



716126

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/13/2019	.	
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Appropriations Subcommittee on Health and Human Services (Bean)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 409.1664, Florida Statutes, is amended  
to read:

409.1664 Adoption benefits for qualifying adoptive  
employees of state agencies, veterans, and servicemembers.—

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

(a) "Child within the child welfare system" has the same



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11 meaning as provided in s. 409.166.

12 (b) "Qualifying adoptive employee" means a full-time or  
13 part-time employee of a state agency, a charter school  
14 established under s. 1002.33, or the Florida Virtual School  
15 established under s. 1002.37, who is not an independent  
16 contractor paid from regular salary appropriations, or otherwise  
17 meets his or her employer's definition of a regular rather than  
18 temporary employee, and who adopts a child within the child  
19 welfare system pursuant to chapter 63 on or after July 1, 2015.  
20 The term includes instructional personnel, as defined in s.  
21 1012.01, who are employed by the Florida School for the Deaf and  
22 the Blind, and includes other-personal-services employees who  
23 have been continuously employed full time or part time by a  
24 state agency for at least 1 year.

25 (c) "Servicemember" has the same meaning as in s.  
26 250.01(19).

27 (d) "State agency" means a branch, department, or agency of  
28 state government for which the Chief Financial Officer processes  
29 payroll requisitions, a state university or Florida College  
30 System institution as defined in s. 1000.21, a school district  
31 unit as defined in s. 1001.30, or a water management district as  
32 defined in s. 373.019.

33 (e) "Veteran" has the same meaning as in s. 1.01(14).

34 (2) A qualifying adoptive employee, veteran, or  
35 servicemember who adopts a child within the child welfare system  
36 who has special needs described in s. 409.166(2)(a)2. is  
37 eligible to receive a lump-sum monetary benefit in the amount of  
38 \$10,000 per such child, subject to applicable taxes. A  
39 qualifying adoptive employee, veteran, or servicemember who



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40 adopts a child within the child welfare system who does not have  
41 special needs described in s. 409.166(2)(a)2. is eligible to  
42 receive a lump-sum monetary benefit in the amount of \$5,000 per  
43 such child, subject to applicable taxes. A qualifying adoptive  
44 employee of a charter school or the Florida Virtual School may  
45 retroactively apply for the monetary benefit provided in this  
46 subsection if such employee was employed by a charter school or  
47 the Florida Virtual School when he or she adopted a child within  
48 the child welfare system pursuant to chapter 63 on or after July  
49 1, 2015. A veteran or servicemember may apply for the monetary  
50 benefit provided in this subsection if he or she is domiciled in  
51 this state and adopts a child within the child welfare system  
52 pursuant to chapter 63 on or after July 1, 2020.

53 (a) Benefits paid to a qualifying adoptive employee who is  
54 a part-time employee must be prorated based on the qualifying  
55 adoptive employee's full-time equivalency at the time of  
56 applying for the benefits.

57 (b) Monetary benefits awarded under this subsection are  
58 limited to one award per adopted child within the child welfare  
59 system.

60 (c) The payment of a lump-sum monetary benefit for adopting  
61 a child within the child welfare system under this section is  
62 subject to a specific appropriation to the department for such  
63 purpose.

64 (3) A qualifying adoptive employee must apply to his or her  
65 agency head, or to his or her school director in the case of a  
66 qualifying adoptive employee of a charter school or the Florida  
67 Virtual School, to obtain the monetary benefit provided in  
68 subsection (2). A veteran or servicemember must apply to the



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69 department to obtain the benefit. Applications must be on forms  
70 approved by the department and must include a certified copy of  
71 the final order of adoption naming the applicant as the adoptive  
72 parent. Monetary benefits shall be approved on a first-come,  
73 first-served basis based upon the date that each fully completed  
74 application is received by the department.

75 (4) This section does not preclude a qualifying adoptive  
76 employee, veteran, or servicemember from receiving adoption  
77 assistance for which he or she may qualify under s. 409.166 or  
78 any other statute that provides financial incentives for the  
79 adoption of children.

80 (5) Parental leave for a qualifying adoptive employee must  
81 be provided in accordance with the personnel policies and  
82 procedures of his or her employer.

83 (6) The department may adopt rules to administer this  
84 section. The rules may provide for an application process such  
85 as, but not limited to, an open enrollment period during which  
86 qualifying adoptive employees, veterans, or servicemembers may  
87 apply for monetary benefits under this section.

88 (7) The Chief Financial Officer shall disburse a monetary  
89 benefit to a qualifying adoptive employee upon the department's  
90 submission of a payroll requisition. The Chief Financial Officer  
91 shall transfer funds from the department to a state university,  
92 a Florida College System institution, a school district unit, a  
93 charter school, the Florida Virtual School, or a water  
94 management district, as appropriate, to enable payment to the  
95 qualifying adoptive employee through the payroll systems as long  
96 as funds are available for such purpose.

97 (8) To receive an approved monetary benefit under this



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98 section, a veteran or servicemember must be registered as a  
99 vendor with the state.

100 (9) Each state agency shall develop a uniform procedure for  
101 informing employees about this benefit and for assisting the  
102 department in making eligibility determinations and processing  
103 applications. Any procedure adopted by a state agency is valid  
104 and enforceable if the procedure does not conflict with the  
105 express terms of this section.

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

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108 ===== T I T L E A M E N D M E N T =====

109 And the title is amended as follows:

110 Delete everything before the enacting clause  
111 and insert:

112 A bill to be entitled  
113 An act relating to adoption benefits; amending s.  
114 409.1664, F.S.; revising the definition of the term  
115 "qualifying adoptive employee" with retroactive  
116 applicability; defining the terms "servicemember" and  
117 "veteran"; providing that adoptive servicemembers and  
118 veterans are eligible to receive certain monetary  
119 benefits; specifying eligibility criteria; requiring  
120 servicemembers and veterans seeking a benefit to apply  
121 to the Department of Children and Families; revising  
122 construction; providing applicability of  
123 servicemembers and veterans under certain department  
124 rules; requiring servicemembers and veterans seeking a  
125 benefit to be registered as a vendor with the state;  
126 providing an effective date.