

Tab 1	SB 684 by Avila ; Identical to H 00965 Credit for Military Service					
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Tab 2	SB 910 by Collins ; Identical to H 00277 Veterans' Benefits Assistance					
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Tab 3	SB 1528 by Collins ; Educational Opportunities for Military Children					
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Tab 4	SB 1464 by Wright ; Similar to H 01361 Veterans' Assistance					
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Tab 5	SB 1516 by Wright ; Similar to H 00793 Aerospace Industry					
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**MILITARY AND VETERANS AFFAIRS, SPACE, AND
DOMESTIC SECURITY**

Senator Wright, Chair
Senator Collins, Vice Chair

MEETING DATE: Tuesday, March 18, 2025

TIME: 3:30—5:30 p.m.

PLACE: 301 Senate Building

MEMBERS: Senator Wright, Chair; Senator Collins, Vice Chair; Senators Burgess, Jones, Sharief, and Truenow

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 684 Avila (Identical H 965)	Credit for Military Service; Revising the initial date of employment for members who have military service and may receive creditable military service; revising the definition of the term "veteran" to include more recent periods of wartime service, etc. MS 03/18/2025 Favorable GO FP	Favorable Yeas 5 Nays 0
2	SB 910 Collins (Identical H 277)	Veterans' Benefits Assistance; Prohibiting a person from receiving compensation for referring an individual to another person for advising, assisting, or consulting on veterans' benefits matters; requiring that persons who advise, assist, or consult on veterans' benefits matters for compensation provide a specified written disclosure before entering into a business relationship with a client; prohibiting persons who advise, assist, or consult on veterans' benefits matters from charging certain fees, etc. MS 03/18/2025 Fav/CS CM RC	Fav/CS Yeas 5 Nays 0
3	SB 1528 Collins (Compare S 400)	Educational Opportunities for Military Children; Revising the repeal date of the Interstate Compact on Educational Opportunity for Military Children; requiring that strategies addressed in specified memoranda of agreement between school districts and military installations include the development and implementation of a specified training module; requiring the Department of Education to provide the training module to each district school board, etc. MS 03/18/2025 Fav/CS AED FP	Fav/CS Yeas 5 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Military and Veterans Affairs, Space, and Domestic Security
Tuesday, March 18, 2025, 3:30—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 1464 Wright (Similar H 1361)	Veterans' Assistance; Requiring the Department of Veterans' Affairs, subject to appropriation, to expand programs connecting veterans and their families and survivors to certain services, benefits, and support; requiring the department to host public events for such purpose; requiring the department to submit an annual report to the Governor and Legislature, etc. MS 03/18/2025 Favorable AHS FP	Favorable Yeas 5 Nays 0
5	SB 1516 Wright (Similar H 793)	Aerospace Industry; Requiring Space Florida to administer the International Aerospace Innovation Fund; establishing the International Aerospace Innovation Fund; providing the purpose and duties of the fund; requiring Space Florida to establish an application process for projects seeking funding from the fund, etc. MS 03/18/2025 Favorable ATD FP	Favorable Yeas 5 Nays 0
Other Related Meeting Documents			

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SB 684

INTRODUCER: Senator Avila

SUBJECT: Credit for Military Service

DATE: March 18, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Ingram	Proctor	MS	Favorable
2. _____	_____	GO	_____
3. _____	_____	FP	_____

I. Summary:

SB 684 revises the conditions under which a qualifying member of the Florida Retirement System (FRS) may purchase credit for his or her prior military wartime service. Specifically, the bill revises the initial date of employment to before March 1, 2025, rather than before January 1, 1987, in which a member may receive creditable military wartime service. The bill also revises the definition of the term “veteran” by expanding the periods of wartime service to include Operation New Dawn, Operation Inherent Resolve, Operation Freedom’s Sentinel, and Operation Enduring Sentinel. By expanding the periods of wartime service, a member of the FRS who served during any of those periods of wartime service may be able to utilize such military service toward creditable service under the FRS.

The bill also requires the Department of Management Services to adopt rules.

The bill may have an indeterminate negative fiscal impact on the FRS. See Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2025.

II. Present Situation:

The FRS was established in 1970 when the Legislature consolidated the Teachers’ Retirement System, the State and County Officers and Employees’ Retirement System, and the Highway Patrol Pension Fund.¹ In 1972, the Judicial Retirement System was consolidated into the FRS, and in 2007, the Institute of Food and Agricultural Sciences Supplemental Retirement Program was consolidated under the Regular Class of the FRS as a closed group.² The FRS is a

¹ Dep’t of Management Services (DMS), Division of Retirement, *Florida Retirement System Summary Plan Description*, 1 (July 1, 2024), available at <https://frs.fl.gov/forms/spd-pp.pdf> (last visited Feb. 27, 2025).

² *Id.*

contributory system, with active members contributing 3 percent of their salaries. However, members in the Deferred Retirement Option Program (DROP) do not contribute to the system.³

The FRS is a multi-employer plan, governed by ch. 121, F.S., the “Florida Retirement System Act.” As of June 30, 2024, the FRS had 659,333 active non-retired members, 459,428 annuitants, 14,171 disabled retirees, and 29,017 active participants of the DROP.⁴ As of March 2025, the FRS consisted of 996 total employers; it is the primary retirement plan for employees of state and county government agencies, district school boards, Florida College institutions, and state universities, and includes the 186 cities and 152 special districts that have elected to join the system.⁵

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

- The Regular Class⁶ consists of 560,396 active members and 9,247 in renewed membership;
- The Special Risk Class⁷ includes 77,990 active members and 1,328 in renewed membership;
- The Special Risk Administrative Support Class⁸ has 102 active members and four in renewed membership;
- The Elected Officers’ Class⁹ has 2,086 active members and 110 in renewed membership; and
- The Senior Management Service Class¹⁰ has 7,819 active members and 248 in renewed membership.¹¹

The FRS is composed of the Investment Plan and the Pension Plan.¹²

Investment Plan

The Public Employee Optional Retirement Program (investment plan) was created in 2000 as a defined contribution plan offered to eligible employees as an alternative to the FRS Pension Plan.¹³ Benefits under the investment plan accrue in individual member accounts funded by both

³ Section 121.71, F.S.

⁴ DMS, Division of Retirement, *Florida Retirement System Pension Plan and Other State Administered Retirement Systems, Annual Comprehensive Financial Report, FY 2023-2024*, at 198, available at https://frs.fl.gov/forms/2023-24_ACFR.pdf (last visited Mar. 3, 2025).

⁵ DMS, Division of Retirement, *Participating Employers for Fiscal Year 2024-2025 (Mar. 2025)*, available at <https://frs.fl.gov/forms/part-emp.pdf> (last visited Feb. 27, 2025).

⁶ The Regular Class is for all members who are not assigned to another class. Section 121.021(12), F.S.

⁷ The Special Risk Class is for members employed as law enforcement officers, firefighters, correctional officers, probation officers, paramedics, and emergency technicians, among others. Section 121.0515, F.S.

⁸ 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 Florida Retirement System. Section 121.0515(8), F.S.

⁹ The Elected Officers’ Class includes elected state and county officers, and those elected municipal or special district officers whose governing body has chosen Elected Officers’ Class participation for its elected officers. Section 121.052, F.S.

¹⁰ 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. Section 121.055, F.S.

¹¹ All figures are from *Florida Retirement System Pension Plan and Other State Administered Retirement Systems FY 2023-2024 Annual Comprehensive Financial Report*, at 201, available at https://frs.fl.gov/forms/2023-24_ACFR.pdf (last visited Mar. 3, 2025).

¹² Florida State Board of Administration (SBA), *Plan Comparison Chart* (July 2020), available at <https://www.myfrs.com/pdf/forms/plancomparison.pdf> (last visited Mar. 3, 2025).

¹³ See, ch. 2000-169, Laws of Fla.

employee and employer contributions and earnings. Benefits are provided through employee-directed investments offered by approved investment providers.¹⁴

An FRS member vests immediately in all employee contributions paid to the investment plan.¹⁵ With respect to the employer contributions, a member vests after completing one work year of employment with an FRS employer.¹⁶ Vested benefits are payable upon termination or death as a lump-sum distribution, direct rollover distribution, or periodic distribution.¹⁷ The investment plan also provides disability coverage for both in-line-of-duty and regular disability retirement benefits.¹⁸ An FRS member who qualifies for disability while enrolled in the investment plan may apply for benefits as if the employee were a member of the pension plan. If approved for retirement disability benefits, the FRS member is transferred to the pension plan.¹⁹

The State Board of Administration (SBA) is primarily responsible for administering the investment plan.²⁰ The Board of Trustees of the SBA is comprised of the Governor as chair, the Chief Financial Officer, and the Attorney General.²¹

Pension Plan

The pension plan is administered by the Secretary of the Department of Management Services (DMS) through the Division of Retirement.²² The SBA manages the pension fund's assets.²³

Any member initially enrolled in the pension plan before July 1, 2011, vests in the pension plan after completing six years of service with an FRS employer.²⁴ For members initially enrolled on or after July 1, 2011, the member vests in the pension plan after eight years of creditable service.²⁵ Benefits payable under the pension plan are calculated based on the member's years of creditable service multiplied by the service accrual rate multiplied by the member's average final compensation.²⁶ For most current members of the pension plan, normal retirement (when first

¹⁴ Section 121.4501(1), F.S.

¹⁵ Section 121.4501(6)(a), F.S.

¹⁶ If a member terminates employment before vesting in the investment plan, the nonvested money is transferred from the member's account to the SBA for deposit and investment by the SBA in its suspense account for up to five years. If the member is not reemployed as an eligible employee within five years, any nonvested accumulations transferred from a member's account to the SBA's suspense account are forfeited. Section 121.4501(6)(b)-(d), F.S.

¹⁷ Section 121.591, F.S.

¹⁸ See s. 121.4501(16), F.S.

¹⁹ Pension plan disability retirement benefits, which apply for investment plan members who qualify for disability, compensate an in the line-of-duty disabled member up to 65 percent of the average monthly compensation as of the disability retirement date for special risk class members. Other members may receive up to 42 percent of the member's average monthly compensation for disability retirement benefits. If the disability occurs other than in the line-of-duty, the monthly benefit may not be less than 25 percent of the average monthly compensation as of the disability retirement date.

Section 121.091(4)(f), F.S.

²⁰ Section 121.4501(8), F.S.

²¹ FLA. CONST. art. IV, s. 4.

²² Section 121.025, F.S.

²³ SBA Florida, *Annual Investment Report June 30, 2023-July 1, 2024*, <https://www.sbafla.com/media/zxxprkng/2023-2024-airfinal.pdf> (last visited Mar. 3, 2025).

²⁴ Section 121.021(45)(a), F.S.

²⁵ Section 121.021(45)(b), F.S.

²⁶ Section 121.091, F.S. See also, DMS, *FRS Pension Plan Member Handbook*, 28 (2024), <https://frs.fl.gov/forms/member-handbook.pdf> (last visited Mar. 3, 2025).

eligible for unreduced benefits) occurs at the earliest attainment of 30 years of service or age 62.²⁷ For public safety employees in the Special Risk and Special Risk Administrative Support Classes, normal retirement is the earliest of 25 years of service or age 55.²⁸ Members initially enrolled in the pension plan on or after July 1, 2011, have longer service requirements. For members initially enrolled after that date, the member must complete 33 years of service or attain age 65.²⁹

Military Service

Military service of any FRS member is defined in s. 121.021, F.S., to mean:

- Service in the Armed Forces of the United States under the conditions set forth in s. 121.111(1) F.S.; or
- Actual “wartime service” in the Armed Forces of the United States, as defined by s. 1.01(14), F.S. or “wartime service” in the Allied Forces, not to exceed 4 years, if credit for such service has not been granted under any other federal or state system, and provided such service is not used in any other retirement system; however, this does not prohibit the use of such service as creditable service if granted and used in a pension system under chapter 67 of Title 10 of the United States Code.

Purchase of Creditable Service Under Wartime Service Provisions

In current law and under certain conditions,³⁰ a member of the FRS who served all or part of his or her active military service during a wartime period³¹ and whose initial date of FRS employment was before January 1, 1987, is eligible to purchase service credit for such military service if:

- The FRS member is vested;
- Creditable service is claimed, not to exceed 4 years, only as service earned in the Regular Class of membership; and
- The member pays into the proper retirement trust fund 4 percent of gross salary, based upon his or her first year of salary subsequent to July 1, 1945, that he or she has credit for under this system, plus 4 percent interest thereon compounded annually from the date of first creditable service under Ch. 121, F.S., until July 1, 1975, and 6.5 percent interest compounded annually thereafter, until payment is made to the proper retirement trust fund.³²

The employer³³ is not required to make contributions for military service credit for any member except as provided by law or rule.³⁴

²⁷ Section 121.021(29)(a)1., F.S.

²⁸ Section 121.021(29)(b)1., F.S.

²⁹ Section 121.021(29)(a)2., F.S.

³⁰ Section 121.111(2)(d)-(f), F.S.

³¹ Section 1.01(14), F.S.

³² Section 121.111, F.S.

³³ Section 121.021(10), F.S., defines “employer” as any agency, branch, department, institution, university, institution of higher education, or board of the state, or any county agency, branch, department, board, district school board, municipality, metropolitan planning organization, or special district of the state which participates in the system for the benefit of certain of its employees, or a charter school or charter technical career center that participates as provided in s. 121.051(2)(d), F.S. Employers are not agents of the department, the state board, or the Division of Retirement, and the department, the state board, and the division are not responsible for erroneous information provided by representatives of employers.

³⁴ Section 121.111(3), F.S.

A servicemember whose initial date of FRS employment is January 1, 1987, or later is not eligible to purchase service credit under s. 121.111(2), F.S. However, the servicemember may be eligible to purchase service credit for such military service under the out-of-state and federal service provisions in s. 121.1115, F.S. The cost to the FRS member to purchase credit under those provisions is, for each year claimed, an amount equal to 20 percent of the FRS member's annual compensation for the first full work year of creditable service earned under the FRS but not less than \$12,000, plus 6.5 percent interest compounded annually from the date of first annual salary earned until full payment is made.³⁵

Veterans

Section 1.01(14), F.S., defines the term “veteran” as a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veterans Affairs on individuals discharged or released with other than honorable discharges.

Many wars or conflicts in U.S. history have federally designated “periods of war,” dates marking their beginning and ending. These dates are important for qualification for certain veterans' pension or disability benefits. Confusion can occur because beginning and ending dates for “periods of war” in many nonofficial sources are often different from those given in treaties and other official sources of information, and armistice dates can be confused with termination dates.³⁶

Congress, typically by way of a declaration of war, has often been the primary governmental authority to designate the start date of a war or armed conflict.³⁷ The designation of a war's termination date is the responsibility of the U.S. President, or executive branch officials responsible to him, through proclamation, or Congress, through legislation.³⁸ Later legislation may be enacted to extend these beginning and ending dates for the purpose of expanding eligibility for veterans' benefits.³⁹

In Florida law, in order to be eligible for wartime service benefits a veteran must have served in a campaign or expedition for which a campaign badge has been authorized or during one of the following periods of wartime service:

- Spanish-American War: April 21, 1898, to July 4, 1902, and including the Philippine Insurrection and the Boxer Rebellion.
- Mexican Border Period: May 9, 1916, to April 5, 1917, in the case of a veteran who during such period served in Mexico, on the borders of, or in the waters adjacent to Mexico.

³⁵ Section 121.1115(2), F.S.

³⁶ Congressional Research Service, U.S. Periods of War and Dates of Recent Conflicts (Updated February 5, 2024), *available at* https://www.congress.gov/crs_external_products/RS/PDF/RS21405/RS21405.35.pdf (last visited March 14, 2025).

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

- World War I: April 6, 1917, to November 11, 1918; extended to April 1, 1920, for those veterans who served in Russia; also extended through July 1, 1921, for those veterans who served after November 11, 1918, and before July 2, 1921, provided such veterans had at least 1 day of service between April 5, 1917, and November 12, 1918.
- World War II: December 7, 1941, to December 31, 1946.
- Korean War: June 27, 1950, to January 31, 1955.
- Vietnam War: February 28, 1961, to May 7, 1975.
- Persian Gulf War: August 2, 1990, to January 2, 1992.
- Operation Enduring Freedom: October 7, 2001, and ending on the date thereafter prescribed by presidential proclamation or by law.
- Operation Iraqi Freedom: March 19, 2003, and ending on the date thereafter prescribed by presidential proclamation or by law.⁴⁰

More recent wartime service periods that are not reflected in s. 1.01, F.S., include:

- Operation New Dawn – On September 1, 2010, the end to Operation Iraqi Freedom transitioned into what became known as Operation New Dawn.⁴¹ The end to Operation Iraqi Freedom and U.S. combat operations in Iraq was marked by a shift from a U.S. military presence to a predominantly civilian presence in Iraq as the U.S. Department of Defense (DoD) and the U.S. Department of State collaborated with governmental and nongovernmental entities to assist in building Iraq’s civil capacity.⁴² At the time about 50,000 U.S. servicemembers remained in Iraq conducting stability operations and supported and trained Iraqi Security Forces.⁴³ The mission of Operation New Dawn was for the U.S. to assist Iraq’s government and its people in constructing a sovereign and stable country.⁴⁴
- Operation Inherent Resolve – On October 15, 2014, the DoD established the Combined Joint Task Force - Operation Inherent Resolve in order to formalize ongoing military actions against the threat posed by ISIS in Iraq and Syria.⁴⁵ The Combined Joint Task Force - Operation Inherent Resolve mission is to advise, support, and enable partnered forces to ensure lasting defeat of Isis and to enable the establishment of an enduring security cooperation framework.⁴⁶
- Operation Freedom’s Sentinel – On January 1, 2015, Operation Freedom’s Sentinel succeeded the Operation Enduring Freedom in Afghanistan.⁴⁷ Post 9/11, the U.S. military responded to eliminate the international terrorist threat stemming from Afghanistan, and in 2015, the United States formally ended its combat mission, and launched Operation

⁴⁰ Section 1.01(14), F.S.

⁴¹ U.S. Army, *Operation New Dawn* (August 31, 2010), available at https://www.army.mil/article/44526/operation_new_dawn (last visited Feb. 28, 2025).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ U.S. Dep’t of Defense, *Operation Inherent Resolve, Combined Joint Task Force, History*, available at <https://www.inherentresolve.mil/WHO-WE-ARE/History/> (last visited Feb. 28, 2025).

⁴⁶ U.S. Dep’t of Defense, *Operation Inherent Resolve, Combined Joint Task Force, Mission*, available at <https://www.inherentresolve.mil/> (last visited Feb. 28, 2025).

⁴⁷ U.S. Army and Gen. John F. Campbell, commander, Resolute Support Mission, U.S. Forces-Afghanistan/ISAF, News, *Operation Freedom’s Sentinel and our continued security investment in Afghanistan*, (Oct. 5, 2015) available at https://www.army.mil/article/156517/operation_freedoms_sentinel_and_our_continued_security_investment_in_afghanistan (last visited Feb. 28, 2025).

