

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/CS/HB 1211](#)

**TITLE:** Military Affairs

**SPONSOR(S):** Albert

**COMPANION BILL:** [CS/SB 474](#) (Wright)

**LINKED BILLS:** None

**RELATED BILLS:** None

## Committee References

[Intergovernmental Affairs](#)

12 Y, 0 N, As CS



[Transportation & Economic  
Development Budget](#)

15 Y, 0 N, As CS



[State Affairs](#)

## SUMMARY

### **Effect of the Bill:**

The bill makes the following changes relating to the Department of Military Affairs (DMA) and military service generally:

- Revises provisions concerning leaves of absence for military service for state and local government employees to expand eligibility to include members of the Coast Guard and clarify that 90 consecutive days of service to qualify for a paid leave of absence must be on a single order.
- Revises which employees of the DMA are eligible for Florida Retirement System's Senior Management Service Class.
- Repeals provisions related to the defunct About Face and Forward March programs.
- Revises eligibility for the Soldiers and Airmen Assistance Program and requires an annual external financial audit and bylaw review.

### **Fiscal or Economic Impact:**

The bill may have an indeterminate positive fiscal impact on the state and local governments due to changes in eligibility for paid leaves of absence. The modifications made by the bill to the Senior Management Service Class for members employed within the Department of Military Affairs appear to have an indeterminate, positive impact on the Florida Retirement System.

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## ANALYSIS

### **EFFECT OF THE BILL:**

#### **Leaves of Absence for Military Service**

The bill makes the following changes to [leaves of absence for military service](#) for state and local government employees:

- Provides that leave of absence provisions for state and local elected officials from their office includes service in the Coast Guard.
- Provides that protections of pay and benefits for reserve or National Guard training apply when the training is ordered under applicable provisions of state law in addition to federal regulations.
- Removes service in the Florida State Guard from definition of "active military service."
- Narrows the instances for which servicemembers who are also public officials or employees are entitled to 30 days' pay from their government employment for federal military service to apply only when the servicemember has federal military service of 90 consecutive days or more on a single order (rather than a series of shorter orders). (Sections [1](#), [2](#), [3](#), [4](#), and [5](#))

#### **Soldiers and Airmen Assistance Program**

**STORAGE NAME:** h1211c.TED

**DATE:** 2/13/2026

The bill revises eligibility for the [Soldiers and Airmen Assistance Program](#) to include all traditional drilling guardsmen on state or active duty who do not qualify for assistance programs available to servicemembers currently serving in the U. S. Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard, and their beneficiaries, who demonstrate valid financial need. The bill defines a “beneficiary” as the current spouse, dependent children, or other designated beneficiaries as determined by the Adjutant General. The bill revises the process for review and approval of assistance funds to be completed by the [Florida National Guard Foundation’s](#) board of directors. The bill provides that requests for assistance are to be reviewed based on the financial situation of the applicant, their inability to provide quality of life and other qualifying life-impacting family needs, and any other consideration as dictated under the bylaws of the Florida National Guard Foundation. (Section [8](#))

The bill defines a “[beneficiary](#)” as the current spouse, dependent children, or other designated beneficiaries as determined by the Adjutant General. (Section [8](#))

The bill requires an annual external financial audit to be published on the website of the direct-support organization (DSO) as well as an annual bylaw review of the program to be given to the [Department of Military Affairs](#) (DMA) and approved by the Adjutant General. (Section [8](#))

### **Other Provisions**

The bill revises provisions related to retirement benefits for employees of the Department of Military Affairs (DMA) to remove a series of named positions from eligibility for the [Senior Management Service Class](#) of the Florida Retirement System and removing the cap on the number of positions in the agency that are eligible for the Senior Management Service Class. (Section [6](#))

The bill repeals provisions requiring the [Adjutant General](#) to administer the [About Face](#) and [Forward March](#) programs. (Section [7](#))

The bill provides an effective date of July 1, 2026. (Section [10](#))

### **FISCAL OR ECONOMIC IMPACT:**

#### STATE GOVERNMENT:

The bill may have an indeterminate positive fiscal impact on the state generally since employers of servicemembers who are on active duty for more than 90 consecutive days that are not part of a single order will no longer be obligated to pay the first 30 days of the absence. The bill may have an indeterminate positive fiscal impact on the Florida Retirement System by reducing the number of eligible authorized DMA positions in the Senior Management Service Class.

