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576-03402-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Transportation, Tourism, and
Economic Development)

A bill to be entitled

An act relating to the Arthur G. Dozier School for
Boys; requiring certain historical resources, records,
archives, artifacts, researches, medical records, and
human remains to remain in the custody of the
University of South Florida; providing exceptions;
requiring the Department of State to contract with the
university for the identification and location of
eligible next of kin of certain children; requiring
the department to notify the next of kin of certain
payment or reimbursement provisions; requiring the
department to reimburse the next of kin of children
whose bodies are buried and exhumed at the Dozier
School or to pay directly to a provider for the costs
associated with funeral services, reinterment, and
grave marker expenses; providing a process for
reimbursement or payment by the department; providing
that a charitable donation made toward funeral,
reinterment, and grave marker expenses is not eligible
for reimbursement; requiring the department to submit
a report; establishing a task force to make
recommendations regarding a memorial and a location of
a site for the reinterment of unidentified or
unclaimed remains; providing membership of the task
force; requiring the task force to submit its
recommendation to the department by a certain date;



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27 requiring the task force to submit its recommendations
28 to the Governor and Cabinet and to the Legislature;
29 authorizing the department to adopt rules; providing
30 appropriations; 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



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



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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 kin
96 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 must
101 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, reinterment,
110 and grave marker expenses is not eligible for reimbursement.

111 (4) By February 1, 2018, the Department of State shall
112 submit a report to the Governor and Cabinet, the President of
113 the Senate, and the Speaker of the House of Representatives



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114 regarding any payments and reimbursements made pursuant to this
115 section.

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

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

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

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

129 2. One person appointed by the President of the Florida
130 State Conference of the National Association for the Advancement
131 of Colored People.

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

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

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

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

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

142 8. One person appointed by the Jackson County Board of



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143 County Commissioners.

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

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

153 Section 3. For the 2016-2017 fiscal year, the sum of
154 \$500,000 in nonrecurring funds is appropriated from the General
155 Revenue Fund to the Department of State for the purpose of
156 implementing this act. Funds remaining unexpended or
157 unencumbered from this appropriation as of July 1, 2017, shall
158 revert and be reappropriated for the same purpose in the 2017-
159 2018 fiscal year.

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