Freedom's Sentinel.⁴⁸ The primary mission of Operation Freedom's Sentinel was to teach, counsel, and support the Afghan National Defense Security Forces in order to develop a capable and independent Afghan security force that was able to protect its people and contribute to regional and international security.⁴⁹

- Operation Enduring Sentinel – On October 1, 2021, the DoD introduced Operation Enduring Sentinel.⁵⁰ This U.S. mission was initiated in order to conduct counterterrorism operations from outside Afghanistan against threats originating from within the country.⁵¹ The mission is to not only counter possible terrorist threats but to also support the Central Asia regional partners to encourage regional stability.⁵²

Florida wartime benefits for eligible veterans include exemption from notary public commission fees,⁵³ veterans' hiring and retention preference,⁵⁴ career training admission preference (Vietnam Era),⁵⁵ State Veteran Nursing Home admittance priority preference,⁵⁶ education benefits for children of prisoners of war and persons missing in action,⁵⁷ and certain FRS benefits.⁵⁸

Population

As of 2023, the United States Department of Veterans Affairs reported that there were 19.1 million veterans living in the United States and of that about 1,430,000 veterans resided in Florida.⁵⁹ Of the Florida veterans:

- 1.1 million are wartime veterans;
- 330,000 are peacetime veterans;
- 11,000 are World War II veterans;
- 75,000 are Korean War veterans;
- 462,000 are Vietnam-era veterans; and
- 421,000 are Gulf War veterans including post-9/11.⁶⁰

It is unknown how many Florida veterans served on active duty during Operation New Dawn, Operation Inherent Resolve, Operation Freedom's Sentinel, or Operation Enduring Sentinel.

⁴⁸ *Id.*

⁴⁹ U.S. Army and CPT Macy Farley, News, *Unconventional Logistics in Afghanistan* (Dec. 31, 2016), available at https://www.army.mil/article/180157/unconventional_logistics_in_afghanistan (last visited Feb. 28, 2025).

⁵⁰ U.S. Dep't of Defense, Operation Enduring Sentinel and other U.S. Government Activities Related Afghanistan, (Oct 1, 2024 – Dec. 31, 2024) p. Introduction, available at https://media.defense.gov/2025/Feb/27/2003652702/-1/-1/1/OES_Q1_DEC2024_FINAL_508.PDF (last visited Feb. 28, 2025).

⁵¹ *Id.*

⁵² U.S. Dep't of Defense, Operation Enduring Sentinel and other U.S. Government Activities Related Afghanistan, (Apr. 1, 2024 – Jun. 30, 2024) p. 4, available at https://media.defense.gov/2024/Aug/29/2003534907/-1/-1/1/OES_Q3_JUN2024_FINAL_508.PDF (last visited Feb 28, 2025).

⁵³ Sections 117.01(2) and 113.01, F.S.

⁵⁴ Section 295.07, F.S.

⁵⁵ Section 295.125, F.S.

⁵⁶ Section 295.08, F.S.

⁵⁷ Section 295.015, F.S.

⁵⁸ Sections 121.021(20)(b) and 121.111(2), F.S.

⁵⁹ Dep't of Veterans' Affairs, Our Veterans-Fast Facts, available at <https://www.floridavets.org/our-veterans/profilefast-facts/> (last visited Mar. 3, 2025).

⁶⁰ *Id.*

III. Effect of Proposed Changes:

SB 684 amends s. 121.111(2), F.S., by revising vested FRS members' initial date of employment from before January 1, 1987, to before March 1, 2024, in which such members with wartime military service under s. 1.01(14), F.S., may receive creditable military wartime service. The bill requires the DMS to adopt rules by December 31, 2025, to implement the changes to the initial date of FRS employment in order to qualify for creditable military wartime service under the FRS.

The bill also amends s. 1.01(14), F.S., by revising the definition of the term veteran by expanding the list of qualifying periods of wartime service which would qualify such a veteran to receive benefits as a wartime veteran who has served honorably. The bill adds the following to the list of the wartime service periods:

- Operation New Dawn, with a qualifying period of September 1, 2010, to December 15, 2011.
- Operation Inherent Resolve, with a qualifying period that began on October 15, 2014, and ends on the date thereafter prescribed by presidential proclamation or by law.
- Operation Freedom's Sentinel, with a qualifying period January 1, 2015, to October 1, 2021.
- Operation Enduring Sentinel, with a qualifying period that began on October 1, 2021, and ends on the date thereafter prescribed by presidential proclamation or by law.

As amended by the bill, under the FRS, a vested member with wartime service as defined in s. 1.01(14), F.S., whose initial date of employment was before March 1, 2024, may be eligible to purchase into the Regular Class of membership creditable service, not to exceed 4 years, by paying into the proper retirement trust fund 4 percent of his or her gross salary, based upon his or her first year of salary that he or she has credit for under the FRS, plus 4 percent interest compounded annually from the date of first creditable service under ch. 121, F.S., until July 1, 1975, and 6.5 percent interest compounded annually thereafter, until the final payment is made to the proper retirement trust fund.

The bill reenacts s. 121.021, F.S., providing the definition of "military service," specifically the definition of "wartime service," to incorporate the changes made to s. 1.01, F.S., which revises the definition of "veteran" by expanding the scope of wartime service periods.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, section 18 (a) of the Florida Constitution provides in part that a county or municipality may not be bound by a general law requiring a county or municipality to spend funds or take an action that requires the expenditure of funds unless certain specified exemptions or exceptions are met.

The bill revises the conditions under which a qualifying member of the FRS may purchase credit for his or her prior military wartime service. Specifically, the bill revises the initial date of employment to before March 1, 2024, rather than before January 1,

1987, in which a member may receive creditable military wartime service, as defined in s. 1.01(14), F.S. The bill also revises the definition of the term “veteran” by expanding the periods of wartime service to include Operation New Dawn, Operation Inherent Resolve, Operation Freedom’s Sentinel, and Operation Enduring Sentinel. By expanding the periods of wartime service, a veteran member of the FRS who served during any of those periods of wartime service may be able to purchase up to 4 years of military service at a lower cost for the member than purchasing it under existing conditions as credit for out-of-state or federal service.⁶¹

The number of eligible FRS members who may purchase creditable military service with a county or municipality that participates in the FRS is unknown within the provisions of this bill. An actuarial study is required to determine the fiscal impact on local governmental entities.⁶²

If the bill does qualify as a mandate, in order to be binding upon cities and counties, the bill must contain a finding of important state interest and be approved by a two-thirds vote of the membership of each house.

However, the mandate requirements do not apply to laws having an insignificant fiscal impact, which for Fiscal Year 2025-2026 is forecast at approximately \$2.4 million.^{63,64,65}

The Revenue Estimating Conference has not reviewed this bill. If the costs imposed by the bill exceed \$2.4 million, the mandates provisions may apply. If the bill does qualify as a mandate, in order to be binding upon cities and counties, the bill must contain a finding of important state interest and be approved by a two-thirds vote of the membership of each house.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

⁶¹ Section 121.1115, F.S.

⁶² Dep’t of Management Services, *Senate Bill 684 Agency Legislative Bill Analysis* (Mar. 6, 2025) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

⁶³ FLA. CONST. art. VII, s. 18(d).

⁶⁴ An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year times \$0.10. See Florida Senate Committee on Community Affairs, Interim Report 2012-115: Insignificant Impact, (Sept. 2011), available at <https://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Mar. 12, 2025).

⁶⁵ Based on the Florida Demographic Estimating Conference’s February 4, 2025, population forecast for 2025 of 23,332,606. The conference packet is available at: https://edr.state.fl.us/content/conferences/population/ConferenceResults_Tables.pdf (last visited Mar. 12, 2025).

E. Other Constitutional Issues:

Article X, section 14 of the Florida Constitution requires that a governmental unit responsible for any retirement or pension system supported by any public funds shall not provide any increase in benefits unless provision has been made for funding the increase on an actuarially sound basis. This is implemented by statute under part VII of chapter 112, F.S., the “Florida Protection of Public Employee Retirement Benefits Act,” which establishes minimum standards for the operation and funding of public employee retirement systems and plans in the State of Florida. The key provision of this act states the legislative intent is to “prohibit the use of any procedure, methodology, or assumptions the effect of which is to transfer to future taxpayers any portion of the costs which may reasonably have been expected to be paid by the current taxpayers. Actuarial experience may be used to fund additional benefits, provided that the present value of such benefits does not exceed the net actuarial experience accumulated from all sources of gains and losses.”⁶⁶

The bill does not provide for an actuarial study and does not contain additional funding for the increased benefits provided to certain FRS members with creditable military wartime service.

According to the DMS, “the cost for [FRS] members to purchase wartime military service under the bill is not sufficient to fund the cost to the system for the benefit improvement.”⁶⁷ In addition, an actuarial study is required to determine the fiscal soundness and the fiscal impact on the FRS as a result of the provisions in the bill.⁶⁸

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The bill has the effect of expanding the eligibility for an exemption from commission fees to become a notary public under s. 117.01(2), F.S., for certain veterans with military wartime service.

B. Private Sector Impact:

As a result of the bill, certain FRS members with creditable military wartime service may be eligible to purchase up to 4 years of military service at a lower cost than purchasing it under existing conditions as credit for out-of-state or federal service.⁶⁹

C. Government Sector Impact:

The bill may have an indeterminate negative fiscal impact on the FRS. The number of veterans affected by the addition of wartime service periods which may qualify FRS members to purchase creditable services is unknown. In addition, the extension of the

⁶⁶ Section 112.61, F.S.

⁶⁷ Dep’t of Management Services, *supra* note 62.

⁶⁸ *Id.*

⁶⁹ Section 121.1115, F.S.

initial employment date to before March 1, 2024, affects an unknown number of FRS members with military wartime service who may purchase creditable military service in the FRS. Thus, there is an unknown fiscal impact to state and local government as a result of the additional members who may purchase creditable military service under the provisions of the bill. An actuarial study is required to determine the fiscal impact on the FRS.⁷⁰ According to the DMS, the Department of Military Affairs does not have data on participation during the four wartime periods added in the bill. Such information is considered crucial to the required study to determine the fiscal impact.⁷¹ The bill does not provide for an actuarial special study.

There is an indeterminate negative fiscal impact as a result of the notary public commission fee exemption in s. 117.01(2), F.S., for the additional veterans with wartime service as a result of the expanded periods of wartime service provided in the bill.

In addition, according to the DMS, the Division of Retirement may require 4 FTE positions to provide services associated with the changes to the FRS program provided in the bill. The total cost of which is \$299,660, of this \$274,308 would be recurring and \$25,352 would be non-recurring. The bill does not provide an appropriation to offset the additional cost for the increased benefits under the FRS or the potential need for additional FTE positions.⁷²

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 121.111 and 1.01. This bill reenacts section 121.021(20) of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

⁷⁰ Dep't of Management Service, *supra* note 62.

⁷¹ *Id.*

⁷² *Id.*

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Avila

39-00712-25

2025684

A bill to be entitled

An act relating to credit for military service; amending s. 121.111, F.S.; revising the initial date of employment for members who have military service and may receive creditable military service; requiring the Department of Management Services to adopt specified rules; amending s. 1.01, F.S.; revising the definition of the term "veteran" to include more recent periods of wartime service; reenacting s. 121.021(20), F.S., relating to the definition of "military service," specifically the definition of "wartime service," to incorporate the changes made to s. 1.01, F.S., in a reference thereto; providing an effective date.

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

Section 1. Section 121.111, Florida Statutes, is amended to read:

121.111 Credit for military service.—

(1) Creditable service of any member shall also include military service as defined in s. 121.021(20) (a) if:

(a) The member is in the active employ of an employer immediately prior to such service and leaves a position, other than a temporary position, for the purpose of induction into the Armed Forces of the United States or entry upon duty in the Armed Forces of the United States. When applied to the Florida Retirement System:

1. The term "position other than a temporary position"

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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means a regularly established position with a Florida Retirement System employer; and

2. A member shall be construed to have left his or her employment for military purposes if he or she reported for active duty within 60 days after leaving such employment;

(b) The member is entitled to reemployment under the provisions of the Veterans' Reemployment Rights Act (38 U.S.C. ss. 2021 et seq.);

(c) The member applies for reemployment with the same employer within the time set forth in s. 2021 or s. 2024 of the Veterans' Reemployment Rights Act, whichever is applicable, and is reemployed by such employer;

(d) The member makes the required employee contributions, if any, and the employer makes the required employer contributions for the employee's membership class for each month of service credit during such period of military service, based upon the employee's rate of monthly compensation as of the date that the employee left his or her position, plus 4 percent interest on such contributions compounded annually from the due date of the contribution until July 1, 1975, and 6.5 percent interest compounded annually thereafter, until the payment is made to the proper retirement trust fund; and

(e) The period of service claimed pursuant to this subsection does not exceed the periods specified by the provisions of ss. 2021 and 2024 of the Veterans' Reemployment Rights Act which are applicable in the member's case.

(2) Any member whose initial date of employment is before March 1, 2024 ~~January 1, 1987~~, who has military service as defined in s. 121.021(20) (b), and who does not claim such

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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service under subsection (1) may receive creditable service for such military service if:

(a) The member is vested;

(b) Creditable service, not to exceed a total of 4 years, is claimed only as service earned in the Regular Class of membership; and

(c) The member pays into the proper retirement trust fund 4 percent of gross salary, based upon his or her first year of salary subsequent to July 1, 1945, that he or she has credit for under this system, plus 4 percent interest thereon compounded annually from the date of first creditable service under this chapter until July 1, 1975, and 6.5 percent interest compounded annually thereafter, until payment is made to the proper retirement trust fund.

(d) The member may not receive credit for any wartime military service if the member also receives credit for such service under any federal, state, or local retirement or pension system where "length of service" is a factor in determining the amount of compensation received. However, credit for wartime military service may be received where the member also receives credit under a pension system providing retired pay for nonregular service in the Armed Forces of the United States in accordance with 10 U.S.C. ss. 1331 et seq., as follows:

1. Any person whose retirement date under the Florida Retirement System is prior to July 1, 1985, may claim such service at any time, as provided in this subsection, upon payment of contributions and interest as provided in paragraph (c), with interest computed to the retired member's retirement date. The benefit shall be recalculated and increased to include

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the additional service credit granted for such wartime military service, and a lump-sum payment shall be made to the retiree for the amount owed due to the additional service credit, retroactive to the date of retirement.

2. Any person whose retirement date is on or after July 1, 1985, must claim such service and pay the required contributions, as provided in paragraph (c), prior to the commencement of his or her retirement benefits, as provided in this subsection.

(e) Any member claiming credit under this subsection must certify on the form prescribed by the department that credit for such service has not and will not be claimed for retirement purposes under any other federal, state, or local retirement or pension system where "length of service" is a factor in determining the amount of compensation received, except where credit for such service has been granted in a pension system providing retired pay for nonregular service as provided in paragraph (d). If the member dies prior to retirement, the member's beneficiary must make the required certification before credit may be claimed. If such certification is not made by the member or the member's beneficiary, credit for wartime military service shall not be allowed.

(f) Service credit awarded for wartime military service shall be the total number of years, months, and days from and including the date of entry into active duty through the date of discharge from active duty, up to a maximum of 4 years. If the military service includes a partial year, it shall be stated as a fraction of a year. Creditable military service shall be calculated in accordance with rule 60S-2.005(2)(j), Florida

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Administrative Code.

(3) Except as provided by law or rule, the employer is not required to make contributions for military service credit for any member.

(4) By December 31, 2025, the department shall adopt rules to implement this section.

Section 2. Paragraphs (j) through (m) are added to subsection (14) of section 1.01, Florida Statutes, to read:

1.01 Definitions.—In construing these statutes and each and every word, phrase, or part hereof, where the context will permit:

(14) The term “veteran” means a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veterans Affairs on individuals discharged or released with other than honorable discharges. To receive benefits as a wartime veteran, a veteran must have served in a campaign or expedition for which a campaign badge has been authorized or during one of the following periods of wartime service:

(j) Operation New Dawn: September 1, 2010, to December 15, 2011.

(k) Operation Inherent Resolve: October 15, 2014, and ending on the date thereafter prescribed by presidential proclamation or by law.

(l) Operation Freedom’s Sentinel: January 1, 2015, to October 1, 2021.

(m) Operation Enduring Sentinel: October 1, 2021, and

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ending on the date thereafter prescribed by presidential proclamation or by law.

Section 3. For the purpose of incorporating the amendment made by this act to section 1.01, Florida Statutes, in a reference thereto, subsection (20) of section 121.021, Florida Statutes, is reenacted to read:

121.021 Definitions.—The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(20) “Military service” of any member means:

(a) Service in the Armed Forces of the United States under the conditions set forth in s. 121.111(1); or

(b) Actual “wartime service” in the Armed Forces of the United States, as defined by s. 1.01(14), or “wartime service” in the Allied Forces, not to exceed 4 years, if credit for such service has not been granted under any other federal or state system, and provided such service is not used in any other retirement system; however, this paragraph does not prohibit the use of such service as creditable service if granted and used in a pension system under chapter 67 of Title 10 of the United States Code.

Section 4. This act shall take effect July 1, 2025.



2025 AGENCY LEGISLATIVE BILL ANALYSIS

AGENCY: Department of Management Services

BILL INFORMATION	
BILL NUMBER:	Senate Bill 684
BILL TITLE:	Credit for Military Service
BILL SPONSOR:	Senator Avila
EFFECTIVE DATE:	July 1, 2025

COMMITTEES OF REFERENCE
1) Military and Veterans Affairs, Space, and Domestic Security
2) Governmental Oversight and Accountability
3) Fiscal Policy
4) Click or tap here to enter text.
5) Click or tap here to enter text.

CURRENT COMMITTEE
Military and Veterans Affairs, Space, and Domestic Security

SIMILAR BILLS	
BILL NUMBER:	Click or tap here to enter text.
SPONSOR:	Click or tap here to enter text.

IDENTICAL BILLS	
BILL NUMBER:	HB 965
SPONSOR:	Representative Holcomb

Is this bill part of an agency package?
No

PREVIOUS LEGISLATION	
BILL NUMBER:	Click or tap here to enter text.
SPONSOR:	Click or tap here to enter text.
YEAR:	Click or tap here to enter text.
LAST ACTION:	Click or tap here to enter text.

BILL ANALYSIS INFORMATION	
DATE OF ANALYSIS:	March 6, 2025
LEAD AGENCY ANALYST:	Chad Corcoran, Director of Legislative Affairs
ADDITIONAL ANALYST(S):	Kathy Gould, Division of Retirement Director
LEGAL ANALYST:	Kathryn McCain, Senior Counsel
FISCAL ANALYST:	Lance Dyal, Director of Finance and Administration

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

Senate Bill (SB) 684 proposes to amend the initial date of enrollment for members of the Florida Retirement System (FRS) under section (s.) 121.111(2), Florida Statutes (F.S.), who have military service. The bill would allow members whose initial date of employment in the FRS is before March 1, 2024, to receive creditable wartime military service for specific war campaigns, removing the previous enrollment cutoff date of January 1, 1987. These members would be eligible to purchase up to 4 years of wartime military service who are at a subsidized, materially reduced cost compared to the cost of purchasing military service under the out-of-state service provision in s. 121.1115, F.S. Additionally, SB 684 revises the definitions of “veteran” and “wartime service” to include the additional periods of wartime conflicts.

