

**By** the Committee on Governmental Oversight and Accountability;  
and Senator Diaz

585-02221-20

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1                                   A bill to be entitled  
2       An act relating to disaster volunteer leave for state  
3       employees; amending s. 110.120, F.S.; reordering,  
4       revising, and providing definitions; revising  
5       conditions under which an employee may be granted  
6       leave under the Florida Disaster Volunteer Leave Act;  
7       specifying requirements and limitations; providing an  
8       effective date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

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12       Section 1. Section 110.120, Florida Statutes, is amended to  
13   read:

14       110.120 Administrative leave for disaster service  
15   volunteers.—

16       (1) SHORT TITLE.—This section ~~shall be known and~~ may be  
17   cited as the "Florida Disaster Volunteer Leave Act."

18       (2) DEFINITIONS.—As used in this section, the term  
19   ~~following terms shall apply:~~

20       (c)(a) "State agency" means any official, officer,  
21   commission, board, authority, council, committee, or department  
22   of the executive branch of state government.

23       (a)(b) "Disaster" means an event that results in a state of  
24   emergency, as declared by executive order or proclamation issued  
25   by the Governor of this state or any other state or territory of  
26   the United States ~~includes disasters designated at level II and~~  
27   ~~above in the American National Red Cross regulations and~~  
28   ~~procedures.~~

29       (b) "Disaster area" means a location covered under a state

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30 of emergency, as declared by executive order or proclamation  
 31 issued by the Governor of this state or any other state or  
 32 territory of the United States.

33 (d) "Volunteer" means an individual who has entered into an  
 34 agreement with a tax-exempt nonprofit organization under s.  
 35 501(c)(3) or s. 501(c)(4) of the Internal Revenue Code to  
 36 provide nonpaid services to a disaster area for disaster  
 37 response or recovery.

38 (3) LEAVE OF ABSENCE.—An employee of a state agency ~~who is~~  
 39 ~~a certified disaster service volunteer of the American Red Cross~~  
 40 may be granted a leave of absence with pay for no not more than  
 41 120 working hours ~~15 working days~~ in any 12-month period to  
 42 serve as a volunteer ~~participate in specialized disaster relief~~  
 43 ~~services for the American Red Cross.~~ Such leave of absence may  
 44 be granted upon the request of the employee ~~American Red Cross~~  
 45 and upon ~~the~~ approval of the employee's employing agency after  
 46 verifying the employee's volunteer status. An employee granted  
 47 leave under this section is ~~shall~~ not be deemed to be an  
 48 employee of the state for purposes of workers' compensation.  
 49 Leave under this section ~~act~~ may be granted only for providing  
 50 volunteer ~~for~~ services related to a disaster occurring within  
 51 the boundaries of this ~~the~~ state of Florida, except that, ~~with~~  
 52 ~~the approval of the Governor and Cabinet,~~ leave may be granted  
 53 to an employee to provide volunteer ~~for~~ services in response to  
 54 a disaster occurring within the states or territories ~~boundaries~~  
 55 of the United States upon approval of the head of the employee's  
 56 employing agency. An employee who is granted leave under this  
 57 section must attest to his or her employing agency that he or  
 58 she has completed his or her volunteer service for a disaster,

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59 and must also specify the period of time for which he or she  
60 served as a volunteer for that event and a description of the  
61 disaster response or recovery services that the employee  
62 provided.

63 Section 2. This act shall take effect July 1, 2020.