

By the Committee on Governmental Oversight and Accountability;
and Senator Wright

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A bill to be entitled

An act relating to military affairs; amending s. 115.01, F.S.; revising the authorization to be granted a leave of absence for military service to include the Coast Guard; deleting the condition that such service be during war between the United States and a foreign government; amending s. 115.07, F.S.; revising the authorization to be granted a leave of absence for reserve or guard training to include members of the Florida State Guard; revising legislative intent; amending s. 115.08, F.S.; revising the definition of the term "active military service"; amending s. 115.09, F.S.; specifying that an authorization for a leave of absence for public officials to perform active military service for a specified timeframe is based on a single order; making a technical change; amending s. 115.14, F.S.; clarifying the applicable employing agencies subject to military leave requirements; specifying that an authorization for a leave of absence for all employees of the state and the counties, municipalities, and political subdivisions of the state to perform active military service for a specified timeframe is based on a single order; amending s. 121.055, F.S.; deleting a requirement that certain positions from the Department of Military Affairs participate in the Senior Management Service Class; providing that participation in such class for all other members employed with the Department of Military Affairs and the Florida State

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Guard be governed by a specified provision; amending s. 250.10, F.S.; deleting a requirement that the Adjutant General administer youth About Face programs and adult Forward March programs; deleting provisions governing the programs; amending s. 250.116, F.S.; revising eligibility for the Soldiers and Airmen Assistance Program to include traditional drilling guardsmen on state active duty or on Title 32 United States Code duty and their eligible beneficiaries experiencing valid financial need; defining the term "beneficiary"; revising the review process for requests for assistance to be reviewed, processed, and approved by the Florida National Guard Foundation's board of directors; revising the criteria to review and evaluate requests for assistance; requiring an annual external audit of the program; requiring the board of directors to review annually the bylaws that govern the program; requiring the board of directors to provide a report to the Department of Military Affairs to be approved by the Adjutant General; reenacting s. 115.06, F.S., relating to resumption of duties for officers returning from the service of the United States, to incorporate the amendment made to s. 115.01, F.S., in a reference thereto; providing an effective date.

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

Section 1. Section 115.01, Florida Statutes, is amended to

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59 read:

60 115.01 Leave of absence for military service.—Any county or
61 state official of the state, subject to the provisions and
62 conditions hereinafter set forth, may be granted leave of
63 absence from his or her office, to serve in the volunteer forces
64 of the United States, or in the National Guard of any state, or
65 in the regular Army, Navy, Air Force, Marine Corps, Coast Guard,
66 or Space Force of the United States, when the same shall be
67 called into active service of the United States ~~during war~~
68 ~~between the United States and a foreign government.~~

69 Section 2. Subsections (1) and (4) of section 115.07,
70 Florida Statutes, are amended to read:

71 115.07 Officers and employees' leaves of absence for
72 reserve or guard training.—

73 (1) All officers or employees of the state, of the several
74 counties of the state, and of the municipalities or political
75 subdivisions of the state who are commissioned reserve officers
76 or reserve enlisted personnel in the United States military or
77 naval service or members of the National Guard or the Florida
78 State Guard are entitled to leaves of absence from their
79 respective duties, without loss of vacation leave, pay, time, or
80 efficiency rating, on all days during which they are engaged in
81 training ordered under the provisions of the United States
82 military or naval training regulations or the applicable laws of
83 this state for such personnel when assigned to active or
84 inactive duty.

85 (4) It is the intent of the Legislature that the state, its
86 several counties, and its municipalities and political
87 subdivisions shall grant leaves of absence for active or

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88 inactive training to all employees who are members of the United
89 States Reserve Forces, ~~or~~ the National Guard, or the Florida
90 State Guard, to ensure the state and national security at all
91 times through a strong armed force of qualified and
92 mobilization-ready personnel.

93 Section 3. Subsection (1) of section 115.08, Florida
94 Statutes, is amended to read:

95 115.08 Definitions.—

96 (1) The term "active military service" as used in this
97 chapter means ~~shall signify~~ active duty in the Florida State
98 Guard ~~defense force~~ or federal service in training or on active
99 duty with any branch of the Armed Forces or Reservists of the
100 Armed Forces, the Florida National Guard, the Coast Guard of the
101 United States, and service of all officers of the United States
102 Public Health Service detailed by proper authority for duty with
103 the Armed Forces, and includes ~~shall include~~ the period during
104 which a person in military service is absent from duty on
105 account of sickness, wounds, leave, or other lawful cause.