#### LOCAL GOVERNMENT:

The bill may have an indeterminate positive fiscal impact on local governments since employers of servicemembers who are on active duty for more than 90 consecutive days that are not part of a single order will no longer be obligated to pay the first 30 days of the absence.

## **RELEVANT INFORMATION**

### **SUBJECT OVERVIEW:**

[Department of Military Affairs](#)

The Florida Department of Military Affairs (DMA) is a state agency created to provide management oversight and administrative support to the Florida National Guard (FLNG) and the Florida Air National Guard.<sup>1</sup> DMA is responsible for combat readiness and emergency preparedness of the FLNG, responding to disasters and civil disturbances, drug interdiction operations, and assisting Floridians at risk.<sup>2</sup>

### [Adjutant General](#)

The Adjutant General serves as the director of the DMA.<sup>3</sup> As the commanding officer of the FLNG, the Adjutant General is responsible for the training and operations of the FLNG.<sup>4</sup> The Adjutant General also serves as commanding general of the state's militia and supervises the receipt, preservation, repair, distribution, issue, and collection of all arms and military equipment in the state.<sup>5</sup>

The Adjutant General is appointed by the Governor, is subject to Senate confirmation, and must be a federally recognized officer of the FLNG who has served in the FLNG for at least five of the last ten years and attained the rank of colonel or higher.<sup>6</sup>

The Adjutant General is responsible for appointing two Assistant Adjutant Generals for the Army, an Assistant Adjutant General for Air, and the State Quartermaster.<sup>7</sup> Candidates to become Assistant Adjutant Generals must have served for at least three years in their respective National Guard branch and attained the rank of colonel or higher at the time of appointment.

### [About Face](#)

About Face was an after-school program serving economically disadvantaged youth, ages 13-17, who were still in school but at risk of dropping out.<sup>8</sup> The program was designed to help students by improving their academic skills, teaching effective study habits, teaching life coping skills and good citizenship, and providing strong mentor and role model experiences. Participants' results were monitored through benchmarks and were incorporated into program delivery. About Face was funded through the DMA. The program was terminated in 2011 when state funding was eliminated.<sup>9</sup>

### [Forward March](#)

Forward March was a community service program designed to assist economically disadvantaged out-of-school youth and adults, ages 17-39, in making a successful transition into the workforce.<sup>10</sup> The program was designed to help participants by teaching core academics and work readiness skills that facilitate job placement and retention. Participants' results were monitored through benchmarks and are incorporated into program delivery. The program was terminated in 2011 when state funding was eliminated.<sup>11</sup>

### [Soldiers and Airmen Assistance Program](#)

<sup>1</sup> Dept. of Military Affairs, [The Florida Department of Military Affairs](#) (last visited Feb. 2, 2026).

<sup>2</sup> Office of Program Policy Analysis and Government Accountability, Florida Legislature, [Government Program Summaries: Department of Military Affairs](#) (last visited Feb. 2, 2026).

<sup>3</sup> [S. 250.10\(1\), F.S.](#)

<sup>4</sup> [S. 250.10\(2\)\(c\)-\(d\), F.S.](#)

<sup>5</sup> [S. 250.10\(2\)\(a\)-\(b\), F.S.](#)

<sup>6</sup> [S. 250.10\(1\), F.S.](#)

<sup>7</sup> [Ss. 250.10\(4\)\(a\)-\(b\), \(5\), F.S.](#)

<sup>8</sup> Dept. of Military Affairs, [Long Range Program Plan FY 2020-2021 through FY 2024-2025](#), p. 15 (last visited Feb. 2, 2026).

<sup>9</sup> Dept. of Military Affairs, Agency Analysis of SB 474, p. 2 (Dec. 4, 2025) (on file with Intergovernmental Affairs Subcommittee).

<sup>10</sup> Dept. of Military Affairs, [Long Range Program Plan FY 2020-2021 through FY 2024-2025](#), p. 15 (last visited Feb. 2, 2026).

<sup>11</sup> Dept. of Military Affairs, Agency Analysis of SB 474, p. 2 (Dec. 4, 2025) (on file with Intergovernmental Affairs Subcommittee).

The Soldiers and Airmen Assistance Program (Program) was created in 2010 to provide financial assistance and services to eligible servicemembers of the FLNG and their families.<sup>12</sup> Servicemembers who part of the FLNG are eligible if they meet one of the following criteria:

- On active duty serving in the Global War on Terrorism or Overseas Contingency Operation who request assistance within 120 days after the termination of orders for service and return to their home of record; or
- Are deployed by the federal government and participating in state operations for homeland defense or request assistance within 120 days after the termination of orders for service and return to their home of record.

A [beneficiary](#) of an eligible guardsman designated on the United States Department of Defense Form 93 and an individual demonstrating a financial need who is a dependent or family member of a guardsman are also eligible to receive assistance.<sup>13</sup>

The Program is funded by the [Florida National Guard Foundation](#), a direct-support organization (DSO).<sup>14</sup> Under the Program, eligible servicemembers and their beneficiaries may receive assistance with housing, living expenses necessary to support basic needs, vehicles, health care, and other services.<sup>15</sup>

The requests for assistance are reviewed at the local level by an official designated by the Adjutant General.<sup>16</sup> The DMA may accept assistance from the DSO when reviewing and processing requests but the DMA provides the final review and approval. Requests for assistance are reviewed and evaluated based on the following criteria:

- The impact of a servicemember's absence and inability to assist in home and vehicle repairs or meet other family needs;
- The economic impact of deployment;
- The overall financial situation of the applicant; and
- Other relevant information.<sup>17</sup>

Current law requires the DSO to operate under a written contract with the DMA. The written contract must provide for:

- Annual certification by the department that the DSO is complying with the terms for the contract and is doing so consistent with the goals and purposes of DMA and in the best interests of the state.
- The reversion of moneys and property held by the DSO if the DSO is no longer approved to operate by DMA, the DSO ceases to exist, or DMA ceases to exist.
- The disclosure to donors of the material provisions of the contract and the distinction between DMA and the DSO.<sup>18</sup>

The financial committee of the DSO must conduct quarterly reviews of the financial transactions of the Program and may request the Office of Inspector General to conduct additional reviews.<sup>19</sup> The quarterly reviews are submitted to the DMA to determine if the DSO is being operated consistent with the purposes of the Soldiers and Airmen Assistance Fund.

<sup>12</sup> [Ch. 2010-98, s. 2, Laws of Fla.](#), codified as [s. 250.116, F.S.](#)

<sup>13</sup> [S. 250.116\(4\)\(b\), F.S.](#)

<sup>14</sup> [S. 250.115, F.S.](#)

<sup>15</sup> [S. 250.116\(3\), F.S.](#)

<sup>16</sup> [S. 250.116\(5\)\(a\), F.S.](#)

<sup>17</sup> [S. 250.116\(5\)\(b\), F.S.](#)

<sup>18</sup> [S. 250.115\(3\)\(a\)-\(c\), F.S.](#)

<sup>19</sup> [S. 250.116\(6\), F.S.](#)

## Leaves of Absence for Military Service

### Uniformed Services Employment and Reemployment Rights Act

The federal Uniformed Services Employment and Reemployment Rights Act (USERRA) provides employment protections to servicemembers who have to leave employment to perform military service.<sup>20</sup> USERRA areas of coverage include reemployment rights, freedom from discrimination and retaliation, and continuation of health insurance coverage.<sup>21</sup> USERRA requires compliance of private and public employers, including state and local governments.<sup>22</sup>

### **Leaves of Absence for Military Duty for County and State Officials**

A county or state official may be granted a leave of absence from office to serve in the volunteer forces of the United States, in the National Guard of any state, or in the regular federal Army, Navy, Air Force, Marine Corps, or Space Force when the official is called into active service of the United States during war between the United States and a foreign government.<sup>23</sup> Upon completing the service, the county or state officer granted such leave must immediately enter into the duties of his or her office for the remainder of the term for which elected.<sup>24</sup>

These provisions interact with the background rule that governs when a vacancy occurs in any office.<sup>25</sup> In pertinent part, a vacancy occurs upon the officer's unexplained absence for 60 consecutive days.<sup>26</sup> When an executive branch officer, other than a Cabinet officer, wants to be absent from the state for 60 consecutive days or more, the officer must provide written notification to the Governor.<sup>27</sup> However, the officer must return to the state and perform his or her duties whenever requested by the Governor. Failure to return and perform such duties allows the Governor to declare the office vacant.<sup>28</sup>

The Attorney General, Chief Financial Officer, and the Commissioner of Agriculture may not be absent from the state for 60 consecutive days or more without the consent of the Governor and a majority of the Cabinet. If a Cabinet officer violates this prohibition, the office may be deemed vacant.<sup>29</sup>

