

By the Committee on Children, Families, and Elder Affairs; and  
Senator Baxley

586-02342-18

20181232c1

1 A bill to be entitled  
2 An act relating to public assistance fraud; amending  
3 s. 414.39, F.S.; revising the maximum reward paid to  
4 persons providing certain information leading to the  
5 recovery of certain fraudulent public assistance  
6 payments; revising the funding source for such  
7 rewards; amending s. 414.41, F.S.; directing state-  
8 retained shares of recovered public assistance  
9 overpayments to be held in the Federal Grants Trust  
10 Fund; requiring such funds to be reallocated to the  
11 Department of Children and Families; specifying how  
12 such funds may be used by the department; requiring  
13 the department to submit an annual report and to  
14 propose certain projects for legislative  
15 authorization; providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Paragraphs (b) and (c) of subsection (11) of  
20 section 414.39, Florida Statutes, are amended to read:

21 414.39 Fraud.—

22 (11)

23 (b) The reward may not exceed 10 percent of the amount  
24 recovered in full by the department or \$500,000, whichever is  
25 less, in a single case.

26 (c) The reward shall be paid from the state-retained ~~state~~  
27 share of the recovered overpayments held ~~recovery~~ in the Federal  
28 Grants Trust Fund from moneys collected pursuant to s. 414.41.

29 Section 2. Subsection (4) is added to section 414.41,

586-02342-18

20181232c1

30 Florida Statutes, to read:

31 414.41 Recovery of payments made due to mistake or fraud.-

32 (4) All collected state-retained shares of recovered  
33 overpayments during each fiscal year shall be held in the  
34 Federal Grants Trust Fund to be reallocated to the department  
35 the following fiscal year for use as specified in this  
36 subsection.

37 (a) Funds held in the Federal Grants Trust Fund pursuant to  
38 this subsection may be used by the department to:

39 1. Pay public assistance fraud rewards as provided in s.  
40 414.39(11) and to fund public assistance fraud detection; and

41 2. Fund prevention initiatives that enable the department  
42 to respond to emergent public assistance fraud schemes and  
43 threats pursuant to authorization under paragraph (c).

44 (b) By October 1 of each year, the department shall submit  
45 a report to the Legislature which includes the following:

46 1. The actual outcomes and returns on investment associated  
47 with projects approved pursuant to paragraph (c) during the  
48 previous fiscal year.

49 2. The amount of funds in the Federal Grants Trust Fund  
50 available for expenditure pursuant to this subsection.

51 3. The number and amount of public assistance fraud rewards  
52 paid during the previous fiscal year and anticipated to be paid  
53 during the next fiscal year.

54 4. Descriptions of specific proposed projects to be  
55 supported by the expenditure of funds held according to this  
56 subsection, including expected outcomes of the proposed  
57 projects, and the estimated return on investment for the  
58 following fiscal year.

586-02342-18

20181232c1

59       (c) Contingent upon specific authorization in the General  
60 Appropriations Act or similar legislation, and notwithstanding  
61 chapter 216, the department may use funds, pursuant to this  
62 subsection, to pay public assistance fraud rewards and to fund  
63 one or more of the specific projects proposed in the annual  
64 report required under paragraph (b).

65       Section 3. This act shall take effect July 1, 2018.