106 Section 4. Section 115.09, Florida Statutes, is amended to
107 read:

108 115.09 Leave to public officials for military service.—All
109 officials of the state, the several counties of the state, and
110 the municipalities or political subdivisions of the state,
111 including district school and Florida ~~community~~ College System
112 officers, which officials are also servicemembers in the
113 National Guard or a reserve component of the Armed Forces of the
114 United States, must be granted leave of absence from their
115 respective offices and duties to perform active military
116 service, with the first 30 days of any such leave of absence to

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be with full pay for active federal military service that is equal to or greater than 90 consecutive days on a single order.

Section 5. Section 115.14, Florida Statutes, is amended to read:

115.14 Employees.—All employees of the state, the several counties of the state, and the municipalities or political subdivisions of the state, including district school and Florida College System employees, must be granted leave of absence under the terms of this law; upon such leave of absence being granted, such employee must enjoy the same rights and privileges as are granted to officials under this law, including, without limitation, receiving full pay for the first 30 days for federal military service that is equal to or greater than 90 consecutive days on a single order. Notwithstanding s. 115.09, the employing authority may supplement the military pay of its officials and employees who are reservists called to active military service after the first 30 days in an amount necessary to bring their total salary, inclusive of their base military pay, to the level earned at the time they were called to active military duty. The employing authority shall continue to provide all health insurance and other existing benefits to such officials and employees as required by the Uniformed Services Employment and Reemployment Rights Act, chapter 43 of Title 38 U.S.C.

Section 6. Paragraph (g) of subsection (1) of section 121.055, Florida Statutes, is amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class," which shall become effective February 1, 1987.

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(1)

(g) Effective July 1, 1996, participation in the Senior Management Service Class shall be compulsory for any member of the Florida Retirement System employed with the Department of Military Affairs in the positions of the Adjutant General, Assistant Adjutant General-Army, Assistant Adjutant General-Air, and State Quartermaster, ~~Director of Human Resources, Director of Legislative Affairs, Inspector General, Executive Officer,~~ and additional directors as designated by the agency head, not to exceed a total of 10 positions. In lieu of participation in the Senior Management Service Class, such members may participate in the Senior Management Service Optional Annuity Program as established in subsection (6). Eligibility for participation in the Senior Management Service Class for all other members of the Florida Retirement System employed within the Department of Military Affairs or within the Division of the State Guard is separately governed by s. 110.205.

Section 7. Paragraph (m) of subsection (2) of section 250.10, Florida Statutes, is amended to read:

250.10 Appointment and duties of the Adjutant General.—

(2) The Adjutant General shall:

~~(m) Subject to annual appropriations, administer youth About Face programs and adult Forward March programs at sites to be selected by the Adjutant General. Both programs must provide schoolwork assistance, focusing on the skills needed to master basic high school competencies and functional life skills, including teaching students to work effectively in groups, providing basic instruction in computer skills; teaching basic problem-solving, decisionmaking, and reasoning skills; teaching~~

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175 ~~how the business world and free enterprise work through computer~~
176 ~~simulations; and teaching home finance and budgeting and other~~
177 ~~daily living skills.~~

178 ~~1. About Face is a summer and year-round after-school life-~~
179 ~~preparation program for economically disadvantaged and at-risk~~
180 ~~youths from 13 through 17 years of age. The program must provide~~
181 ~~training in academic study skills, and the basic skills that~~
182 ~~businesses require for employment consideration.~~

183 ~~2. Forward March is a job-readiness program for~~
184 ~~economically disadvantaged participants who are directed to~~
185 ~~Forward March by the local workforce development boards. The~~
186 ~~Forward March program shall provide training on topics that~~
187 ~~directly relate to the skills required for real-world success.~~
188 ~~The program shall emphasize functional life skills, computer~~
189 ~~literacy, interpersonal relationships, critical thinking skills,~~
190 ~~business skills, preemployment and work maturity skills, job-~~
191 ~~search skills, exploring careers activities, how to be a~~
192 ~~successful and effective employee, and some job-specific skills.~~
193 ~~The program also shall provide extensive opportunities for~~
194 ~~participants to practice generic job skills in a supervised work~~
195 ~~setting. Upon completion of the program, Forward March shall~~
196 ~~return participants to the local workforce development boards~~
197 ~~for placement in a job placement pool.~~