An actuarial special study would be required to determine the fiscal impact to the FRS based on the provisions of SB 684.

The bill also requires the Department of Management Services to adopt rules to implement the provisions by December 31, 2025.

SB 684 provides an effective date of July 1, 2025.

2. SUBSTANTIVE BILL ANALYSIS

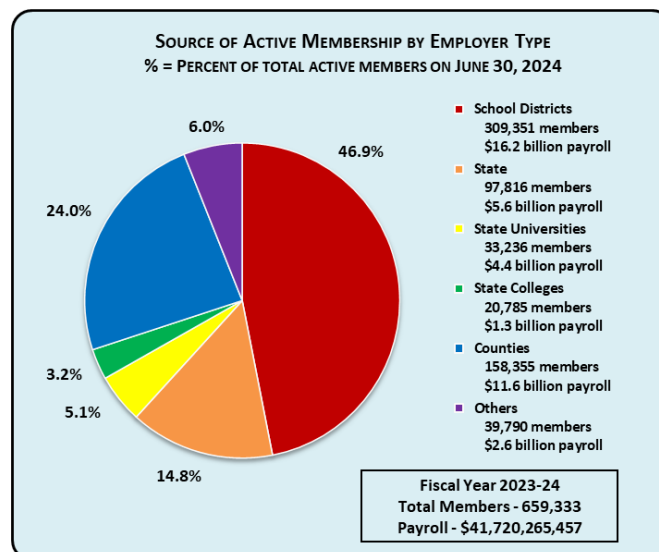
1. PRESENT SITUATION:

Florida Retirement System profile¹ — The FRS was created in December 1970 to consolidate then-existing state-administered retirement systems for state and county officers and employees, teachers, judges, and Highway Patrol officers. Today, it is one of the largest public retirement systems in the United States covering:

- 659,333 active employees
- 459,428 retirees and annuitants (Pension Plan retirees and their surviving beneficiaries)
- 29,017 Pension Plan members participating in the DROP.

The FRS pension plan has more than \$198.7 billion in assets and pays out more than \$12 billion a year in benefit payments. The Department of Management Services (DMS), Division of Retirement (division) collects more than \$5.6 billion annually in retirement contributions from more than 1,000 participating employers.

All state and county employees in regularly established positions are compulsory members of the FRS² and cities and special districts can choose to participate.



¹ Member counts are based on a “snapshot” of the FRS taken on June 30, 2024. These counts include members of the Teachers Retirement System.

² Certain university employees are initially enrolled in the State University System Optional Retirement Program (SUSORP) unless they elect FRS membership or fail to complete the necessary SUSORP enrollment documents during the first 90 days of employment.

Wartime Military Service — Members whose initial enrollment date in a regularly established position was prior to January 1, 1987, can purchase service credit for up to 4 years of their military service under the “wartime” provision specified in s. 121.111(2), F.S.³ The cost formula for purchasing this type of military service credit is 4 percent of the member’s first-year annual salary in the FRS for each year of service purchased, plus interest until the cost is paid in full. The interest rate is 4 percent compounded annually prior to 1975, and 6.5 percent after. Additionally, the member must be vested to be eligible to purchase active-duty wartime military service credit and the service may only be claimed as service in the Regular Class of membership.

Out-of-State Military Service — Members who do not qualify to purchase military service under the “wartime” provision may be eligible to purchase up to 5 years of their active-duty military service under the out-of-state provision in s. 121.1115, F.S. The cost to purchase service under the out-of-state service provision is significantly higher than the cost under the “wartime” provision. A member must pay 20 percent of the member’s first-year annual salary in the FRS for each year of service purchased, or 20 percent of \$12,000, whichever is greater, plus interest at 6.5 percent compounded annually until the payment is completed.

Military Leave of Absence — All FRS members who take a leave of absence to serve in the military are covered for retirement purposes under the FRS military leave-of-absence provision, in accordance with federal law. The employer is responsible for purchasing this service credit on behalf of the member, provided the member returns to FRS-covered employment within the timeframes specified by the Uniformed Services Employment and Reemployment Rights Act (USERRA)⁴. During the leave, the employee will pay the required employee contributions, while the employer pays the employer contributions. The cost to purchase credit during the leave of absence is based on the employee’s membership class multiplied by the employee’s monthly salary prior to the leave, plus interest.

Actuarially Sound Funding of Public Pension Plans — Since 1976, Article X, Section 14 of the Florida Constitution has mandated that benefit improvements under public pension plans in the State of Florida must be concurrently funded on a sound actuarial basis, as outline below:

SECTION 14. State retirement systems benefit changes. A governmental unit responsible for any retirement or pension system supported in whole or in part by public funds shall not after January 1, 1977, provide any increase in the benefits to the members or beneficiaries of such system unless such unit has made or concurrently makes provision for the funding of the increase in benefits on a sound actuarial basis.

Part VII of Chapter 112, Florida Statutes — Article X, Section 14, of the Florida Constitution is implemented by statute under part VII of chapter 112, F.S., the “Florida Protection of Public Employee Retirement Benefits Act,” which establishes minimum standards for the operation and funding of public employee retirement systems and plans in the State of Florida. The key provision of this act states the legislative intent to “... prohibit the use of any procedure, methodology, or assumptions the effect of which is to transfer to future taxpayers any portion of the costs which may reasonably have been expected to be paid by the current taxpayers.

Constitutional requirement regarding unfunded mandates — Article VII, Section 18, of the Florida Constitution effectively invalidates unfunded local government mandates. As a result, any law passed by the Legislature that requires local governments to expend funds must meet certain constitutional tests. First, the Legislature must find that the law fulfills an important state interest. Then the law must also meet one or more additional criteria. To ensure that the law meets the required “additional criteria,” the Legislature may choose to:

- Appropriate sufficient funds to pay the entire cost of the benefit;
- Authorize a new funding source to generate funds sufficient for counties to pay the cost of the benefit;
- Ensure that the law “applies to *all persons similarly situated*” in state and local governments;
- Pass the bill in response to a federal requirement to obtain a federal entitlement; or

³ Wartime periods are set forth under s. 1.01(14), F.S.: World War II: December 7, 1941, to December 31, 1946; Korean War: June 27, 1950, to January 31, 1955; Vietnam War: February 28, 1961, to May 7, 1975; Persian Gulf War: August 2, 1990, to January 2, 1992; Operation Enduring Freedom: October 7, 2001; and Operation Iraqi Freedom: March 19, 2003, and ending on the date thereafter prescribed by presidential proclamation or by law.

⁴ The member must have been filling a regularly established position with the employer prior to the military service before leaving the position. The member must apply for reemployment with the same employer within 90 days of discharge from active duty. The leave of absence can be counted towards the years required for a member become vested.

- Pass the bill by a two-thirds vote

2. EFFECT OF THE BILL:

Section 1: Amends the provisions for claiming “wartime military service”, as defined under s. 1.01(14), F.S., and whose initial date of FRS employment is before March 1, 2024, to purchase military service at a significantly reduced cost compared to purchasing it under the out-of-state service provision of s. 121.1115, F.S. This change removes the current law requirement that the initial enrollment date is before January 1, 1987. Members who retire prior to the effective date of the law, including those in the Deferred Retirement Option Program, will not be eligible to purchase military service under this provision.

The cost for members to purchase wartime military service under the bill is not sufficient to fund the cost to the system for the benefit improvement. Article X, Section 14 of the Florida Constitution, which was adopted in 1976, requires concurrent funding of benefit improvements in an actuarially sound manner effective January 1, 1977. The military service benefit under s. 121.111(2), F.S., was reviewed multiple times between 1977 and 1985 to ensure compliance with the Constitution. In 1985, the Legislature⁵ amended this section to close the wartime military service benefit to future members, excluding those employed on or after January 1, 1987, instead of raising employer contributions or changing the member purchase formula to properly fund this benefit. The original goal of allowing members to purchase wartime military service was to encourage existing system members to transfer to the FRS.

Additionally, the bill requires DMS to adopt rules to implement these changes by December 31, 2025.

Section 2: To qualify for wartime veteran benefits, a veteran must have served in a campaign or expedition authorized during a specific time. The bill would add subsections (j) through (m) to s. 1.01(14), F.S., and update the definition “veteran” to include the following periods of wartime service:

(j) Operation New Dawn: September 1, 2010, to December 15, 2011.

(k) Operation Inherent Resolve: October 15, 2014, and ending on the date thereafter prescribed by presidential proclamation or by law.

(l) Operation Freedom’s Sentinel: January 1, 2015, to October 1, 2021.

(m) Operation Enduring Sentinel: October 1, 2021, and ending on the date thereafter prescribed by presidential proclamation or by law.

Section 3: Amends s. 121.021(20), F.S., to update the definition of the term “wartime service” to incorporate the changes made by this bill in subsections (j) through (m) of s. 1.01(14), F.S.

Section 4: Provides an effective date of July 1, 2025.

3. DOES THE LEGISLATION DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES?

Y ☒ N ☐

If yes, explain:	SB 684 would require DMS to adopt rules to implement the changes provided in this bill by December 31, 2025.
What is the expected impact to the agency’s core mission?	Unknown
Rule(s) impacted (provide references to F.A.C., etc.):	60S-2.005, F.A.C.

4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

List any known proponents and opponents:	Unknown
Provide a summary of the proponents’ and opponents’ positions:	Unknown

⁵ See chapter 85-220, Laws of Florida.

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS LEGISLATION?Y ☐ N ☒

If yes, provide a description:	While the bill does not specify that an actuarial special study must be performed, one is required to determine the potential fiscal impact to the FRS.
Date Due:	Click or tap here to enter text.
Bill Section Number(s):	Click or tap here to enter text.

6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSIONS, ETC. REQUIRED BY THIS LEGISLATION?Y ☐ N ☒

Board:	Click or tap here to enter text.
Board Purpose:	Click or tap here to enter text.
Who Appoints:	Click or tap here to enter text.
Appointee Team:	Click or tap here to enter text.
Changes:	Click or tap here to enter text.
Bill Section Number(s):	Click or tap here to enter text.

FISCAL ANALYSIS**1. DOES THE LEGISLATION HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT?**Y ☒ N ☐

Revenues:	None
Expenditures:	Unknown at this time, but an actuarial study would be required to determine the fiscal impact of the proposed changes.
Does the legislation increase local taxes or fees?	No
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	N/A

2. DOES THE LEGISLATION HAVE A FISCAL IMPACT TO STATE GOVERNMENT?Y ☒ N ☐

Revenues:	None
Expenditures:	Unknown at this time, but an actuarial study would be required to determine the fiscal impact of the proposed changes. The Division of Retirement has determined that 4 additional FTE positions (2 Retirement Specialist IIIs and 2 Retirement Analyst IIs) are required to provide the services associated with these changes with a total cost of \$299,660 consisting of \$247,969 Salaries and Benefits, \$50,284 Expense, and \$1,407 Human Resources Allocation. Of this amount, \$274,308 would be recurring and \$25,352 would be non-recurring.
Does the legislation contain a State Government appropriation?	No
If yes, was this appropriated last year?	N/A

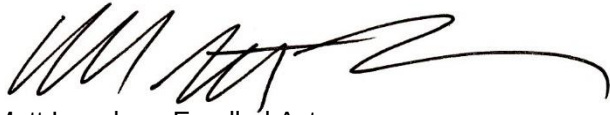
3. DOES THE LEGISLATION HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR?Y ☐ N ☒

Revenues:	Click or tap here to enter text.
Expenditures:	Click or tap here to enter text.
Other:	Click or tap here to enter text.

4. DOES THE LEGISLATION INCREASE OR DECREASE TAXES, FEES, OR FINES?Y ☐ N ☒

Does the bill increase taxes, fees or fines?	Click or tap here to enter text.
Does the bill decrease taxes, fees or fines?	Click or tap here to enter text.
What is the impact of the increase or decrease?	Click or tap here to enter text.
Bill Section Number:	Click or tap here to enter text.

5. ACTUARIAL STATEMENT OF FISCAL SOUNDNESS (RETIREMENT ONLY)FRS ☒ OR LOCAL ☐

Does the bill comply with the requirements of Article X, Section 14 of the Constitution?		Y ☐ N ☒
Does the bill satisfy the actuarial cost impact provisions of Chapter 112, Part VII, Florida Statutes pending completion of actuarial impact statements?		Y ☐ N ☒
Explanation:	SB 684 would allow members with wartime military service during a period as specified under s. 1.01(14), F.S., and whose initial date of FRS employment is before March 1, 2024, to purchase such military service at a subsidized, materially reduced cost compared to the cost if it were purchased under the out-of-state service provision of s. 121.1115, F.S.	
Fiscal Note:	The purchase cost of military service credit under the current statutory formula is subsidized, which means it is lower than a "full cost" purchase based on actuarial valuation assumptions. Purchases under this formula create actuarial losses that show up after the annual valuation process instead of fully funding the actuarial cost of the optional service credit purchase. An actuarial special study would be required to determine the fiscal impact to the FRS based on the provisions of SB 684.	
Signature: Company or Organization: Date:	 Matt Larrabee, Enrolled Actuary Milliman Inc. Date: 2-25-2025	

TECHNOLOGY IMPACT

1. DOES THE LEGISLATION IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E. IT SUPPORT, LICENSING SOFTWARE, DATA STORAGE, ETC.)?

Y ☐ N ☒

If yes, describe the anticipated impact to the agency including any fiscal impact.

Click or tap here to enter text.

FEDERAL IMPACT

1. DOES THE LEGISLATION HAVE A FEDERAL IMPACT (I.E. FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)?

Y ☐ N ☒

If yes, describe the anticipated impact including any fiscal impact.

Click or tap here to enter text.

ADDITIONAL COMMENTS

Operational Impacts: The Bureau of Retirement Calculations (bureau) within the division would experience additional workload because the cost under the wartime provision is much cheaper than the out-of-state service provision, resulting in an increase in the number of information requests for those who have previously inquired and/or new requests for a cost evaluation to buy their wartime military service. In addition, an increased workload is also anticipated if, based on member requests, the bureau was required to recalculate previously calculated costs under the wartime provision and/or initiate a refund to members who already purchased their wartime military service under the more expensive out of state provisions.

Data Needed for Study: The Department of Military Affairs does not have the data on participation in the four operations outlined in the bill. This information is crucial for the study, and the study would be further complicated by the bill's requirement that service covered by federal military benefits would not be eligible for subsidized FRS purchase.

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Does the proposed legislation conflict with existing federal law, or regulations? If so, what laws and/or regulations?	The proposed legislation does not appear to conflict with existing federal law or regulations.
Does the proposed legislation raise significant constitutional concerns under the U.S. or Florida Constitutions (e.g. separation of powers, access to the courts, equal protection, free speech, establishment clause, impairment of contracts)?	The proposed legislation raises concerns under Article X Section 14 of the Florida Constitution as the bill does not fully fund the cost of the optional service credit.
Is the proposed legislation likely to generate litigation and, if so, from what interest groups or parties?	The proposed legislation does not appear likely to generate legislation from any presently identifiable groups or parties.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

Military & VA

Committee

Name

Benjamin Caldas / Miami Dade
Fire Local 1403

Phone

(305) 593-6100

Address

8000 NW 21 St. # 222

Email

Street

Doral

City

FL

State

33122

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

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Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3.18.2025

Meeting Date

Military & VA

Committee

Sb 684

Bill Number or Topic

Amendment Barcode (if applicable)

Name

E. O. Perez / Miami Dade Fire Local 1403

Phone

305 543 6100

Address

8000 NW 21st #222

Email

Street

Doral

State

FL

Zip

33122

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

684

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

Committee

Name

Phone

Address

Street

City

State

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

☐

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representing:

☐

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(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-18-25

Meeting Date

684

Bill Number (if applicable)

Topic Veterans

Amendment Barcode (if applicable)

Name Matt Herndon

Job Title Dir. Gov. Relations & Community Affairs

Address 113 E College Ave
Street

Phone 941-704-2793

Tallahassee FL 32301
City State Zip

Email mah@teamrsa.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing United Way Miami

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)



SENATOR BRYAN AVILA
39th District

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

Avila.bryan.web@flsenate.gov

COMMITTEES: COMMITTEES:

Finance and Tax, *Chair*
Transportation, Vice Chair
Appropriations Committee on
Transportation, Tourism, and
Economic Development
Environmental and Natural Resources
Ethics and Elections
Fiscal Policy
Rules

February 26, 2025

Honorable Senator Tom A. Wright
Committee on Military and Veterans Affairs,
Space, and Domestic Security
404 South Monroe Street
531 Knott Building
Tallahassee, Florida 32399

Honorable Chair Wright:

I respectfully request SB 684 Credit for Military Service be placed on the next committee agenda.

SB 684 Credit for Military Service; The bill requires the initial date of employment for members who have military service and may receive creditable military service; revising the definition of the term "veteran" to include more recent periods of wartime service.

Sincerely,

A handwritten signature in blue ink that reads "Bryan Avila".

Senator, District 39

CC: Tim Proctor, Staff Director
Lois Graham, Administrative Assistant
Amanda Wheeler, Legislative Aide

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: CS/SB 910

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security Committee and Senator Collins

SUBJECT: Veterans' Benefits Assistance

DATE: March 18, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Proctor	MS	Fav/CS
2.			CM	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 910 creates s. 501.9741, F.S., to govern the payment of fees by a veteran to an unaccredited person for advising, assisting, or consulting in securing federal benefits.

The bill authorizes compensation for advising, assisting, or consulting with an individual regarding any preparation, presentation, or prosecution of a veteran's claim, or a claim by any other individual under the laws and regulations administered by the Florida Department of Veterans' Affairs (FDVA) or the United States Department of Veterans Affairs (VA) if, before rendering services, a written agreement is executed. Compensation for such services is contingent upon securing an increase in benefits awarded and may not exceed the lesser of five times the amount of the monthly increase in benefits awarded based on the claim or \$12,500.

The bill prohibits a provider from guaranteeing, either directly or by implication, a successful outcome or that an individual is certain to receive specific veterans' benefits or a specific level, percentage, or amount of veterans' benefits. In addition, the bill prohibits compensation for referring an individual to another person who will advise, assist, or consult with the individual regarding any preparation, presentation, or prosecution of a veteran's claim.

A violation of the provisions of the bill is a violation of the Florida Deceptive and Unfair Trade Practices Act (FDUTPA).

The bill may not be construed as applying to, limiting, or expanding the requirements imposed on agents or employees of the FDVA or agents or attorneys accredited by the VA.

The bill may have an indeterminate fiscal impact on state government. *See* Section V. Fiscal Impact Statement.

The bill takes effect upon becoming a law.