Any official of the state or of a county, municipality, or other political subdivision of the state, including a school district and a community college, who is a servicemember in the National Guard or a reserve component of the Armed Forces must be granted a leave of absence from office and duties to perform active military service.<sup>30</sup> The servicemember will receive full pay from the governmental entity which the official serves for the first 30 days of the leave of absence if the active federal military service is equal to or greater than 90 consecutive days.<sup>31</sup>

### **Leaves of Absence for Military Service for Public Employees**

Every officer or employee of the state, counties, cities, or other political subdivisions of the state who is a member of the U.S. military reserves or a member of the National Guard and assigned to active or inactive duty is entitled to a leave of absence while in training ordered pursuant to the U.S. military or naval training regulations.<sup>32</sup> This leave is available without loss of vacation leave, pay, time, or efficiency rating, for those days during which the officer or employee is engaged in the training. This type of leave of absence may not exceed 240 working hours (equivalent of six 40-hour workweeks) in any one annual period.<sup>33</sup>

<sup>20</sup> 38 U.S.C. ch. 43.

<sup>21</sup> U.S. Dept. of Labor, [Veterans' Employment and Training Service, Know Your Rights](#) (last visited Feb. 2, 2026).

<sup>22</sup> U.S. Dept. of Labor, [A Guide to the Uniformed Services Employment and Reemployment Rights Act](#) (last visited Jan. 21, 2026).

<sup>23</sup> [S. 115.01, F.S.](#)

<sup>24</sup> [S. 115.06, F.S.](#)

<sup>25</sup> See [s. 114.01, F.S.](#)

<sup>26</sup> [S. 114.01\(1\)\(f\), F.S.](#)

<sup>27</sup> [S. 114.02, F.S.](#)

<sup>28</sup> *Id.*

<sup>29</sup> [S. 114.03, F.S.](#)

<sup>30</sup> [S. 115.09, F.S.](#)

<sup>31</sup> *Id.*

<sup>32</sup> [S. 115.07\(1\), F.S.](#)

<sup>33</sup> [S. 115.07\(2\), F.S.](#)

All employees of the state, counties, municipalities, and other political subdivisions of the state must be granted a leave of absence for active military service with the same rights and privileges granted officers of the governmental entities.<sup>34</sup> Like the officers, the employees receive full pay for the first 30 days of a leave of absence whenever the active federal military service is equal to or greater than 90 consecutive days.<sup>35</sup>

### Florida Retirement System

The Florida Retirement System (FRS) is a multiple-employer, contributory plan<sup>36</sup> governed by the Florida Retirement System Act.<sup>37</sup> As of June 30, 2025, the FRS had 664,159 active members,<sup>38</sup> 462,506 retired members and beneficiaries, 13,824 disabled retirees, and 30,800 members in the Deferred Retirement Option Program (DROP).<sup>39</sup> It is the primary retirement plan for employees of state and county government agencies, district school boards, state colleges, and state universities. The FRS also serves as the retirement plan for the employees of the 186 cities, 151 special districts, and two independent hospitals that have elected to join the system.<sup>40</sup>

The membership of the FRS is divided into five membership classes:

- The Regular Class<sup>41</sup> has 562,840 active members and 9,932 in renewed membership.
- The Special Risk Class<sup>42</sup> has 79,529 active members and 1,379 in renewed membership.
- The Special Risk Administrative Support Class<sup>43</sup> has 97 active members and three in renewed membership.
- The Elected Officers' Class<sup>44</sup> has 2,148 active members and 105 in renewed membership.
- The Senior Management Service Class (SMSC)<sup>45</sup> has 7,871 active members and 253 in renewed membership.<sup>46</sup>

Members of the FRS have two primary plan options available for participation:

- The defined benefit plan, also known as the pension plan.
- The defined contribution plan, also known as the investment plan.

### *Career Service*

The Florida Constitution requires the legislature to create a civil service system for state employees.<sup>47</sup> The Department of Management Services (DMS) is responsible for developing uniform personnel rules, guidelines,

<sup>34</sup> [S. 115.14, F.S.](#)

<sup>35</sup> *Id.*

<sup>36</sup> Prior to 1975, members of the FRS were required to make employee contributions of either four percent of their salaries for Regular Class members or six percent for Special Risk Class members. Members were again required to contribute to the system after June 30, 2011, at three percent of their salary regardless of membership class.

<sup>37</sup> Ch. 121, F.S.

<sup>38</sup> As of June 30, 2025, the FRS Pension Plan, which is a defined benefit plan, had 414,327 members, and the investment plan, which is a defined contribution plan, had 249,832 members. Florida Department of Management Services, [Florida Retirement System Pension Plan and Other State Administered Systems Annual Comprehensive Financial Report Fiscal Year Ended June 30, 2025](#), p. 203 (last visited Feb. 12, 2026).

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*, at 261.

<sup>41</sup> The Regular Class is for all members who are not assigned to another class. [S. 121.021\(12\), F.S.](#)

<sup>42</sup> The Special Risk Class is for members employed as law enforcement officers, firefighters, correctional officers, probation officers, paramedics and emergency medical technicians, among others. [S. 121.0515, F.S.](#)

<sup>43</sup> The Special Risk Administrative Support Class is for a special risk member who moved or was reassigned to a nonspecial risk law enforcement, firefighting, correctional, or emergency medical care administrative support position with the same agency, or who is subsequently employed in such a position under the FRS. [S. 121.0515\(8\), F.S.](#)

<sup>44</sup> The Elected Officers' Class is for elected state and county officers, and for those elected municipal or special district officers whose governing body has chosen Elected Officers' Class participation for its elected officers. [S. 121.052, F.S.](#)

<sup>45</sup> The Senior Management Service Class is for members who fill senior management level positions assigned by law to the Senior Management Service Class or authorized by law as eligible for Senior Management Service designation. [S. 121.055, F.S.](#)

<sup>46</sup> Florida Department of Management Services, [Florida Retirement System Pension Plan and Other State Administered Systems Annual Comprehensive Financial Report Fiscal Year Ended June 30, 2025](#), p. 226 (last visited Feb. 12, 2026).

<sup>47</sup> [Art. III, s. 14, Fla. Const.](#)

records, and reports relating to employees and positions in the career service.<sup>48</sup> The FRS is administered by DMS and participation is compulsory unless the law exempts the position held.<sup>49</sup> All state employees generally fall into one of four categories:

- Career service system;<sup>50</sup>
- Senior management system;<sup>51</sup>
- Volunteers;<sup>52</sup> or
- Selected exempt service system.<sup>53</sup>

All non-exempt employees belong to the career service system.<sup>54</sup> All military personnel of the DMA are exempt from the career service system.<sup>55</sup>

Senior Management Service Class

The Senior Management Service Class (SMSC) is a class of membership within the FRS and for members who fill senior management level positions assigned by law to the SMSC or authorized by law as eligible for SMSC designation.<sup>56</sup> Participation in the SMSC is mandated by statute.<sup>57</sup> Participation in the SMSC of the FRS is currently mandatory for ten positions in the DMA, with eight of the positions specifically named in the current statute, leaving only two positions to be designated at the discretion of the Adjutant General.<sup>58</sup>

**BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Intergovernmental Affairs Subcommittee</a>	12 Y, 0 N, As CS	2/5/2026	Darden	Burgess
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>• Removed provisions revising eligibility for Senior Management Service Class in the Florida Retirement System.</li> <li>• Revised financial review requirements for the Soldiers and Airmen Assistance Fund and requires an annual audit be posted to the Florida National Guard Foundation’s website.</li> </ul>			
<a href="#">Transportation &amp; Economic Development Budget Subcommittee</a>	15 Y, 0 N, As CS	2/12/2026	Davis	Andeara
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>• Added in provisions revising participation in the Senior Management Service Class for members in the DMA in the Florida Retirement System.</li> </ul>			
<a href="#">State Affairs Committee</a>				

<sup>48</sup> [S. 110.201\(1\)\(a\), F.S.](#)

<sup>49</sup> [S. 121.051, F.S.](#)

<sup>50</sup> Ch. 110, Part II, F.S.

<sup>51</sup> Ch. 110, Part III, F.S.

<sup>52</sup> Ch. 110, Part IV, F.S.

<sup>53</sup> Ch. 110, Part V, F.S.

<sup>54</sup> [S. 110.205, F.S.](#)

<sup>55</sup> [S. 110.205\(2\)\(p\), F.S.](#)

<sup>56</sup> [S. 121.055, F.S.](#)

<sup>57</sup> [S. 121.055\(1\)\(a\), F.S.](#)

<sup>58</sup> [S. 121.055\(1\)\(g\), F.S.](#)

**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**

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