198 Section 8. Subsections (4), (5), and (6) of section
199 250.116, Florida Statutes, are amended, and subsection (7) is
200 added to that section, to read:

201 250.116 Soldiers and Airmen Assistance Program.—

202 (4) ELIGIBILITY. ~~Persons eligible for assistance from the~~
203 ~~program include:~~

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(a) Persons eligible for assistance from the program
include servicemembers who are members of the Florida National
Guard who are:

~~1. traditional drilling guardsmen on state active duty or~~
~~on Title 32 United States Code duty, who otherwise do not~~
~~qualify for the assistance programs available to servicemembers~~
~~serving under Title 10 United States Code, and who demonstrate~~
~~valid financial need, and their eligible beneficiaries, and such~~
~~persons are authorized to apply for and receive financial~~
~~assistance from the program, as administered by the Florida~~
~~National Guard Foundation's board of directors and its governing~~
~~bylaws, contingent upon the availability of funds serving in the~~
~~Global War on Terrorism or Overseas Contingency Operation or who~~
~~request assistance within 120 days after the termination of~~
~~orders for such service and return to their home of record.~~

~~2. 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 such service~~
~~and return to their home of record.~~

(b)~~1.~~ As used in this subsection, the term "beneficiary"
means the current spouse, dependent children, or other
beneficiaries as designated in the servicemember's service
component records ~~Beneficiaries of an eligible servicemember~~
~~designated on United States Department of Defense Form 93.~~

~~2. Individuals demonstrating a financial need for~~
~~authorized assistance who are dependents or family members of an~~
~~eligible servicemember.~~

(5) REQUESTS FOR ASSISTANCE; REVIEW; AWARDS.—

(a) A request for assistance must ~~shall~~ be reviewed, and

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processed, and approved by the Florida National Guard Foundation's board of directors ~~at the local level by an official designated by the Adjutant General. During the initial review and processing of the request, the Department of Military Affairs may accept assistance from the direct support organization. Final review and approval of requests for assistance shall be made by the Department of Military Affairs.~~

(b) Requests for assistance must ~~shall~~ be reviewed and evaluated based on the following criteria:

1. The impact of a servicemember's financial situation ~~absence~~ and inability to provide quality of life and other qualifying life-impacting ~~assist in home and vehicle repairs or meet other~~ family needs;

2. ~~The economic impact of deployment;~~

3. ~~The overall financial situation of the applicant;~~

4. The assistance authorized under the program; and

~~3.5. Any other consideration dictated in the bylaws of the Florida National Guard Foundation~~ Other relevant information.

(6) ANNUAL QUARTERLY FINANCIAL REVIEW.—The financial committee of the board of directors of the direct-support organization shall review financial transactions of the program each quarter. The board of directors also must ensure an annual external audit is completed and published on the publicly available website of the direct-support organization. This audit must ~~review shall~~ be provided to the Department of Military Affairs in order to determine whether the direct-support organization is being operated in a manner that is consistent with the purposes of the Soldiers and Airmen Assistance Fund, and in the best interests of the department. The financial

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committee may request the Office of Inspector General to conduct additional reviews.

(7) ANNUAL BYLAW REVIEW.—The board of directors of the direct-support organization shall annually review its bylaws that govern the Soldiers and Airmen Assistance Program. This review shall be provided in a report to the Department of Military Affairs and subject to approval by the Adjutant General.

Section 9. For the purpose of incorporating the amendment made by this act to section 115.01, Florida Statutes, in a reference thereto, section 115.06, Florida Statutes, is reenacted to read:

115.06 Reassumption of duties.—Upon being mustered out of the service of the United States, such officer granted leave under s. 115.01 shall immediately enter into the duties of his or her office for the remainder of the term for which he or she was elected.

Section 10. This act shall take effect July 1, 2026.