II. Present Situation:

Veterans in Florida

Other than California and Texas, Florida has the third largest population of veterans.¹ More than 1.4 million veterans reside in the state, which is 12 percent of the state's population of adults aged 18 and over.² Additionally, Florida has the second largest population of veterans who are women, at more than 168,000. Veterans who are women is one of the fastest growing groups among the veterans' population.³

State Benefits for Veterans

In addition to federal benefits, veterans in the state have access to a multitude of benefits. The FDVA educates and assists veterans to help them access services and benefits in housing, health care, disability claims, education, burial benefits, and employment including veterans' preference.⁴

The FDVA also annually produces the Florida Veterans' Benefits Guide, to connect veterans and their families with earned federal and state benefits, services, and support. The guide provides a comprehensive listing of services and benefits for veterans in the state.⁵

Veterans Claims Examiners

The FDVA oversees and operates as part of its jurisdiction the Division of Veterans' Benefits and Assistance. A bureau within the division is the Bureau of Veteran Claim Services.⁶ Through the Bureau, veterans' claims examiners assist veterans in securing earned services, benefits, and support.

¹ Dep't of Veterans' Affairs, *Our Veterans*, available at <https://www.floridavets.org/our-veterans/> (last visited March 12, 2025).

² *Id.*

³ Dep't of Veterans' Affairs, *Women Veterans*, available at <https://floridavets.org/our-veterans/women-veterans/> (last visited March 12, 2025).

⁴ Dep't of Veterans' Affairs, *Benefits & Services*, available at <https://www.floridavets.org/benefits-services/> (last visited March 12, 2025).

⁵ Dep't of Veterans' Affairs, *Florida Veterans' Benefits Guide*, available at <https://floridavets.org/resources/va-benefits-guide/> (last visited March 12, 2025).

⁶ Section 20.37(2), F.S.

The FDVA houses claims examiner offices throughout the state, including at the VA Regional Office in Bay Pine, each VA Medical Center, and many VA Outpatient Clinics.⁷ Claims assistance is provided at no cost and covers all state and federal veterans' programs.⁸

City and County Veteran Service Officers

City and county veteran service officers are hired locally, respectively by their local municipality or the board of county commissioners.⁹ To qualify, an applicant must be a veteran who:

- Served in the active military, naval, or air service; and
- Was discharged or released under honorable conditions or who later received an upgraded discharge under honorable conditions.^{10,11}

The applicant must additionally have a minimum of a 2-year degree from an accredited university, college, or community college or a high school degree or its equivalent and 4 years of administrative experience.¹² A surviving spouse of a veteran may be hired if the veteran spouse meets these qualifications.¹³

The FDVA provides required training for county and city veteran service officers to assist veterans,¹⁴ and every county or city veteran service officer must additionally successfully pass a test administered by the FDVA. In addition, the FDVA establishes periodic training refresher courses, with completion a condition of continuing employment.¹⁵

1-Year Presumptive Period

The "1-year presumptive period" for veterans refers to a period within one year of their discharge from active service where the VA presumes certain chronic conditions,¹⁶ like hypertension, arthritis, or diabetes, to be service-related, simplifying the process of obtaining disability compensation.¹⁷

Some illnesses may be covered even if they appear after the 1-year presumptive period, such as:

- Hansen's disease can appear within 3 years after discharge.
- Tuberculosis can appear within 3 years after discharge.
- Multiple sclerosis can appear within 7 years after discharge.

⁷ Dep't of Veterans' Affairs, *Benefits & Services, Claims*, available at <https://www.floridavets.org/benefits-services/claims/> (last visited March 12, 2025).

⁸ *Id.* and Dep't of Veterans' Affairs, *Florida Veterans' Benefits Guide 2025*, p. 8, available at <https://floridavets.org/wp-content/uploads/2012/08/FDVA-Benefits-Guide.pdf?v=2025b> (last visited March 14, 2025).

⁹ Section 292.11(1), F.S.

¹⁰ *Id.*

¹¹ Section 1.01(14), F.S.

¹² Section 292.11(1), F.S.

¹³ *Id.*

¹⁴ Section 292.11(4), F.S.

¹⁵ *Id.*

¹⁶ 38 CFR s.3.309 (Disease subject to presumptive service connection.).

¹⁷ U.S. Department of Veterans Affairs, *Disabilities that appear within 1 year after discharge*, available at <https://www.va.gov/disability/eligibility/illnesses-within-one-year-of-discharge/#content> (last visited March 17, 2025).

- Amyotrophic lateral sclerosis, also known as Lou Gehrig's, can appear any time after discharge.¹⁸

Federal Law on Paid Services for Benefit Assistance of Veterans

Accreditation means the authority granted by the VA to assist claimants in the preparation, presentation, and prosecution of claims for benefits.¹⁹ Unaccredited individuals may provide other services to veterans; however, federal law prohibits unaccredited individuals from assisting in the preparation, presentation, and prosecution of claims and applications for VA benefits.^{20,21}

Maine,²² Utah²³ and New Jersey²⁴ have passed laws limiting for-profit consultants in VA benefit matters, and similar bills have been introduced in New York²⁵ and 17 other states.²⁶ In 2024, Louisiana enacted a law²⁷ to allow unaccredited consultants to charge up to \$12,500 for directing veterans on how to fill out their disability forms.²⁸

Federal law governs the payment of fees by a veteran to an accredited agent or attorney for representation in all proceedings in securing federal benefits.²⁹ Pursuant to federal law, only an accredited attorney or agent may receive fees for representation before an agency of original jurisdiction or the Board of Veterans' Appeals, subject to limitation.³⁰

An accredited attorney or a claims agent may never charge a claimant or receive a fee or a gift from a claimant for assistance with preparing and filing an initial VA benefits claim. ("[A] fee may not be charged, allowed, or paid for services of agents and attorneys . . . provided before the date on which a claimant is provided notice of [VA]'s initial decision . . . with respect to the case.")³¹ Charging a fee or accepting a gift on an initial claim - including charging for assistance with gathering necessary documents and filling out forms - is a violation of the VA Standards of Conduct,³² and grounds for cancellation of VA accreditation. However, once a claimant receives

¹⁸ *Id.* and 38 CFR s. 3.309.

¹⁹ 38 CFR s. 14.627(a).

²⁰ U.S. Department of Veterans Affairs, *Office of General Counsel, Accreditation Frequently Asked Questions*, available at https://www.va.gov/ogc/accred_faqs.asp (last visited March 12, 2025).

²¹ See 38 USC s. 5901 (stating that "no individual may act as an agent or attorney in the preparation, presentation, or prosecution of any" VA claim unless the individual has been accredited by the Secretary [of Veteran Affairs]).

²² Maine SP 976 (2024).

²³ Utah HB 248 (2025).

²⁴ New Jersey S 3292 (2023).

²⁵ New York S 1176 (2025).

²⁶ Anna Claire Vollers, *States go after 'claim sharks' that charge vets for help with disability claims*, Missouri Independent, Dec. 9, 2024, available at <https://missouriindependent.com/2024/12/09/states-go-after-claim-sharks-that-charge-vets-for-help-with-disability-claims/> (last visited March 12, 2025).

²⁷ Louisiana SB 159 (2024).

²⁸ Wes Muller, *Louisiana enacts law to let consultants profit off disabled veterans' benefit claims*, Alabama Reflector, June 7, 2024, available at <https://alabamareflector.com/2024/06/07/louisiana-enacts-law-to-let-consultants-profit-off-disabled-veterans-benefit-claims/> (last visited March 12, 2025).

²⁹ 38 CFR s. 14.636.

³⁰ *Id.*

³¹ 38 USC 5904(c)(1).

³² 38 CFR ss. 14.632(c)(5) and (6).

an initial decision on a claim or claims, an accredited attorney or a claims agent may charge a fee for assisting a claimant in seeking review of those claims.³³

Fee Agreement

Federal law requires that a fee agreement include:

- The name of the veteran;
- The name of the claimant or appellant if other than the veteran;
- The name of any disinterested third-party payer and their relationship with the veteran, claimant, or appellant;
- The VA file number;
- Specific terms under which the amount to be paid for services is determined; and
- If the VA is to pay the agent or attorney directly out of past due benefits.³⁴

A fee agreement must also include the following statement, signed by the provider:

“I certify that no agreement, oral or otherwise, exists under which the claimant or appellant will provide anything of value to the third-party payer in this case in return for payment of my fee or salary, including, but not limited to, reimbursement of any fees paid.”³⁵

Amount of Fees

Federal law requires that a fee charged for services must be reasonable, based on:

- The extent and type of services performed;
- The complexity of the case;
- The level of skill and competence required in giving the services;
- The amount of time spent on the case;
- The results achieved, including the amount of benefits recovered;
- The level of review to which the claim was taken and the representative retained;
- Rates charged by other representatives for similar services;
- Whether, and to what extent, the payment of fees is contingent upon the results achieved; and
- If applicable, why an agent or attorney was discharged or withdrew from representation before the date of the decision awarding benefits.³⁶

Further, a presumption of reasonableness applies if a fee does not exceed 20 percent of a past-due benefit and the representative provided service through the date of the decision awarding benefits. If a fee exceeds 33 and 1/3 percent of a past-due benefit, it is considered unreasonable. Each presumption is rebuttable upon a showing of clear and convincing evidence.³⁷

³³ 38 CFR s. 14.636(c) and U.S. Department of Veterans Affairs, *Tips on Fee Agreements for Veterans Claims*, available at <https://www.va.gov/OGC/docs/Accred/TipsonFeeAgreementsforVeteransClaims.pdf> (last visited March 17, 2025).

³⁴ 38 CFR s. 14.636(g).

³⁵ 38 CFR s. 14.636(d)(2)(iii).

³⁶ 38 CFR s. 14.636(e).

³⁷ 38 CFR s. 14.636(f).

Filing of a Notice of Disagreement

A Notice of Disagreement is a filing by a claimant who disagrees with the decision made by the VA on a disability compensation claim.³⁸ Although the claim decision by the VA becomes certified after 30 days, it is not final until one year after the date of the decision. Therefore, the claimant can file a Notice of Disagreement at any time up to one year from the date of decision.³⁹

Standards of Conduct for VA Accredited Attorneys, Agents, and Representatives

VA accredited individuals providing VA claims assistance must:

- Faithfully execute their duties on behalf of a VA claimant.
- Be truthful in their dealings with claimants and VA.
- Provide claimants with competent representation before VA.
- Act with reasonable diligence and promptness in representing claimants.⁴⁰

VA accredited individuals may not:

- Violate the standards of conduct as described in 38 CFR s. 14.632.
- Circumvent the rules of conduct through the actions of another.
- Engage in conduct involving fraud, deceit, misrepresentation, or dishonesty.
- Violate one or more of the provisions of Title 38 of the United States Code or Title 38 of the U.S. Code of Federal Regulations.
- Enter into an agreement for, charge, solicit, or receive a fee that is clearly unreasonable or otherwise prohibited by law or regulation.
- Solicit, receive, or enter into agreements for gifts related to representation provided before an agency of original jurisdiction has issued a decision on a claim or claims and a Notice of Disagreement has been filed with respect to that decision.
- Delay, without good cause, the processing of a claim at any stage of the administrative process.
- Mislead, threaten, coerce, or deceive a claimant regarding benefits or other rights under programs administered by VA.
- Engage in, or counsel or advise a claimant to engage in, acts or behavior prejudicial to the fair and orderly conduct of administrative proceedings before VA.
- Disclose, without the claimant's authorization, any information provided by VA for purposes of representation.
- Engage in any other unlawful or unethical conduct.⁴¹

In addition, in providing representation to a claimant before the VA, VA accredited attorneys may not engage in behavior or activities prohibited by the rules of professional conduct of any jurisdiction in which they are licensed to practice law.⁴²

³⁸ U.S. Department of Veterans Affairs, *VA News, How to File a Notice of Disagreement on your VA Compensation Claim*, available at <https://news.va.gov/33909/> (last visited March 12, 2025).

³⁹ *Id.*

⁴⁰ 38 CFR ss. 14.632(a) & (b).

⁴¹ 38 CFR s. 14.632(c).

⁴² 38 CFR s. 14.632(d).

If the VA determines that an individual has violated the standards of conduct, the VA may suspend or cancel the individual's accreditation. The VA is authorized to report the suspension or cancellation to any bar association, court, or agency to which the individual is admitted. In addition, the VA may collaborate with state and federal enforcement authorities if it is suspected that an individual's actions may have implications under state or other federal laws.⁴³

Background Screening

Florida provides standard procedures for screening a prospective employee⁴⁴ where the Legislature has determined it is necessary to conduct a criminal history background check to protect vulnerable persons.⁴⁵ Chapter 435, F.S., establishes procedures for criminal history background screening of prospective employees and outlines the screening requirements. There are two levels of background screening: level 1 and level 2.

- Level 1 screening includes, at a minimum, employment history checks, statewide criminal correspondence checks through the Florida Department of Law Enforcement (FDLE), and a check of the Dru Sjodin National Sex Offender Public Website,⁴⁶ and may include criminal records checks through local law enforcement agencies. A Level 1 screening may be paid for and conducted through FDLE's website, which provides immediate results.⁴⁷
- Level 2 screening includes, at a minimum, fingerprinting for statewide criminal history records checks through FDLE and national criminal history checks through the Federal Bureau of Investigation (FBI), and may include local criminal records checks through local law enforcement agencies.⁴⁸

Public Law (Pub. L.) 92-544 authorizes the FBI to exchange criminal history record information with state and local governmental agencies' officials for licensing and employment purposes. Criteria established under Pub. L. 92-544 for state statutes seeking access to FBI criminal history record information for licensing and employment purposes are as follows:

- The statute must exist as a result of a legislative enactment;
- It must require the fingerprinting of applicants who are to be subjected to a national criminal history background check;
- It must, expressly ("submit to the FBI") or by implication ("submit for a national check"), authorize the use of FBI records for the screening of applicants;
- It must identify the specific category(ies) of licensees/employees falling within its purview, thereby avoiding overbreadth;
- It must not be against public policy; and
- It may not authorize receipt of the criminal history record information by a private entity.

⁴³ U.S. Department of Veterans Affairs, *Office of General Counsel, Standards of Conduct for VA Accredited Attorneys, Agents, and Representatives*, available at <https://www.va.gov/OGC/docs/Accred/StandardsofConduct.pdf> (last visited March 12, 2025).

⁴⁴ Section 435.02(2), F.S., defines "employee" to mean any person required by law to be screened pursuant to this chapter, including, but not limited to, persons who are contractors, licensees, or volunteers.

⁴⁵ Chapter 435, F.S.

⁴⁶ The Dru Sjodin National Sex Offender Public Website is a U.S. government website that links public state, territorial, and tribal sex offender registries in one national search site, available at www.nsopw.gov (last visited Jan. 25, 2024).

⁴⁷ Florida Department of Law Enforcement, *State of Florida Criminal History Records Check*, available at <http://www.fdle.state.fl.us/Criminal-History-Records/Florida-Checks.aspx> (last visited Jan. 25, 2024).

⁴⁸ Section 435.04, F.S.

Pub. L. 92-544 requires state statutes to designate an authorized governmental agency to be responsible for receiving and screening the results of the criminal history record information to then determine an applicant's suitability for employment or licensing. For Level 2 screening, the FDLE is this state's authorized governmental agency given the responsibility to perform a criminal history record check of its records and request that the FBI perform a national criminal history record check of its records for each employee for whom the request is made.⁴⁹

Florida law authorizes and outlines specific elements required for Level 1 and Level 2 background screening and establishes requirements for determining whether an individual passes a screening regarding an individual's criminal history. All individuals subject to background screening must be confirmed to have not been arrested for and waiting final disposition of, been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or been adjudicated delinquent, and the record has not been sealed or expunged for, any of 52 offenses prohibited under Florida law, or similar law of another jurisdiction:⁵⁰

- Section 39.205, F.S., relating to the failure to report child abuse, abandonment, or neglect.
- Section 393.135, F.S., relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.
- Section 394.4593, F.S., relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.
- Section 414.39, F.S., relating to fraud, if the offense was a felony.
- Section 415.111, F.S., relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.
- Section 777.04, F.S., relating to attempts, solicitation, and conspiracy to commit an offense listed in this subsection.
- Section 782.04, F.S., relating to murder.
- Section 782.07, F.S., relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.
- Section 782.071, F.S., relating to vehicular homicide.
- Section 782.09, F.S., relating to killing of an unborn child by injury to the mother.
- Chapter 784, F.S., relating to assault, battery, and culpable negligence, if the offense was a felony.
- Section 784.011, F.S., relating to assault, if the victim of the offense was a minor.
- Section 784.021, F.S., relating to aggravated assault.
- Section 784.03, F.S., relating to battery, if the victim of the offense was a minor.
- Section 784.045, F.S., relating to aggravated battery.
- Section 784.075, F.S., relating to battery on staff of a detention or commitment facility or on a juvenile probation officer.
- Section 787.01, F.S., relating to kidnapping.
- Section 787.02, F.S., relating to false imprisonment.
- Section 787.025, F.S., relating to luring or enticing a child.
- Section 787.04(2), F.S., relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.

⁴⁹ Chapter 435, F.S.

⁵⁰ Section 435.04(2), F.S.

- Section 787.04(3), F.S., relating to carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.
- Section 787.06, F.S., relating to human trafficking.
- Section 787.07, F.S., relating to human smuggling.
- Section 790.115(1), F.S., relating to exhibiting firearms or weapons within 1,000 feet of a school.
- Section 790.115(2)(b), F.S., relating to possessing an electric weapon or device, destructive device, or other weapon on school property.
- Section 794.011, F.S., relating to sexual battery.
- Former s. 794.041, F.S., relating to prohibited acts of persons in familial or custodial authority.
- Section 794.05, F.S., relating to unlawful sexual activity with certain minors.
- Section 794.08, F.S., relating to female genital mutilation.
- Chapter 796, F.S., relating to prostitution.
- Section 798.02, F.S., relating to lewd and lascivious behavior.
- Chapter 800, F.S., relating to lewdness and indecent exposure and offenses against students by authority figures.
- Section 806.01, F.S., relating to arson.
- Section 810.02, F.S., relating to burglary.
- Section 810.14, F.S., relating to voyeurism, if the offense is a felony.
- Section 810.145, F.S., relating to digital voyeurism, if the offense is a felony.
- Chapter 812, F.S., relating to theft, robbery, and related crimes, if the offense is a felony.
- Section 817.563, F.S., relating to fraudulent sale of controlled substances, only if the offense was a felony.
- Section 825.102, F.S., relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- Section 825.1025, F.S., relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.
- Section 825.103, F.S., relating to exploitation of an elderly person or disabled adult, if the offense was a felony.
- Section 826.04, F.S., relating to incest.
- Section 827.03, F.S., relating to child abuse, aggravated child abuse, or neglect of a child.
- Section 827.04, F.S., relating to contributing to the delinquency or dependency of a child.
- Former s. 827.05, F.S., relating to negligent treatment of children.
- Section 827.071, F.S., relating to sexual performance by a child.
- Section 831.311, F.S., relating to the unlawful sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances.
- Section 836.10, F.S., relating to written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
- Section 843.01, F.S., relating to resisting arrest with violence.
- Section 843.025, F.S., relating to depriving a law enforcement, correctional, or correctional probation officer means of protection or communication.
- Section 843.12, F.S., relating to aiding in an escape.

- Section 843.13, F.S., relating to aiding in the escape of juvenile inmates in correctional institutions.
- Chapter 847, F.S., relating to obscene literature.
- Section 859.01, F.S., relating to poisoning food or water.
- Section 873.01, F.S., relating to the prohibition on the purchase or sale of human organs and tissue.
- Section 874.05, F.S., relating to encouraging or recruiting another to join a criminal gang.
- Chapter 893, F.S., relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.
- Section 916.1075, F.S., relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.
- Section 944.35(3), F.S., relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.
- Section 944.40, F.S., relating to escape.
- Section 944.46, F.S., relating to harboring, concealing, or aiding an escaped prisoner.
- Section 944.47, F.S., relating to introduction of contraband into a correctional facility.
- Section 985.701, F.S., relating to sexual misconduct in juvenile justice programs.
- Section 985.711, F.S., relating to contraband introduced into detention facilities.

Exemptions

Should a person be disqualified from employment due to failing a background screening, he or she may apply to the head of the appropriate agency for an exemption. Current law allows the head of the agency to exempt applicants from disqualification under certain circumstances including:

- Felonies for which at least 2 years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying felony;
- Misdemeanors prohibited under any of the cited statutes or under similar statutes of other jurisdictions for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court;
- Offenses that were felonies when committed but that are now misdemeanors and for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court; or
- Findings of delinquency. For offenses that would be felonies if committed by an adult and the record has not been sealed or expunged, this exemption may not be granted until at least 3 years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying offense.⁵¹

Receiving an exemption allows that individual to be employed in a profession or workplace where background screening is statutorily required despite the disqualifying offense in that person's past. Certain criminal backgrounds, however, render a person ineligible for an

⁵¹ Section 435.07, F.S.

exemption; a person who is considered a sexual predator,⁵² career offender,⁵³ or registered sexual offender⁵⁴ is not eligible for exemption.⁵⁵

Record Retention

Florida Bar Rule 5-1.2(f) addresses the retention of records related to client trust accounts. Specifically, it requires lawyers to retain certain records for a minimum of 6 years after the completion of the representation. These records include:

- Client trust account records: Details of all deposits, withdrawals, and transactions involving client funds and property.
- Supporting documentation: This includes any documents related to the handling of client funds and property, such as receipts, checks, and statements.

Florida Deceptive and Unfair Trade Practices Act (FDUTPA)

History and Purpose

The FDUTPA became law in 1973.⁵⁶ The FDUTPA is a consumer and business protection measure that prohibits unfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts or practices in trade or commerce.⁵⁷ The FDUTPA is based on federal law, and specifically Section 5 of the Federal Trade Commission Act.⁵⁸

The State Attorney or the Department of Legal Affairs may bring actions when it is in the public interest on behalf of consumers or governmental entities.⁵⁹ The Office of the State Attorney may enforce violations of the FDUTPA if the violations take place in its jurisdiction.⁶⁰ The Department of Legal Affairs has enforcement authority if the violation is multi-jurisdictional, the state attorney defers in writing, or the state attorney fails to act within 90 days after a written complaint is filed.⁶¹ Consumers may also file suit through private actions.⁶²

Remedies under the FDUTPA

The Department of Legal Affairs and the State Attorney, as enforcing authorities, have available the following remedies:

- Declaratory judgments.
- Injunctive relief.
- Actual damages on behalf of consumers and businesses.

⁵² Section 775.21, F.S.

⁵³ Section 775.261, F.S.

⁵⁴ Section 943.0435, F.S.

⁵⁵ Section 435.07(4)(b), F.S.

⁵⁶ Ch. 73-124, Laws of Fla.; codified at part II of ch. 501, F.S.

⁵⁷ Sections 501.202 and 501.203(8), F.S. Trade or commerce includes the advertising, soliciting, or providing of a good or service.

⁵⁸ 15 USC s. 45; s. 501.204(2), F.S.

⁵⁹ Sections 501.203(2), 501.206, and 501.207, F.S.

⁶⁰ Section 501.203(2), F.S.

⁶¹ *Id.*

⁶² Section 501.211, F.S.

- Cease and desist orders.
- Civil penalties of up to \$10,000 per willful violation.⁶³

Remedies for private parties are limited to the following:

- A declaratory judgment and an injunction if a person is aggrieved by a FDUTPA violation.
- Actual damages, attorney fees, and court costs if a person has suffered a loss due to a FDUTPA violation.⁶⁴

Violations Involving a Military Servicemember

Section 501.2077, F.S., sets out penalties for violations of FDUTPA which involve a military servicemember or the spouse or dependent child of a military servicemember. A person who is willfully using, or has willfully used, a method, act, or practice in violation of FDUTPA directed at a military servicemember or the spouse or dependent child of a military servicemember is liable for a civil penalty of not more than \$15,000 for each violation if the person knew or should have known that her or his conduct was unfair or deceptive. An order of restitution or reimbursement under this section takes priority over other civil penalties imposed under FDUTPA for other violations.

Federal Unfair and Deceptive Trade Practices

The Federal Trade Commission's (FTC) unfair and deceptive trade practices regulations prohibit unfair⁶⁵ or deceptive⁶⁶ acts or practices in or affecting commerce.⁶⁷ The FTC's regulations include "Truth In Advertising" guidelines, which require advertisements to be truthful, not misleading, and when appropriate, backed by scientific evidence.⁶⁸ To enforce these regulations, the FTC may take law enforcement action.⁶⁹

III. Effect of Proposed Changes:

CS/SB 910 creates s. 501.9741, F.S., assisting in veterans' benefits matters.

The bill defines as:

- Compensation - payment of any money, thing of value, or economic benefit conferred on or received by a person in return for services rendered or to be rendered.

⁶³ Sections 501.207(1), 501.208, and 501.2075, F.S. Civil Penalties are deposited into general revenue.

Section 501.2075, F.S. Enforcing authorities may also request attorney fees and costs of investigation or litigation.

Section 501.2105, F.S.

⁶⁴ Section 501.211(1) and (2), F.S.

⁶⁵ A practice is "unfair" if it "causes or is likely to cause substantial injury to consumers which is not reasonably avoidable by consumers themselves and not outweighed by countervailing benefits to consumers or to competition." 15 U.S.C. s. 45(n).

⁶⁶ A practice is "deceptive" if there is a "representation, omission or practice that is likely to mislead the consumer acting reasonably in the circumstances, to the consumer's detriment." Federal Trade Commission, *FTC Policy Statement on Deception* (Oct. 14, 1983), available at https://www.ftc.gov/system/files/documents/public_statements/410531/831014_deceptionstmt.pdf (last visited March 12, 2025).

⁶⁷ 15 U.S.C. s. 45(a)(1).

⁶⁸ Federal Trade Commission, *Truth In Advertising*, available at <https://www.ftc.gov/news-events/media-resources/truth-advertising> (last visited March 12, 2025).

⁶⁹ Federal Trade Commission, *Protecting Consumers*, available at <https://www.ftc.gov/news-events/topics/truth-advertising/protecting-consumers> (last visited March 12, 2025).

- Provider - an entity or individual assisting veterans with veterans' benefits matters
- Veteran - to have the same meaning as in s. 1.01(14), F.S., and include eligible peacetime service as defined in s. 296.02, F.S.
- Veterans' benefits matter - the preparation, presentation, or prosecution of a veteran's claim, or a claim by the veteran's spouse, dependent child, or any other individual eligible for any benefit, program, service, commodity, function, status, or entitlement under the laws and regulations administered by the FDVA or the VA.

Referral of a Veteran's Benefits Matter

The bill prohibits a person⁷⁰ from being compensated for referring an individual to a provider who will advise, assist, or consult with the individual regarding any veterans' benefits matter.

Claims with After-Duty Presumptive Period

The bill authorizes a provider to receive compensation for services rendered in connection with a claim filed within the 1-year presumptive period after active-duty release as determined by the VA only if the veteran acknowledges, by signing a waiver, that he or she is within the presumptive period and is choosing to deny the free services available to him or her.

Compensation for Advising, Assisting, or Consulting on a Veterans' Benefits Matter

A provider seeking compensation for advising, assisting, or consulting with an individual regarding any veterans' benefits matter must, before rendering services, enter into a written agreement signed by both parties, which:

- Memorializes the specific terms under which the compensation will be determined.
- Provides that compensation for such services is contingent upon securing an increase in benefits awarded. The compensation cannot exceed the lesser of five times the amount of the monthly increase in benefits awarded based on the claim or \$12,500.
- Provides the specific terms for how any compensation will be paid out.

A provider who advises, assists, or consults on veterans' benefits matters for compensation must provide the following disclosure, both orally and in writing, before entering into a business relationship with an individual:

This business is not sponsored by or affiliated with the Florida Department of Veterans' Affairs, the United States Department of Veterans Affairs, or any other federally chartered veterans' service organization. Other organizations, including, but not limited to, the Florida Department of Veterans' Affairs, a local veterans' service organization, and other federally chartered veterans' service organizations, may be able to provide you with this service free of charge. Products or services offered by this business are not necessarily endorsed by any of these organizations. You

⁷⁰ Section 1.01(3), F.S., defines a "person" as including individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

may qualify for other veterans' benefits beyond the benefits for which you are receiving services here.

Further, the written disclosure must appear in a font size of at least 12 points in an easily identifiable place in the provider's agreement with the individual seeking services and must be signed by the individual to signify that he or she understands the oral and written disclosure's provisions. The provider offering services must retain a copy of the written disclosure while providing veterans' benefits services to the individual for compensation and for at least 1 year after the date on which the service relations terminate.

Veteran Claimant Death

If a veteran claimant dies before a claim is processed:

- Any expected compensation must be waived and a charge, fee, or debt may not be collected; and
- Any payment plan for services rendered must be terminated immediately.

Prohibitions

The bill provides that a provider:

- May not guarantee, either directly or by implication, a successful outcome or that an individual is certain to receive specific veterans' benefits or a specific level, percentage, or amount of veterans' benefits.
- Who advises, assists, or consults on veterans' benefits matters for compensation:
 - May not charge an initial or nonrefundable fee or interest on any payment plan agreed to by the parties.
 - May not use an international call center or data center to process a veteran's personal information;
 - May not use a veteran's personal log-in, username, or password information to access that veteran's medical, financial, or government benefits information; and
 - Must successfully complete a level 2 background screening as described in s. 435.04, F.S., before entering into any agreement with a veteran for veterans' benefits matters.

A violation of s. 501.9741, F.S., constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act. Violators may be subject to penalties provided under FDUPTA, including s. 501.2077, F.S., for violations against a military servicemember or his or her spouse or dependent child.

Documentation

A provider must provide copies of all fully executed documents to the veteran being assisted in the veterans' benefits matters and maintain a copy of all fully executed documents for 6 years and in accordance with the requirements of rule 5-1(f) of the rules regulating The Florida Bar.

Complaint Process

If an individual to whom a provider provides services under this section in return for compensation files a complaint with the Consumer Protection Division of the Office of the

Attorney General, the provider may not receive compensation for any services provided to such an individual before the resolution of the complaint.

Construction

The bill provides that the newly created section may not be construed as applying to, limiting, or expanding the requirements imposed on agents or employees of the FDVA or agents or attorneys accredited and regulated by the VA.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Article II, Section 3, of the Florida Constitution has been interpreted by Florida courts to prohibit the Legislature from delegating its legislative power to others.⁷¹ Under this non-delegation principle, Florida courts have held that the Legislature may enact laws that adopt federal statutes or other federal regulations in existence and in effect at the time the Legislature acts; however, if the Legislature incorporates into a Florida statute a *future* federal act or regulation, courts have held that such incorporation constitutes an unconstitutional delegation of legislative power.⁷²

However, when a statute incorporates a federal law or regulation by reference, in order to avoid holding the subject statute unconstitutional, Florida courts generally interpret the statute as incorporating only the federal law or regulation in effect on the date of the Legislature's action to enact the Florida law, reasoning that the Legislature is presumed to have intended to enact a valid and constitutional law.⁷³

⁷¹ *Abbott Laboratories v. Mylan Pharmaceuticals, Inc.*, 15 So.3d 642 (Fla. 1d DCA 2009), citing *Gallagher v. Motors Ins. Corp.*, 605 So.2d 62, 71 (Fla. 1992).

⁷² *State v. Rodriguez*, 365 So.2d 157, 160 (Fla.1978).

⁷³ *Id.*

Lines 138-143 of the bill indicate, “A provider must provide copies of all fully executed documents required ... to the veteran being assisted in the veterans’ benefits matters and maintain a copy of all fully executed documents for 6 years and in accordance with the requirements of rule 5-1(f) of the rules regulating The Florida Bar.” Considering that the bill does not specify that it is referring to such rules as they exist at a specific date prior to the enactment of the bill, this reference may be considered an unauthorized delegation of legislative powers if interpreted to make reference to future revisions of those rules and may be interpreted to maintain the meaning of how those rules stand on the date the bill becomes effective instead of incorporating such future revisions.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill may have an indeterminate negative fiscal impact on a person seeking compensation for advising, assisting, or consulting with an individual regarding any veterans’ benefits matter who is required to submit to a background screening pursuant to the bill’s provisions.

The fiscal impact for an applicant who undergoes a fingerprint-based, state and national criminal history record check (i.e., level 2 background screening), is \$36.⁷⁴

There may be an indeterminate positive fiscal impact on any Livescan Service Provider due to any additional fees they would charge to submit a fingerprint-based criminal history record check for an applicant, if an applicant utilized such a service.⁷⁵

C. Government Sector Impact:

To the extent that the bill creates a new violation of the FDUTPA, Offices of the State Attorney and the Department of Legal Affairs may incur enforcement costs, which are indeterminate.

If a state and national record check is conducted through the FDLE, the total fiscal revenue for the state portion of a state and national criminal history record check is \$24, which goes into the FDLE’s Operating Trust Fund. The number of individuals who would be screened under this bill is indeterminate.⁷⁶

⁷⁴ Florida Dep’t of Law Enforcement, *Agency Analysis for SB 910* (March 3, 2025) (on file with the Committee on Military and Veterans Affairs, Space, and Domestic Security).

⁷⁵ *Id.*

⁷⁶ *Id.*

The impact of the bill on the FDLE does not appear to necessitate additional FTE and other resources; however, the bill, in combination with additional criminal history record check, could rise to the level of requiring additional staffing and other resources.⁷⁷

VI. Technical Deficiencies:

According to the FDLE, for lines 134-137 of the bill, the “language is not in compliance with Pub. L. 92-544. While the population being screened is defined, the language does not define the state agency responsible for conducting the background check or receiving/reviewing the results. Only governmental agencies are authorized to receive FBI criminal history record information. Additionally, it still appears that a private entity will be conducting the background check and reviewing the results, which is strictly prohibited by Pub. L. 92-544. Private entities may only conduct state criminal history checks.”⁷⁸

The FDLE advised “the FBI will not approve access to national criminal history record information unless all criteria specified within Pub. L. 92-544 are satisfied. The following criteria are not met within the current [bill] ... language:

- Must require the fingerprinting of applicants who are to be subjected to a national criminal history record check.
- May not authorize receipt of the criminal history record information to a private entity.
- Must identify the state agency responsible for conducting the criminal history record check, receiving the criminal history record information from the FBI, and applying the screening standards to the applicant.”⁷⁹

According to the FDVA, for lines 70-73 of the bill, the language “appears to allow compensation to be paid to unaccredited individuals for advising, assisting, or consulting with veterans regarding veterans’ benefit matters, arguably in direct violation of federal law which provides that only accredited agents and attorneys may receive fees for their services in connection with representation under 38 CFR ss.14.636(a) and (b).”⁸⁰

According to the FDVA, to provide for the appropriate citation to the rules of the Florida Bar for record retention, the following language for line 142 of the bill is recommended, “[I]n accordance with the requirements of rule 5-1.2(f) of the rules”⁸¹

⁷⁷ *Id.*

⁷⁸ Email from Caitlin Dawkins, Legislative Specialist, Florida Dep’t of Law Enforcement, to Tim Proctor, Staff Director, Committee on Military and Veterans Affairs, Space, and Domestic Security (March 18, 2025) (on file with the Committee on Military and Veterans Affairs, Space, and Domestic Security).

⁷⁹ *Id.*

⁸⁰ Florida Dep’t of Veterans’ Affairs, *Agency Analysis for SB 910* (March 12, 2025) (on file with the Committee on Military and Veterans Affairs, Space, and Domestic Security).

⁸¹ Email from Andrew Benard, General Counsel, Florida Dep’t of Veterans’ Affairs, to Roy Clark, Legislative and Cabinet Affairs Director, Florida Dep’t of Veterans’ Affairs (March 19, 2025) (on file with the Committee on Military and Veterans Affairs, Space, and Domestic Security).

VII. Related Issues:

The FDLE recommended the following language related to background screenings and fees for background screening: “[A provider] ... must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing. The department shall screen the background results to determine if an applicant meets ... requirements.” and “Fees for state and federal fingerprint processing shall be borne by the applicant. The state cost for fingerprint processing shall be as provided in s. 943.053(3)(e).”^{82,83}

The FDVA General Counsel’s Office review noted the following:

- “Fees for initial claims are not addressed.”
- “No agency [is] described as under a duty to review background check.”
- “Nothing [is] included for licensing/regulation/competence provisions to ensure adequate representation of veterans.”
- “Additional protections meant to ensure quality of representation provided by [the] VA accreditation process, and/or fiduciary responsibilities under attorney engagement agreements, powers of attorney and agency agreements could be undermined by recognizing this type of representation.”⁸⁴

VIII. Statutes Affected:

This bill creates section 501.9741 of the Florida Statutes.

IX. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Military and Veterans Affairs, Space, and Domestic Security on March 18, 2025:

- Provides a definition for a “provider” to mean an entity or individual assisting veterans with veterans’ benefits matters.
- Revises the definition for veteran to have the same meaning as in s. 1.01(14), F.S., and includes eligible peacetime service as defined in s.296.02, F.S.
- Clarifies that compensation for advising, assisting, or consulting with an individual regarding any veterans’ benefits matter must be as a direct result of services provided, and may not exceed the lesser of five times the amount of the monthly increase in benefits awarded based on the claim or \$12,500.

⁸² Email from Caitlin Dawkins, Legislative Specialist, Florida Dep’t of Law Enforcement, to Tim Proctor, Staff Director, Committee on Military and Veterans Affairs, Space, and Domestic Security (March 18, 2025) (on file with the Committee on Military and Veterans Affairs, Space, and Domestic Security).

⁸³ Florida Dep’t of Law Enforcement, *Agency Analysis for SB 910* (March 3, 2025) (on file with the Committee on Military and Veterans Affairs, Space, and Domestic Security).

⁸⁴ Florida Dep’t of Veterans’ Affairs, *Agency Analysis for SB 910* (March 12, 2025) (on file with the Committee on Military and Veterans Affairs, Space, and Domestic Security).

- Provides that the written disclosure which must be provided to an individual seeking services must also be provided orally.
- Clarifies that a provider must undergo a level 2 background screening as described in s. 435.04, F.S., before entering into any agreement with a veteran for veterans' benefits matters.
- Provides that copies of all fully executed documents required by the bill for a veteran to be assisted in veterans' benefits matters must be maintained for 6 years and in accordance with the requirements of rule 5-1(f), of the rules regulating The Florida Bar.
- Provides that if an individual to whom a provider provides services in return for compensation files a complaint with the Consumer Protection Division of the Office of the Attorney General, the provider may not receive compensation for any services provided to such an individual before the resolution of the complaint.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Military and Veterans Affairs, Space, and Domestic Security (Collins) recommended the following:

Senate Amendment (with title amendment)

Delete lines 36 - 131

and insert:

(b) "Veteran" has the same meaning as in s. 1.01(14) and includes eligible peacetime service as defined in s. 296.02.

(c) "Veterans' benefits matter" means the preparation, presentation, or prosecution of a veteran's claim, or a claim by the veteran's spouse, dependent child, or any other individual eligible for any benefit, program, service, commodity, function,



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status, or entitlement under the laws and regulations
administered by the Department of Veterans' Affairs or the
United States Department of Veterans Affairs.

(2) LIMITS ON COMPENSATION; TERMS OF ENGAGEMENT; WRITTEN
DISCLOSURE.—

(a) A person may not receive compensation for referring an
individual to another person who will advise, assist, or consult
with the individual regarding any veterans' benefits matter.

(b) A person may receive compensation for services rendered
in connection with a claim filed within the 1-year presumptive
period after active-duty release as determined by the United
States Department of Veterans Affairs only if the veteran
acknowledges, by signing a waiver, that he or she is within the
presumptive period and is choosing to deny the free services
available to him or her.

(c) A person seeking compensation for advising, assisting,
or consulting with an individual regarding any veterans'
benefits matter must, before rendering services, enter into a
written agreement, signed by both parties, which:

1. Memorializes the specific terms under which the
compensation will be determined; and

2. Provides that compensation for such services is
contingent upon securing an increase in benefits awarded as a
direct result of such services. Any such compensation may not
exceed five times the amount of the monthly increase in benefits
awarded based on the claim and must be paid out according to the
specific terms agreed to by both parties in accordance with
subparagraph 1.

(d)1. A person who advises, assists, or consults on



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veterans' benefits matters for compensation shall provide the following disclosure, both orally and in writing, before entering into a business relationship with an individual:

"This business is not sponsored by or affiliated with the Florida Department of Veterans' Affairs, the United States Department of Veterans Affairs, or any other federally chartered veterans' service organization. Other organizations, including, but not limited to, the Florida Department of Veterans' Affairs, a local veterans' service organization, and other federally chartered veterans' service organizations, may be able to provide you with this service free of charge. Products or services offered by this business are not necessarily endorsed by any of these organizations. You may qualify for other veterans' benefits beyond the benefits for which you are receiving services here."

2. The written disclosure must appear in a font size of at least 12 points in an easily identifiable place in the person's agreement with the individual seeking services and must be signed by the individual to signify that he or she understands the oral and written disclosure's provisions. The person offering services must retain a copy of the written disclosure while providing veterans' benefits services to the individual for compensation and for at least 1 year after the date on which the service relations terminate.

(e) A person who advises, assists, or consults on a



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veterans' benefits matter may not charge an initial or nonrefundable fee. Any charge for interest on any payment plan agreed to by the parties is prohibited.

(3) DEATH OF VETERAN CLAIMANT.—If a veteran claimant dies before a claim is processed:

(a) Any expected compensation must be waived and a charge, fee, or debt may not be collected; and

(b) Any payment plan for services rendered must be terminated immediately.

(4) PROHIBITIONS.—

(a) A person may not guarantee, either directly or by implication, a successful outcome or that an individual is certain to receive specific veterans' benefits or a specific level, percentage, or amount of veterans' benefits.

(b) A person who advises, assists, or consults on veterans' benefits matters for compensation:

1. May not use an international call center or data center to process a veteran's personal information;

2. May not use a veteran's personal log-in, username, or password information to access that veteran's medical, financial, or government benefits information; and

3. Must ensure that an individual undergoes level 2 background screening as described in s. 435.04 before being granted access to a veteran's medical or financial information.

(5) COMPLAINT.—If an individual to whom a person provides services under this section in return for compensation files a complaint with the Consumer Protection Division of the Office of the Attorney General, the person who provided such services may not receive compensation for any services provided to such an



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individual before the resolution of the complaint.

(6) PENALTIES.—A violation of this section constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of this chapter. Violators may be subject to penalties provided in that part, including s. 501.2077 for violations against a military servicemember or his or her spouse or dependent child.

(7) CONSTRUCTION.—This section may not be construed as

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

And the title is amended as follows:

Delete lines 14 - 22

and insert:

provide a specified oral and written disclosure before entering into a business relationship with a client; prohibiting persons who advise, assist, or consult on veterans' benefits matters from charging certain fees; prohibiting the charging of interest on payment plans; providing requirements in the event of the death of a veteran claimant; prohibiting certain guarantees; providing security requirements for the handling of a veteran's personal and account information; prohibiting a person who provides services from receiving compensation before the resolution of a certain complaint if the individual receiving services files such a complaint; providing



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2025	.	
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Collins) recommended the following:

Senate Substitute for Amendment (791966) (with title amendment)

Delete lines 36 - 131
and insert:

(b) "Provider" means an entity or individual assisting veterans with veterans' benefits matters.

(c) "Veteran" has the same meaning as in s. 1.01(14) and includes eligible peacetime service as defined in s. 296.02.

(d) "Veterans' benefits matter" means the preparation,



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presentation, or prosecution of a veteran's claim, or a claim by the veteran's spouse, dependent child, or any other individual eligible for any benefit, program, service, commodity, function, status, or entitlement under the laws and regulations administered by the Department of Veterans' Affairs or the United States Department of Veterans Affairs.

(2) LIMITS ON COMPENSATION; TERMS OF ENGAGEMENT; WRITTEN DISCLOSURE.—

(a) A person may not receive compensation for referring an individual to a provider who will advise, assist, or consult with the individual regarding any veterans' benefits matter.

(b) A provider may receive compensation for services rendered in connection with a claim filed within the 1-year presumptive period after active-duty release as determined by the United States Department of Veterans Affairs only if the veteran acknowledges, by signing a waiver, that he or she is within the presumptive period and is choosing to deny the free services available to him or her.

(c) A provider seeking compensation for advising, assisting, or consulting with an individual regarding any veterans' benefits matter must, before rendering services, enter into a written agreement, signed by both parties, which:

1. Memorializes the specific terms under which the compensation will be determined; and

2. Provides that compensation for such services is contingent upon securing an increase in benefits awarded as a direct result of such services. Any such compensation may not exceed the lesser of five times the amount of the monthly increase in benefits awarded based on the claim or \$12,500, and



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40 must be paid out according to the specific terms agreed to by
41 both parties in accordance with subparagraph 1.

42 (d)1. A provider who advises, assists, or consults on
43 veterans' benefits matters for compensation shall provide the
44 following disclosure, both orally and in writing, before
45 entering into a business relationship with an individual:

46
47 "This business is not sponsored by or affiliated with
48 the Florida Department of Veterans' Affairs, the
49 United States Department of Veterans Affairs, or any
50 other federally chartered veterans' service
51 organization. Other organizations, including, but not
52 limited to, the Florida Department of Veterans'
53 Affairs, a local veterans' service organization, and
54 other federally chartered veterans' service
55 organizations, may be able to provide you with this
56 service free of charge. Products or services offered
57 by this business are not necessarily endorsed by any
58 of these organizations. You may qualify for other
59 veterans' benefits beyond the benefits for which you
60 are receiving services here."

61
62 2. The written disclosure must appear in a font size of at
63 least 12 points in an easily identifiable place in the
64 provider's agreement with the individual seeking services and
65 must be signed by the individual to signify that he or she
66 understands the oral and written disclosure's provisions. The
67 provider must retain a copy of the written disclosure while
68 providing veterans' benefits services to the individual for



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69 compensation and for at least 1 year after the date on which the
70 service relations terminate.

71 (e) A provider who advises, assists, or consults on a
72 veterans' benefits matter may not charge an initial or
73 nonrefundable fee. Any charge for interest on any payment plan
74 agreed to by the parties is prohibited.

75 (3) DEATH OF VETERAN CLAIMANT.—If a veteran claimant dies
76 before a claim is processed:

77 (a) Any expected compensation must be waived and a charge,
78 fee, or debt may not be collected; and

79 (b) Any payment plan for services rendered must be
80 terminated immediately.

81 (4) PROHIBITIONS.—

82 (a) A provider may not guarantee, either directly or by
83 implication, a successful outcome or that an individual is
84 certain to receive specific veterans' benefits or a specific
85 level, percentage, or amount of veterans' benefits.

86 (b) A provider who advises, assists, or consults on
87 veterans' benefits matters for compensation:

88 1. May not use an international call center or data center
89 to process a veteran's personal information.

90 2. May not use a veteran's personal log-in, username, or
91 password information to access that veteran's medical,
92 financial, or government benefits information.

93 (5) BACKGROUND SCREENING.—A provider must successfully
94 complete a level 2 background screening as described in s.
95 435.04 before entering into any agreement with a veteran for
96 veterans' benefits matters.

97 (6) DOCUMENTATION.—A provider must provide copies of all



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fully executed documents required by subsection (2) to the
veteran being assisted in the veterans' benefits matters and
maintain a copy of all fully executed documents for 6 years and
in accordance with the requirements of rule 5-1(f) of the rules
regulating The Florida Bar.

(7) COMPLAINT.—If an individual to whom a provider provides
services under this section in return for compensation files a
complaint with the Consumer Protection Division of the Office of
the Attorney General, the provider may not receive compensation
for any services provided to such an individual before the
resolution of the complaint.

(8) PENALTIES.—A violation of this section constitutes a
violation of the Florida Deceptive and Unfair Trade Practices
Act under part II of this chapter. Violators may be subject to
penalties provided in that part, including s. 501.2077 for
violations against a military servicemember or his or her spouse
or dependent child.

(9) CONSTRUCTION.—This section may not be construed as

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

And the title is amended as follows:

Delete lines 14 - 22

and insert:

provide a specified oral and written disclosure before
entering into a business relationship with a client;
prohibiting a provider who advises, assists, or
consults on veterans' benefits matters from charging
certain fees; prohibiting the charging of interest on
payment plans; providing requirements in the event of



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the death of a veteran claimant; prohibiting certain
guarantees; providing security requirements for the
handling of a veteran's personal and account
information; requiring a provider to successfully
complete a specified background screening before
entering into an agreement with a veteran for
veterans' benefits matters; requiring a provider to
provide copies of certain documents to the veteran and
maintain a copy of such documents pursuant to
specified provisions; prohibiting a person who
provides services from receiving compensation before
the resolution of a certain complaint if the
individual receiving services files such a complaint;
providing

By Senator Collins

14-00255A-25

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1 A bill to be entitled
 2 An act relating to veterans' benefits assistance;
 3 creating s. 501.9741, F.S.; defining terms;
 4 prohibiting a person from receiving compensation for
 5 referring an individual to another person for
 6 advising, assisting, or consulting on veterans'
 7 benefits matters; authorizing compensation for
 8 services rendered during a specified period only under
 9 certain circumstances; requiring that, before such
 10 services are rendered, a written agreement, which must
 11 include specified information, be signed by both
 12 parties; requiring that persons who advise, assist, or
 13 consult on veterans' benefits matters for compensation
 14 provide a specified written disclosure before entering
 15 into a business relationship with a client;
 16 prohibiting persons who advise, assist, or consult on
 17 veterans' benefits matters from charging certain fees;
 18 prohibiting the charging of interest on payment plans;
 19 providing requirements in the event of the death of a
 20 veteran claimant; prohibiting certain guarantees;
 21 providing security requirements for the handling of a
 22 veteran's personal and account information; providing
 23 that a violation is a deceptive and unfair trade
 24 practice which may be subject to specified penalties;
 25 providing construction; providing an effective date.
 26
 27 Be It Enacted by the Legislature of the State of Florida:
 28
 29 Section 1. Section 501.9741, Florida Statutes, is created

Page 1 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

14-00255A-25

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30 to read:
 31 501.9741 Assisting in veterans' benefits matters.—
 32 (1) DEFINITIONS.—As used in this section, the term:
 33 (a) "Compensation" means payment of any money, thing of
 34 value, or economic benefit conferred on or received by a person
 35 in return for services rendered or to be rendered.
 36 (b) "Veteran" means a person who served in the active
 37 military, naval, or air service.
 38 (c) "Veterans' benefits matter" means the preparation,
 39 presentation, or prosecution of a veteran's claim, or a claim by
 40 the veteran's spouse, dependent child, or any other individual
 41 eligible for any benefit, program, service, commodity, function,
 42 status, or entitlement under the laws and regulations
 43 administered by the Department of Veterans' Affairs or the
 44 United States Department of Veterans Affairs.
 45 (2) LIMITS ON COMPENSATION; TERMS OF ENGAGEMENT; WRITTEN
 46 DISCLOSURE.—
 47 (a) A person may not receive compensation for referring an
 48 individual to another person who will advise, assist, or consult
 49 with the individual regarding any veterans' benefits matter.
 50 (b) A person may receive compensation for services rendered
 51 in connection with a claim filed within the 1-year presumptive
 52 period after active-duty release as determined by the United
 53 States Department of Veterans Affairs only if the veteran
 54 acknowledges, by signing a waiver, that he or she is within the
 55 presumptive period and is choosing to deny the free services
 56 available to him or her.
 57 (c) A person seeking compensation for advising, assisting,
 58 or consulting with an individual regarding any veterans'

Page 2 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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benefits matter must, before rendering services, enter into a written agreement, signed by both parties, which:

1. Memorializes the specific terms under which the compensation will be determined; and

2. Provides that compensation for such services is contingent upon securing an increase in benefits awarded. Any such compensation may not exceed five times the amount of the monthly increase in benefits awarded based on the claim and must be paid out according to the specific terms agreed to by both parties in accordance with subparagraph 1.

(d)1. A person who advises, assists, or consults on veterans' benefits matters for compensation shall provide the following written disclosure before entering into a business relationship with an individual:

"This business is not sponsored by or affiliated with the Florida Department of Veterans' Affairs, the United States Department of Veterans Affairs, or any other federally chartered veterans' service organization. Other organizations, including, but not limited to, the Florida Department of Veterans' Affairs, a local veterans' service organization, and other federally chartered veterans' service organizations, may be able to provide you with this service free of charge. Products or services offered by this business are not necessarily endorsed by any of these organizations. You may qualify for other veterans' benefits beyond the benefits for which you are receiving services here."

14-00255A-25

2025910__

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2. The written disclosure must appear in a font size of at least 12 points in an easily identifiable place in the person's agreement with the individual seeking services and must be signed by the individual to signify that he or she understands the written disclosure's provisions. The person offering services must retain a copy of the written disclosure while providing veterans' benefits services to the individual for compensation and for at least 1 year after the date on which the service relations terminate.

(e) A person who advises, assists, or consults on a veterans' benefits matter may not charge an initial or nonrefundable fee. Any charge for interest on any payment plan agreed to by the parties is prohibited.

(3) DEATH OF VETERAN CLAIMANT.—If a veteran claimant dies before a claim is processed:

(a) Any expected compensation must be waived and a charge, fee, or debt may not be collected; and

(b) Any payment plan for services rendered must be terminated immediately.

(4) PROHIBITIONS.—

(a) A person may not guarantee, either directly or by implication, a successful outcome or that an individual is certain to receive specific veterans' benefits or a specific level, percentage, or amount of veterans' benefits.

(b) A person who advises, assists, or consults on veterans' benefits matters for compensation:

1. May not use an international call center or data center to process a veteran's personal information;

14-00255A-25

2025910__

117 2. May not use a veteran's personal log-in, username, or
118 password information to access that veteran's medical,
119 financial, or government benefits information; and

120 3. Must ensure that an individual undergoes a background
121 check before being granted access to a veteran's medical or
122 financial information. The background check must be conducted by
123 a reputable source and must include identity verification and a
124 criminal records check.

125 (5) PENALTIES.—A violation of this section constitutes a
126 violation of the Florida Deceptive and Unfair Trade Practices
127 Act under part II of this chapter. Violators may be subject to
128 penalties provided in that part, including s. 501.2077 for
129 violations against a military servicemember or his or her spouse
130 or dependent child.

131 (6) CONSTRUCTION.—This section may not be construed as
132 applying to, limiting, or expanding the requirements imposed on
133 agents or employees of the Department of Veterans' Affairs or
134 agents or attorneys accredited by the United States Department
135 of Veterans Affairs and regulated by that agency.

136 Section 2. This act shall take effect upon becoming a law.



2025 FDLE LEGISLATIVE BILL ANALYSIS



BILL INFORMATION

BILL NUMBER:	SB 910
BILL TITLE:	Veterans' Benefits Assistance
BILL SPONSOR:	Senator Collins
EFFECTIVE DATE:	Upon becoming a law

COMMITTEES OF REFERENCE

1) Senate Military and Veterans Affairs, Space, and Domestic Security
2) Senate Commerce and Tourism
3) Senate Rules
4)
5)

CURRENT COMMITTEE

Senate Military and Veterans Affairs, Space, and Domestic Security

SIMILAR BILLS

BILL NUMBER:	
SPONSOR:	

IDENTICAL BILLS

BILL NUMBER:	HB 277
SPONSOR:	Rep. Alvarez

Is this bill part of an agency package?

No

PREVIOUS LEGISLATION

BILL NUMBER:	
SPONSOR:	
YEAR:	
LAST ACTION:	

BILL ANALYSIS INFORMATION

DATE OF ANALYSIS:	March 3, 2025
LEAD AGENCY ANALYST:	Lucy Saunders
ADDITIONAL ANALYST(S):	Joshua Gray, Becky Bezemek
LEGAL ANALYST:	Erin Ambrose
FISCAL ANALYST:	Elizabeth Martin

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

This bill creates s. 501.9741, F.S., relating to advising, assisting, or consulting on veterans' benefits matters.

2. SUBSTANTIVE BILL ANALYSIS

- 1. PRESENT SITUATION:** There is no current statute requiring individuals to undergo a background check before being granted access to a veteran's medical or financial information.

2. EFFECT OF THE BILL:

Section 1: The bill creates s. 501.9741, F.S., which requires that a person who advises, assists, or consults on veterans' benefits matters for compensation undergoes a background check before being granted access to a veteran's medical or financial information. The background check must be conducted by a reputable source and must include identity verification and a criminal records check.

Section 2: The bill is effective upon becoming law.

- 3. DOES THE LEGISLATION DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES OR PROCEDURES?** Y ☐ N ☒

If yes, explain:	
What is the expected impact to the agency's core mission?	
Rule(s) impacted (provide references to F.A.C., etc.):	

4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

List any known proponents and opponents:	
Provide a summary of the proponents' and opponents' positions:	

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL? Y ☐ N ☒

If yes, provide a description:	
Date Due:	
Bill Section Number:	

6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSION, ETC. REQUIRED BY THIS BILL? Y ☐ N ☒

Board:	
Board Purpose:	
Who Appointments:	
Appointee Term:	

Changes:	
Bill Section Number(s):	

FISCAL ANALYSIS

1. DOES THE BILL HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT? Y ☐ N ☒

Revenues:	
Expenditures:	
Does the legislation increase local taxes or fees?	
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	

2. DOES THE BILL HAVE A FISCAL IMPACT TO STATE GOVERNMENT? Y ☒ N ☐

Revenues:	If a state-only or state and national record check is conducted through the Florida Department of Law Enforcement (FDLE), the total fiscal revenue for the state portion of a state and national criminal history record check is \$24, which goes into FDLE's Operating Trust Fund (TF). The number of individuals who would be screened under this bill is unknown.
Expenditures:	
Does the legislation contain a State Government appropriation?	
If yes, was this appropriated last year?	

3. DOES THE BILL HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR? Y ☒ N ☐

Revenues:	
Expenditures:	If applicants are required to undergo a Florida (state-only) criminal history record check (i.e., Level 1 background check), the total fiscal impact to the private sector for a statewide criminal history record check is \$24, which goes into FDLE's Operating TF. However, if applicants are required to undergo a fingerprint-based, state and national criminal history record check (i.e., Level 2 background check), the total fiscal impact to the private sector is \$36. Of this total amount, the cost for the national portion of the criminal history record check is \$12 and the cost for the state portion is \$24, which goes into FDLE's Operating TF.

	<u>Additional Fees:</u> It should be noted that the cost of a fingerprint-based criminal history record check does not include any additional servicing fees which may be assessed by a Livescan Service Provider.
Other:	

4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES? Y ☐ N ☒

Does the bill increase taxes, fees or fines?	
Does the bill decrease taxes, fees or fines?	
What is the impact of the increase or decrease?	
Bill Section Number:	

TECHNOLOGY IMPACT

1. DOES THE LEGISLATION IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E., IT SUPPORT, LICENSING, SOFTWARE, DATA STORAGE, ETC.)? Y ☒ N ☐

If yes, describe the anticipated impact to the agency including any fiscal impact.	This bill, in combination with additional criminal history record check bills, could rise to the level of requiring additional capacity for the Multi-Biometric Identification System (MBIS).
--	---

FEDERAL IMPACT

1. DOES THE LEGISLATION HAVE A FEDERAL IMPACT (I.E., FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)? Y ☒ N ☐

If yes, describe the anticipated impact including any fiscal impact.	See additional Comments
--	-------------------------

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Issues/concerns/comments and recommended action:	No additional comments or concerns.
--	-------------------------------------

ADDITIONAL COMMENTS

Lines 120-124: As written, it is unclear how the term "background check" is defined. If it is the intent of the bill to require applicants to undergo a fingerprint-based, state and national criminal history record check (i.e., Level 2 background checks) pursuant to s. 501.9741, F.S., FDLE recommends including the following language in the bill to ensure compliance with federal law and the United State Department of Justice (DOJ)-established criteria for the submission of fingerprints to the Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Division for a national criminal history background check. In addition to the suggested language, the bill must define the governmental agency responsible for receiving the state and national fingerprint-based criminal history record checks.

An applicant must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing. The department shall screen the background results to determine if an applicant meets licensure requirements.

Fees for state and federal fingerprint processing shall be borne by the applicant. The state cost for fingerprint processing shall be as provided in s. 943.053(3)(e).

- It should be noted that a statute cannot be approved for access to FBI criminal history record information (CHRI) unless all criterion specified within Public Law 92-544 are satisfied, which includes a review of whether the population(s) (i.e., categories of individuals) being screened is clearly defined and the state agency responsible for conducting the fingerprint-based background check and receiving the CHRI from the FBI is identified within the statute(s). As written, the FBI will likely deny the request for fingerprint-based access to national criminal history record check information.
- To facilitate a Florida (state-only), fingerprint-based, Level 1 background check, FDLE recommends including the following language:

An applicant must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing. Fees for state fingerprint processing and retention shall be borne by the applicant.

- FDLE also offers the option to perform a Florida (state-only), name-based, Level 1 background check, which is not dependent upon the submission of fingerprints; this record check can be initiated by an agency, organization, or the applicant through FDLE's website.
- The impact of this bill does not appear to necessitate additional FTE and other resources; however, this bill, in combination with additional criminal history record check bills, could rise to the level of requiring additional staffing and other resources.



2025 AGENCY LEGISLATIVE BILL ANALYSIS

AGENCY:

BILL INFORMATION

BILL NUMBER:	SB 910
BILL TITLE:	Veterans' Benefits Assistance
BILL SPONSOR:	Senator Collins
EFFECTIVE DATE:	Upon becoming law

COMMITTEES OF REFERENCE

1)Military and Veterans Affairs, Space and Domestic Security
2)Commerce and Tourism
3)Rules
4)
5)

CURRENT COMMITTEE

Military and Veterans Affairs, Space and Domestic Security

SIMILAR BILLS

BILL NUMBER:	
SPONSOR:	

PREVIOUS LEGISLATION

BILL NUMBER:	SB 1452
SPONSOR:	Senator Torres
YEAR:	2024
LAST ACTION:	Died in Judiciary

IDENTICAL BILLS

BILL NUMBER:	H 277
SPONSOR:	Rep. Albert

Is this bill part of an agency package?

No

BILL ANALYSIS INFORMATION

DATE OF ANALYSIS:	3/12/2025
LEAD AGENCY ANALYST:	Jeff Obos
ADDITIONAL ANALYST(S):	Roy Clark, Mitchell McCombs
LEGAL ANALYST:	Henry Miller
FISCAL ANALYST:	

POLICY ANALYSIS

- EXECUTIVE SUMMARY** This legislation prohibits compensation for veteran benefit assistance referrals and sets conditions under which compensation is authorized. Additionally, the bills set terms for written agreements and disclosure as well as ensure

that providers have passed background checks before assisting with claims. The bill also provides remedy for violation of this law.

2. SUBSTANTIVE BILL ANALYSIS

1. **PRESENT SITUATION:** Currently the US code does not allow for compensation for assisting veterans with their initial claim, however remedy for violation is difficult to achieve. There are many unregulated veteran benefits consultants that assist veterans for compensation and some of them are not acting in the best interests of the veteran. Currently, only the veteran, VA accredited agents and groups and disinterested third parties may assist veterans with their claims.
2. **EFFECT OF THE BILL:** This bill will allow for regulation of compensated veteran claims representation while providing remedy and safeguards for veterans choosing this option.
3. **DOES THE BILL DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES?** Y ☐ N ☒

If yes, explain:	
Is the change consistent with the agency's core mission?	Y ☐ N ☐
Rule(s) impacted (provide references to F.A.C., etc.):	

4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

Proponents and summary of position:	
Opponents and summary of position:	

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL?

Y ☐ N ☒

If yes, provide a description:	
Date Due:	
Bill Section Number(s):	

6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSIONS, ETC. REQUIRED BY THIS BILL?

Y ☐ N ☒

Board:	
Board Purpose:	
Who Appoints:	
Changes:	
Bill Section Number(s):	

FISCAL ANALYSIS

1. DOES THIS BILL HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT?

Y ☐ N ☒

Revenues:	
Expenditures:	

Does the legislation increase local taxes or fees? If yes, explain.	
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	

2. DOES THE BILL HAVE A FISCAL IMPACT TO STATE GOVERNMENT?Y ☐ N ☒

Revenues:	
Expenditures:	
Does the legislation contain a State Government appropriation?	
If yes, was this appropriated last year?	

3. DOES THE BILL HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR?Y ☐ N ☒

Revenues:	
Expenditures:	
Other:	

4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES?Y ☐ N ☒

If yes, explain impact.	
Bill Section Number:	

TECHNOLOGY IMPACT

1. DOES THE BILL IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E. IT SUPPORT, LICENSING SOFTWARE, DATA STORAGE, ETC.)?Y ☐ N ☒

If yes, describe the anticipated impact to the agency including any fiscal impact.	
--	--

FEDERAL IMPACT

1. DOES THE BILL HAVE A FEDERAL IMPACT (I.E. FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)?Y ☒ N ☐

If, yes, describe the anticipated impact including any fiscal impact.	Proposed FS 501.9741(2)(b) appears to allow compensation to be paid to unaccredited individuals for advising, assisting, or consulting with veterans regarding veterans' benefit matters, arguably in direct violation of federal law which provides that only accredited agents
---	--

	and attorneys may receive fees for their services in connection with representation under 38 FCR §14.636(a) and (b).
--	--

ADDITIONAL COMMENTS**LEGAL – GENERAL COUNSEL’S OFFICE REVIEW**

Issues/concerns/comments:	Fees for initial claims are not addressed. No agency described as under a duty to review background check. Nothing included for licensing/regulation/competence provisions to ensure adequate representation of veterans. Additional protections meant to ensure quality of representation provided by VA accreditation process, and/or fiduciary responsibilities under attorney engagement agreements, powers of attorney and agency agreements could be undermined by recognizing this type of representation.
---------------------------	---

3/18/25 - 3:30 PM

Meeting Date

Military and Veteran Affairs

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 910

Bill Number or Topic

Amendment Barcode (if applicable)

Name **AARP - Karen Murillo**

Phone **850-567-0414**

Address **215 S. Monroe St., Ste. 603**

Email **kmurillo@aarp.org**

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

AARP

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/18/25

Meeting Date

SB 910

Bill Number or Topic

Sen. Military & Veteran Affairs

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Ray Colas

Phone 954-849-4036

Address 675 15th Street

Email rcolas@bhfs.com

Denver

City

CO

State

80202

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

Veteran Benefits Guide

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

From: Dawkins, Caitlin <CaitlinDawkins@fdle.state.fl.us>
Sent: Tuesday, March 18, 2025 12:12 PM
To: Proctor, Tim <PROCTOR.TIM@flsenate.gov>
Cc: Smith, Bobbie <BobbieSmith@fdle.state.fl.us>
Subject: RE: FDLE Bill Analysis for SB 910 - Veterans' Benefits Assistance

Good afternoon,

Please see our below responses as they relate to the substitute amendment.

- Does the amendment language ensure compliance with federal law and the United States Department of Justice established criteria for the submission of fingerprints to the FBI Criminal Justice Information Services Division for a national criminal history background check? No. The amended language is not in compliance with Public Law 92-544.
- Does the amendment language meet the requirements contained in Pub. L. 92-544 (defining the population, defining the state agency responsible for conducting the fingerprint-based background check and receiving the CHRI, etc.) to allow the FBI to provide fingerprint-based access to national criminal history record check information? No. The amended language is not in compliance with Public Law 92-544. While the population being screened is defined, the language does not define the state agency responsible for conducting the background check or receiving/reviewing the results. Only governmental agencies are authorized to receive FBI CHRI. Additionally, it still appears that a private entity will be conducting the background check and reviewing the results, which is strictly prohibited by Public Law 92-544. Private entities may only conduct state criminal history checks.
- Does FDLE still recommended the following language related to fees for background screening: “Fees for state and federal fingerprint processing shall be borne by the applicant. The state cost for fingerprint processing shall be as provided in s. 943.053(3)(e).”? Yes. FDLE also recommends adding the additional language in the original bill analysis, as copied below for reference, that includes language defining the state agency (i.e., “department”) responsible for conducting the background check and receiving/reviewing the results:
 - “An applicant must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing. The department shall screen the background results to determine if an applicant meets licensure requirements.”
 - Are there any other concerns contained in the bill or amendment language? The FBI will not approve access to national CHRI unless all criteria specified within Public Law 92-544 are satisfied. The following criteria are not met within the current bill or amendment language:
 - Must require the fingerprinting of applicants who are to be subjected to a national criminal history record check.
 - May not authorize receipt of the criminal history record information to a private entity.
 - Must identify the state agency responsible for conducting the criminal history record check, receiving the CHRI from the FBI, and applying the screening standards to the applicant.

Please let us know if you need anything further.

Best,

Caitlin C. Dawkins
Legislative Specialist
Florida Department of Law Enforcement
Office: (850) 410-7178
Cell: (850) 661-2642

From: Benard, Andrew <Andrew.Benard@FDVA.FL.GOV>
Sent: Wednesday, March 19, 2025 11:19 AM
To: Clark, Roy <Roy.Clark@FDVA.FL.GOV>; Obos, Jeff <Jeff.Obos@FDVA.FL.GOV>;
Asztalos, Bob <Bob.Asztalos@FDVA.FL.GOV>
Subject: RE: SB 910 and Amendment 791966

Ok, the reference to "rule 5-1(f)" in the CS is likely a typographical or referencing error.

Therefore, YES, the correct rule reference should be rule 5-1.2(f), "Trust Accounting Records and Procedures," as it:

- Specifically governs record retention.
- Matches the 6-year retention period specified in the CS.
- Aligns with the purpose of maintaining copies of documents, consistent with trust accounting procedures.

In contrast, rule 5-1.1(f) pertains to handling disputed trust property and has no bearing on record retention requirements.

The appropriate citation in the CS should be:

"...and maintain a copy of all fully executed documents for 6 years and in accordance with the requirements of rule 5-1.2(f) of the rules regulating The Florida Bar."

V/r
Andy



The Florida Senate

Committee Agenda Request

To: Senator Tom Wright, Chair
Committee on Military and Veterans Affairs, Space, and Domestic Security

Subject: Committee Agenda Request

Date: February 28, 2025

I respectfully request that **Senate Bill #910**, relating to Veterans Benefits Assistance, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, appearing to read "Jay Collins", is written over a horizontal line.

Senator Jay Collins
Florida Senate, District 14

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: CS/SB 1528

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security Committee and Senator Collins

SUBJECT: Educational Opportunities for Military Children

DATE: March 18, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Proctor	MS	Fav/CS
2.			AED	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1528 directs the Department of Education (DOE) to develop and implement a training module relating to facilitating and expediting the transfer of a K-12 student's education records from an out-of-state school. The DOE must provide the training module to each district school board to provide to each public and charter K-12 school within its district. The district school board must make the training available to employees who work directly with military students and families.

This bill may have an insignificant negative fiscal impact. See Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2025.

II. Present Situation:

Procedures for Maintenance and Transfer of Student Records

Each school principal must maintain a permanent cumulative record for each student enrolled in a public K-12 school. The record must be maintained in the form, and contain all data, required by Florida Administrative Code Rule 6A-1.0955. The cumulative record is confidential and

exempt from the provisions of public records under s. 119.07(1), F.S., and is open to inspection only as provided in ch. 1002, F.S.¹

Information contained in education records must be classified and retained as follows:

- Category A: Information for each student which must be kept current while the student is enrolled and retained permanently in the manner prescribed by s. 1001.52(2), F.S.
- Category B: Information which is subject to periodic review and elimination when the information is no longer useful in the manner prescribed by s. 1001.52(3), F.S.²

The content of Category A records, which must be maintained for each student, are as follows:

- Student's full legal name;
- Authenticated birthdate, place of birth, race, ethnicity and sex;
- Last known address of the student,
- Names of the student's parent(s) or guardian(s);
- Name and location of last school attended;
- Number of days present and absent, date enrolled and date withdrawn;
- Courses taken and record of achievement, such as grades, units, or certification of competence;
- Date of graduation or date of program completion; and
- Records of requests for access to and disclosure of personally identifiable information from the education records of the student as required by the Family Educational Rights and Privacy Act.³

The content of Category B records may include, but are not limited to:

- Health information and health care plans;
- Family background data;
- Standardized test scores;
- Educational and career plans;
- Honors and activities;
- Work experience reports;
- Teacher comments;
- Reports of student services or exceptional student staffing committees including all information required by s. 1001.42(13), F.S.;
- Discipline records;
- School Environmental Safety Incident Reports collected under s. 1006.07(9), F.S.;
- Except as provided in Subsection (6),⁴ threat assessments done by the threat assessment team pursuant to s. 1006.07(7), F.S.;

¹ Section 1003.25(1), F.S.

² Fla. Admin. Code R. 6A-1.0955 (2024).

³ *Id.*

⁴ Fla. Admin. Code R. 6A-1.0955 (2024), subsection (6) provides all reports of concerning behavior, concerning communications, or threats documented using the Florida Harm Prevention and Threat Management Instrument prescribed by Rule 6A-1.0019, F.A.C., are Category B records and shall be maintained in a student's file as long as determined useful by a threat management team, pursuant to section 1006.07(7), F.S., and Rule 6A-1.0019, F.A.C. These records include all corresponding documentation and any additional information required by the Florida Model for threat management related to the reporting, evaluation, intervention, and management of threat assessment evaluations and intervention services.

- Academic and behavioral intervention services,
- Psychological evaluations;
- Therapeutic treatment plans and therapy progress notes;
- Correspondence from community agencies or private professionals,
- Driver education certificate;
- List of schools attended;
- Written agreements of corrections, deletions or expunctions as a result of meetings or hearings to amend educational records; and
- Records designated for retention by the Florida Department of State in General Records Schedule GS7 for Public Schools Pre-K – 12, Adult and Vocational/Technical.⁵

The procedure for transferring and maintaining records of students who transfer from school to school is prescribed by rules⁶ of the State Board of Education.⁷

The transfer of education records:

- Must be made immediately upon written request of an eligible student, a parent or a receiving school. The principal or designee must transfer a copy of all Category A and Category B information and must retain a copy of Category A information; however, student records which are required for audit purposes for programs listed in s. 1010.305, F.S.,⁸ must be maintained in the district for the time period pursuant to Florida Administrative Code Rule 6A-1.0453.
- Must not be delayed for nonpayment of a fee or fine assessed by the school.
- Of students who transfer from school to school must occur within 5 school days of receipt of the request for records from the new school or district, or receipt of the identity of the new school and district of enrollment, whichever occurs first. In accordance with s. 1003.25, F.S., student records must contain verified reports of serious or recurrent behavior patterns, including all documentation and related information for reports of concerning behavior, concerning communication, or threats that are documented using any portion of the Florida Harm Prevention and Threat Management Instrument,⁹ and psychological evaluations, including therapeutic treatment plans and therapy progress notes created or maintained by district or charter school staff. All reports of concerning behavior, concerning communication, or threats must be transferred, regardless of the outcome or level of concern.¹⁰

Procedures relating to the acceptance of transfer work and credit for students must be prescribed by rule by the State Board of Education.¹¹

⁵ Fla. Admin. Code R. 6A-1.0955 (2024).

⁶ *Id.*

⁷ Section 1003.25(2), F.S.

⁸ Section 1010.305(1), F.S., provides that the Auditor General shall periodically examine the records of school districts, and other agencies as appropriate, to determine compliance with law and State Board of Education rules relating to the classification, assignment, and verification of full-time equivalent student enrollment and student transportation reported under the Florida Education Finance Program.

⁹ Fla. Admin. Code R. 6A-1.0955 (2024), *Florida Harm Prevention and Threat Management Manual*, available at <https://www.fldoe.org/core/fileparse.php/18612/urlt/Threat-Management-Manual-FINAL-1.pdf> (last visited Mar. 12, 2025).

¹⁰ Fla. Admin. Code R. 6A-1.0955 (2024).

¹¹ Section 1003.25(3), F.S.

III. Effect of Proposed Changes:

CS/SB 1528 amends s. 1003.05, F.S., to direct the DOE to develop and implement a training module relating to facilitating and expediting the transfer of a K-12 student's education records from an out-of-state school. The DOE must provide the training module to each district school board to provide to each public and charter K-12 school within its district. The district school board must make the training available to employees who work directly with military students and families.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There may be an insignificant fiscal impact related to the development and implementation by the DOE of a training module relating to facilitating and expediting the transfer of a K-12 student's education records from an out-of-state school and then making the training available to employees who work directly with military students and families.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.05 of the Florida Statutes.

IX. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Military and Veterans Affairs, Space, and Domestic Security on March 18, 2025:

- Removes the provision for future legislative review and repeal of the Interstate Compact on Educational Opportunity for Military Children.

- B. Amendments:

None.



748066

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2025	.	
	.	
	.	
	.	

The Committee on Military and Veterans Affairs, Space, and Domestic Security (Collins) recommended the following:

Senate Amendment (with title amendment)

Delete lines 20 - 26.

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

And the title is amended as follows:

Delete lines 3 - 5

and insert:

military children;

By Senator Collins

14-00440A-25

20251528__

A bill to be entitled

An act relating to the educational opportunities for military children; amending s. 1000.40, F.S.; revising the repeal date of the Interstate Compact on Educational Opportunity for Military Children; amending s. 1003.05, F.S.; requiring that strategies addressed in specified memoranda of agreement between school districts and military installations include the development and implementation of a specified training module; requiring the Department of Education to provide the training module to each district school board; requiring each district school board to provide such module to each public and charter K-12 school in its district; requiring district school boards to make certain training available to certain employees; providing an effective date.

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

Section 1. Section 1000.40, Florida Statutes, is amended to read:

1000.40 Future repeal of the Interstate Compact on Educational Opportunity for Military Children.—Sections 1000.36, 1000.361, 1000.38, and 1000.39 and this section shall stand repealed on July 1, 2028 ~~2025~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. Subsection (2) of section 1003.05, Florida Statutes, is amended to read:

1003.05 Assistance to transitioning students from military

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

14-00440A-25

20251528__

families.—

(2) The Department of Education shall facilitate the development and implementation of memoranda of agreement between school districts and military installations which address strategies for assisting students who are the children of active duty military personnel in the transition to Florida schools.

(a) The strategies developed by the department must include the development and implementation of a training module relating to facilitating and expediting the transfer of a K-12 student's education records from an out-of-state school.

(b) The department shall provide the training module required under paragraph (a) to each district school board to provide to each public and charter K-12 school within its district. The district school board shall make the training available to employees who work directly with miliary students and families.

Section 3. This act shall take effect July 1, 2025.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

3/18/25

Meeting Date

SB 1528

Bill Number or Topic

Military and Veterans Affairs, Space and Domestic Security

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Yeny Espino

Phone

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Address

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Street

Email

yeny.espino2006@icloud.com

Wimauma

City

FL

State

33598

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB1528

Bill Number or Topic

3/18/25

Meeting Date

Military and Veterans Affairs,
Space, and Domestic Security
Committee

Amendment Barcode (if applicable)

Name Olivia Mallette

Phone (813) 777-1393

Address 602, York Dale Dr
Street

Email livmallette@icloud.com

Ruskin
City

FL
State

33570
Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/18/25

Meeting Date

SB 1528

Bill Number or Topic

Military & Veterans Affairs, Space & Domestic Security

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Grace Siderio

Phone 813-763-3485

Address 13512 White Sapphire Road

Street

Email gsiderio@icloud.com

Riverview

City

FL

State

33579

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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SB 1528

Bill Number or Topic

3-18-25

Meeting Date

1/et Affairs

Committee

Amendment Barcode (if applicable)

Name

Tony Pirotta

Phone

813-526-6147

Address

9623 Channing Hill Dr.

Email

TJPirotta@HGPS.net

Street

Sun City Center

City

State

FL 33573

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Meeting Date

3/18/25

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

SB 1528

Amendment Barcode (if applicable)

Military + Veterans Affairs, Space,
+ Domestic Security Committee

Name

Patthi Rendon

Phone

727-580-7147

Address

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Email

Patricia.rendon@heps.net

Street

Valrico FL

State

33596

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
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(travel, meals, lodging, etc.),
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This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

Committee Agenda Request

To: Senator Tom Wright, Chair
Committee on Military and Veterans Affairs, Space, and Domestic Security

Subject: Committee Agenda Request

Date: March 14, 2025

I respectfully request that **Senate Bill #1528**, relating to Educational Opportunities for Military Children, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, appearing to read "Jay Collins", is written over a horizontal line.

Senator Jay Collins
Florida Senate, District 14

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SB 1464

INTRODUCER: Senator Wright

SUBJECT: Veterans' Assistance

DATE: March 18, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Proctor	MS	Favorable
2.			AHS	
3.			FP	

I. Summary:

SB 1464 enhances and expands the current role of the Florida Department of Veterans' Affairs (department) in conducting outreach of services and benefits for veterans and their families or survivors. The bill requires the department, subject to a \$500,000 annual appropriation, to expand its Internet-based, mobile application, print, social media, and in-person outreach programs for the purpose of connecting veterans and their families or survivors with earned services, benefits, and support beyond existing efforts.

The department must annually host at least two public events to disseminate information on benefits and services to in-person and virtual attendees. Information disseminated must include, but is not limited to, educational, medical, insurance, and disability benefits.

The bill requires the department to annually submit a report to the Governor, President of the Senate, and the Speaker of the House of Representatives. The report must include the number of public events hosted by the department, the number of attendees at each event, and other information the department deems necessary.

The bill is subject to an appropriation and therefore has no fiscal impact on state expenditures. See Section V. Fiscal Impact Statement.

The bill takes effect on July 1, 2025.

II. Present Situation:

Veterans in Florida

Other than California and Texas, Florida has the third largest population of veterans.¹ More than 1.4 million veterans reside in the state, that is 12 percent of the state's population of adults aged 18 and over.² Additionally, Florida has the second largest population of veterans who are women, at more than 168,000. Women veterans are one of the fastest growing among the veterans' population.³

State Benefits for Veterans

In addition to federal benefits, veterans in the state have available a multitude of benefits.

The department educates and provides assistance to veterans on accessing services and benefits in housing, health care, disability claims, education, burial benefits, and employment including veterans' preference.⁴

The department also annually produces the Florida Veterans' Benefits Guide that helps connect veterans and their families with earned federal and state benefits, services, and support. It also contains useful phone numbers and website addresses to provide additional information to veterans, and a comprehensive listing of current services and benefits available to veterans in the state.⁵

Florida Department of Veterans' Affairs

The department has a key role in the connection of veterans and their families with earned benefits, services, and support, and has an outreach, marketing and branding campaign currently underway to make those connections. The department campaign employs social media in its messaging through Twitter (now "X"), Facebook, and LinkedIn, in addition to the department website FloridaVets.org, a department mobile application, a YouTube Channel with department public service announcements, and the annual benefits guide.⁶

III. Effect of Proposed Changes:

The bill creates s. 295.235, F.S., to require the department, subject to an annual appropriation of \$500,000 by the Legislature, to enhance and expand its Internet-based, mobile application, print,

¹ Department of Veterans' Affairs, *Our Veterans*, available at <https://www.floridavets.org/our-veterans/> (last visited March 11, 2025).

² *Id.*

³ Department of Veterans' Affairs, *Women Veterans*, available at <https://floridavets.org/our-veterans/women-veterans/> (last visited March 11, 2025).

⁴ Department of Veterans' Affairs, *Benefits & Services*, available at <https://www.floridavets.org/benefits-services/> (last visited March 11, 2025).

⁵ Department of Veterans' Affairs, *Florida Veterans' Benefits Guide*, available at <https://floridavets.org/resources/va-benefits-guide/> (last visited March 11, 2025).

⁶ *Id.*

social media, and in-person outreach programs for the purpose of connecting veterans and their families or survivors with earned services, benefits, and support beyond existing efforts.

The bill requires that the department use the appropriated funds to annually host at least two public events to disseminate information on benefits and services to in-person and virtual attendees. Information disseminated must include, but is not limited to, educational, medical, insurance, and disability benefits.

The bill requires the department to annually submit a report to the Governor, President of the Senate, and the Speaker of the House of Representatives. The report must include the number of public events hosted by the department, the number of attendees at each event, and other information the department deems necessary.

The bill takes effect on July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Although the bill provides an expanded role for the Florida Department of Veterans' Affairs, the role is conditioned on an annual \$500,000 appropriation by the Legislature.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 295.235 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Wright

8-01292A-25

20251464

A bill to be entitled

An act relating to veterans' assistance; creating s. 295.235, F.S.; requiring the Department of Veterans' Affairs, subject to appropriation, to expand programs connecting veterans and their families and survivors to certain services, benefits, and support; requiring the department to host public events for such purpose; requiring the department to submit an annual report to the Governor and Legislature; providing an effective date.

WHEREAS, Florida offers its population of 1.4 million veterans unique benefits, such as in-state tuition rates for veterans and their families using the Post-9/11 GI Bill, several layers of property tax exemptions, and expanded veterans' preference, including extensive benefits and licensure and fee waivers, for many activities and occupations, and

WHEREAS, veterans' benefits and services provided by the State of Florida are meant to complement and augment available federal programs to avoid duplication of effort and unnecessary state expense for a federally funded service or benefit, and

WHEREAS, with only 749,000 Florida veterans enrolled in earned health care services from the United States Department of Veterans Affairs, hundreds of thousands of the state's veterans and their families are not taking advantage of earned federal, state, and local services, benefits, and support, and

WHEREAS, while Department of Veterans' Affairs veterans' claims examiners assisted more than 245,000 veterans in providing information and counsel on earned services, benefits,

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

8-01292A-25

20251464

and support by the end of fiscal year 2024, additional federal dollars for Florida veterans remain untouched due to a lack of awareness, and

WHEREAS, a corresponding increase in the quality and quantity of outreach opportunities linking veterans with earned benefits through the Department of Veterans' Affairs will not only increase the quality of life for Florida veterans and their families, but provide additional federal dollars to bolster local economies, NOW, THEREFORE,

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

Section 1. Section 295.235, Florida Statutes, is created to read:

295.235 Funds for promoting veteran assistance.—

(1) Subject to an annual appropriation of \$500,000 by the Legislature, the Department of Veterans' Affairs shall enhance and expand its Internet-based, mobile application, printed, social media, and in-person outreach programs through various means for the purpose of connecting veterans, their families, and their survivors with earned services, benefits, and support beyond existing underfunded efforts.

(2) Using appropriated funds, the department must host at least two public events each year to disseminate information to in-person and virtual attendees regarding benefits and services available to veterans, including, but not limited to, educational, medical, insurance, and disability benefits.

(3) The department must submit an annual report to the Governor, the President of the Senate, and the Speaker of the

Page 2 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

8-01292A-25

20251464

59 House of Representatives which includes the number of public
60 events hosted by the department, the number of attendees at each
61 such event, and any other information deemed necessary by the
62 department.

63 Section 2. This act shall take effect July 1, 2025.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-18-25

Meeting Date

1464

Bill Number (if applicable)

Topic Veterans

Amendment Barcode (if applicable)

Name Matt Herndon

Job Title Dir. Gov. Relations & Community Affairs

Address 113 E College Ave
Street

Phone 941-704-2793

Tallahassee FL 32301
City State Zip

Email matt@teamra.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing United Way of Florida; United Way Miami; United Way Broward

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SB 1516

INTRODUCER: Senator Wright

SUBJECT: Aerospace Industry

DATE: March 18, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Ingram	Proctor	MS	Favorable
2. _____	_____	ATD	_____
3. _____	_____	FP	_____

I. Summary:

SB 1516 establishes the International Aerospace Innovation Fund (IAIF), administered by Space Florida, to accelerate global aerospace innovation by funding collaborative research and development projects, workforce development initiatives, and commercialization efforts. The bill requires the IAIF to develop partnerships between Florida-based aerospace companies and international companies. The IAIF will also drive innovation in critical technology areas related to aerospace and attract global investment in Florida's aerospace ecosystem. The bill also requires Space Florida to secure funding which may be received from the state, from private sector investments, or from international contributions.

The bill requires Space Florida to develop eligibility criteria for projects to be funded by the IAIF. At a minimum, a project must:

- Involve at least one aerospace company or organization that is based in this state;
- Be a partnership involving an international aerospace company, a university, a space agency, or a research institute; and
- Be intended, and have demonstrated potential, for commercialization.

Space Florida is required to establish a panel of experts to evaluate and recommend projects seeking funding and to establish an application process for the projects. Funding must be competitively awarded based on merit. Space Florida is required to identify and establish partnerships with countries with robust aerospace sectors. The bill authorizes Space Florida to negotiate and enter into bilateral agreements for the purposes of the IAIF.

The bill may have an indeterminate fiscal impact. *See* Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2025.

II. Present Situation:

Space Florida

In 2006, the Legislature passed the Space Florida Act,¹ which consolidated Florida's three existing space entities, the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation, into a single entity called Space Florida.² Space Florida is established as an independent special district, a body politic and corporate, and a subdivision of the state, to foster the growth and development of a sustainable and world-leading aerospace³ industry in the state. Space Florida has all the powers, rights, privileges, and authority as provided under the laws of this state⁴, and receives state funding through contracts with the Florida Department of Commerce (FDC) and the Florida Department of Transportation (DOT).⁵

Space Florida acts as Florida's point of contact for state aerospace-related activities with federal agencies, the military, state agencies, businesses, and the private sector.⁶ Space Florida is authorized to purchase or construct facilities, set rates, fees, and charges for the use of facilities, and undertake joint financing with municipalities or private sector entities for any project.⁷ A project is:

- Any activity associated with any development, improvement, property, launch, utility, facility, system, works, road, sidewalk, enterprise, service, or convenience, which may include coordination with federal and state partners or agencies;
- Any rocket, capsule, module, launch facility, assembly facility, operations or control facility, tracking facility, administrative facility, or any other type of aerospace-related transportation vehicle, station, or facility;
- Any type of equipment or instrument to be used or useful in connection with any of the foregoing;
- Any type of intellectual property and intellectual property protection in connection with any of the foregoing including, without limitation, any patent, copyright, trademark, and service mark for, among other things, computer software;
- Any water, wastewater, gas, or electric utility system, plant, or distribution or collection system;
- Any small business incubator initiative, including any startup aerospace company, and any aerospace business proposing to expand or locate its business in this state, research and development company, research and development facility, education and workforce training facility, storage facility, and consulting service; or

¹ Chapter 2006-60, Laws of Fla.

² See ss. 331.301 through 331.371, F.S.

³ Section 331.303, F.S., defines "aerospace" as the technology and industry related to the design, manufacture, maintenance, repair, and operation of aircraft or any other device intended to be used or designed for flight or reentry, including rockets, missiles, spacecraft, satellites, space vehicles, space stations, space and aircraft facilities or components thereof, and related equipment, systems, facilities, simulators, programs, and activities, including, but not limited to, the application of aerospace and aviation technologies in air-based, land-based, space-based, and sea-based platforms for commercial, civil, and defense purposes.

⁴ Section 331.302, F.S.

⁵ Florida Accountability Contract Tracking System, Contracts Main Search, Vendor/Grantor Name - Space Florida, *available at* <https://facts.fldfs.com/Search/ContractSearch.aspx> (last visited Mar. 10, 2025).

⁶ Section 331.3011, F.S.

⁷ Section 331.305, F.S.

- Any tourism initiative, including any space experience attraction, microgravity flight program, aerospace launch-related activity, and space museum sponsored or promoted by Space Florida.⁸

According to Space Florida's 2024 Annual Operations Report, as of June 30, 2024, Space Florida had 161 total projects in development with an estimated value of \$5.6 billion in capital investment, and provided \$101.9 million in funding for 30 research projects, partnerships, and grants.⁹

Powers of Space Florida

In furtherance of its duties, Space Florida is given certain powers, including, but not limited to:¹⁰

- Using a corporate seal;
- Using patents, copyrights, and trademarks;
- Lending and investing money;
- Acquiring certain properties;
- Executing contracts;
- Issuing revenue bonds;
- Making expenditures for entertainment and travel expenses and business clients, guests, and other authorized persons; and
- Fixing and collecting fees, loan payments, rental payments, and other charges in connection with financing agreements.

Duties of Space Florida

In order to implement the Space Florida Act and carry out spaceport operations, Space Florida is given certain duties, including, but not limited to, creating a business plan, entering into agreements and cooperating with other state agencies, and consulting with appropriate federal agencies.¹¹

Specifically, Space Florida is required to:

- Enter into agreement with the Department of Education (DOE), the DOT, the FDC, and CareerSource Florida, Inc. (CSF).¹²
- In cooperation with the FDC, develop a plan to retain, expand, attract, and create aerospace industry entities, public or private, which results in the creation of high-value-added businesses and jobs in this state.¹³
- Develop, in cooperation with the FDC, a plan to provide financing assistance to aerospace businesses.¹⁴

⁸ Section 331.303(14), F.S.

⁹ Space Florida, *Space Florida Annual Report 2024*, available https://cdn.prod.website-files.com/66c8a3fe36eef11411f2b1ef/674749d0769077b041d100ff_Annual-Report-2024-Final_compressed.pdf (last visited Mar. 10, 2025).

¹⁰ Section 331.305, F.S.

¹¹ Section 331.3051, F.S.

¹² Section 331.3051(2), F.S.

¹³ Section 331.3051(3), F.S.

¹⁴ Section 331.3051(6), F.S.

- Carry out its responsibilities for spaceport operations by:¹⁵
 - Seeking federal support and developing partnerships to renew and upgrade the infrastructure and technologies at the Cape Canaveral Air Force Station, the John F. Kennedy Space Center, and the Eastern Range.
 - Supporting federal efforts to clarify roles and responsibilities of federal agencies in an effort to streamline access for commercial launch users.
 - Pursuing the development of commercial spaceports in the state in partnership with counties or municipalities, the Federal Government, or private entities.
 - Promoting and facilitating launch activity within the state by supporting and assisting commercial launch operators' interactions with federal agencies for launching from Florida.
 - Consulting, as necessary, with the appropriate federal, state, and local authorities, including the National Aeronautics and Space Administration (NASA), