried at the Dozier
136 School for Boys appointed by the Attorney General.

137 5. One representative who promotes the welfare of people
138 who are former wards of the Dozier School for Boys appointed by
139 the Chief Financial Officer.

140 6. One person appointed by the President of the Senate.

141 7. One person appointed by the Speaker of the House of
142 Representatives.

143 8. One person appointed by the Jackson County Board of
144 County Commissioners.

145 (b) By October 1, 2016, the task force shall submit its
146 recommendations to the Department of State regarding the
147 creation and maintenance of a memorial and the location of a
148 site for the reinterment of unidentified or unclaimed remains.
149 The recommendations shall also be submitted to the Governor and
150 Cabinet, the President of the Senate, the Speaker of the House
151 of Representatives, the Minority Leader of the Senate, and the
152 Minority Leader of the House of Representatives.

153 (3) This section is repealed December 31, 2016.

154 Section 3. For the 2016-2017 fiscal year, the sum of
155 \$500,000 in nonrecurring funds is appropriated from the General
156 Revenue Fund to the Department of State for the purpose of

CS/CS/HB 533

2016

157 | implementing this act. Funds remaining unexpended or
158 | unencumbered from this appropriation as of July 1, 2017, shall
159 | revert and be reappropriated for the same purpose in the 2017-
160 | 2018 fiscal year.

161 | Section 4. This act shall take effect upon becoming a law.