

By the Committee on Appropriations; and Senators Bean, Harrell,  
and Perry

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1 A bill to be entitled  
2 An act relating to adoption benefits; amending s.  
3 409.1664, F.S.; revising the definition of the term  
4 "qualifying adoptive employee" and providing for  
5 retroactive application; defining the terms  
6 "servicemember" and "veteran"; providing that adoptive  
7 servicemembers and veterans are eligible to receive  
8 certain monetary benefits; specifying eligibility  
9 criteria; requiring servicemembers and veterans  
10 seeking a benefit to apply to the Department of  
11 Children and Families; revising construction;  
12 providing for applicability of certain department  
13 rules to servicemembers and veterans; requiring  
14 servicemembers and veterans seeking a benefit to be  
15 registered as a vendor with the state; providing an  
16 effective date.

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

19  
20 Section 1. Section 409.1664, Florida Statutes, is amended  
21 to read:

22 409.1664 Adoption benefits for qualifying adoptive  
23 employees of state agencies, veterans, and servicemembers.—

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

25 (a) "Child within the child welfare system" has the same  
26 meaning as provided in s. 409.166.

27 (b) "Qualifying adoptive employee" means a full-time or  
28 part-time employee of a state agency, a charter school  
29 established under s. 1002.33, or the Florida Virtual School

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30 established under s. 1002.37, who is not an independent  
31 contractor ~~paid from regular salary appropriations, or otherwise~~  
32 ~~meets his or her employer's definition of a regular rather than~~  
33 ~~temporary employee,~~ and who adopts a child within the child  
34 welfare system pursuant to chapter 63 on or after July 1, 2015.  
35 The term includes instructional personnel, as defined in s.  
36 1012.01, who are employed by the Florida School for the Deaf and  
37 the Blind, and includes other-personal-services employees who  
38 have been continuously employed full time or part time by a  
39 state agency for at least 1 year.

40 (c) "Servicemember" has the same meaning as in s.  
41 250.01(19).

42 (d) "State agency" means a branch, department, or agency of  
43 state government for which the Chief Financial Officer processes  
44 payroll requisitions, a state university or Florida College  
45 System institution as defined in s. 1000.21, a school district  
46 unit as defined in s. 1001.30, or a water management district as  
47 defined in s. 373.019.

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

49 (2) A qualifying adoptive employee, veteran, or  
50 servicemember who adopts a child within the child welfare system  
51 who has special needs described in s. 409.166(2)(a)2. is  
52 eligible to receive a lump-sum monetary benefit in the amount of  
53 \$10,000 per such child, subject to applicable taxes. A  
54 qualifying adoptive employee, veteran, or servicemember who  
55 adopts a child within the child welfare system who does not have  
56 special needs described in s. 409.166(2)(a)2. is eligible to  
57 receive a lump-sum monetary benefit in the amount of \$5,000 per  
58 such child, subject to applicable taxes. A qualifying adoptive

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59 employee of a charter school or the Florida Virtual School may  
60 retroactively apply for the monetary benefit provided in this  
61 subsection if such employee was employed by a charter school or  
62 the Florida Virtual School when he or she adopted a child within  
63 the child welfare system pursuant to chapter 63 on or after July  
64 1, 2015. A veteran or servicemember may apply for the monetary  
65 benefit provided in this subsection if he or she is domiciled in  
66 this state and adopts a child within the child welfare system  
67 pursuant to chapter 63 on or after July 1, 2020.

68 (a) Benefits paid to a qualifying adoptive employee who is  
69 a part-time employee must be prorated based on the qualifying  
70 adoptive employee's full-time equivalency at the time of  
71 applying for the benefits.

72 (b) Monetary benefits awarded under this subsection are  
73 limited to one award per adopted child within the child welfare  
74 system.

75 (c) The payment of a lump-sum monetary benefit for adopting  
76 a child within the child welfare system under this section is  
77 subject to a specific appropriation to the department for such  
78 purpose.

79 (3) A qualifying adoptive employee must apply to his or her  
80 agency head, or to his or her school director in the case of a  
81 qualifying adoptive employee of a charter school or the Florida  
82 Virtual School, to obtain the monetary benefit provided in  
83 subsection (2). A veteran or servicemember must apply to the  
84 department to obtain the benefit. Applications must be on forms  
85 approved by the department and must include a certified copy of  
86 the final order of adoption naming the applicant as the adoptive  
87 parent. Monetary benefits shall be approved on a first-come,

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88 first-served basis based upon the date that each fully completed  
89 application is received by the department.

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

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

98 (6) The department may adopt rules to administer this  
99 section. The rules may provide for an application process such  
100 as, but not limited to, an open enrollment period during which  
101 qualifying adoptive employees, veterans, or servicemembers may  
102 apply for monetary benefits under this section.

103 (7) The Chief Financial Officer shall disburse a monetary  
104 benefit to a qualifying adoptive employee upon the department's  
105 submission of a payroll requisition. The Chief Financial Officer  
106 shall transfer funds from the department to a state university,  
107 a Florida College System institution, a school district unit, a  
108 charter school, the Florida Virtual School, or a water  
109 management district, as appropriate, to enable payment to the  
110 qualifying adoptive employee through the payroll systems as long  
111 as funds are available for such purpose.

112 (8) To receive an approved monetary benefit under this  
113 section, a veteran or servicemember must be registered as a  
114 vendor with the state.

115 (9) Each state agency shall develop a uniform procedure for  
116 informing employees about this benefit and for assisting the

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117 department in making eligibility determinations and processing  
118 applications. Any procedure adopted by a state agency is valid  
119 and enforceable if the procedure does not conflict with the  
120 express terms of this section.

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