

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Committee

3 Representative Roth offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

9 409.1664 Adoption benefits for qualifying adoptive
10 employees of state agencies, veterans, and servicemembers.-

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

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

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

539093 - h0061-strike.docx

Published On: 1/15/2020 6:05:19 PM

Amendment No. 1

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

27 (c) "Servicemember" has the same meaning as in s.
28 250.01(19).

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

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

36 (2) A qualifying adoptive employee, veteran, or
37 servicemember who adopts a child within the child welfare system
38 who has special needs described in s. 409.166(2)(a)2. is
39 eligible to receive a lump-sum monetary benefit in the amount of
40 \$10,000 per such child, subject to applicable taxes. A
41 qualifying adoptive employee, veteran, or servicemember who

539093 - h0061-strike.docx

Published On: 1/15/2020 6:05:19 PM

Amendment No. 1

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

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

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

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

539093 - h0061-strike.docx

Published On: 1/15/2020 6:05:19 PM

Amendment No. 1

66 (3) A qualifying adoptive employee must apply to his or
67 her agency head, or to his or her school director in the case of
68 a qualifying adoptive employee of a charter school or the
69 Florida Virtual School, to obtain the monetary benefit provided
70 in subsection (2). A veteran or servicemember must apply to the
71 department to obtain the benefit. Applications must be on forms
72 approved by the department and must include a certified copy of
73 the final order of adoption naming the applicant as the adoptive
74 parent. Monetary benefits shall be approved on a first-come,
75 first-served basis based upon the date that each fully completed
76 application is received by the department.

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

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

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

Amendment No. 1

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

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

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

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

109 -----
110
111 **T I T L E A M E N D M E N T**

112 Remove everything before the enacting clause and insert:

113 A bill to be entitled

Amendment No. 1

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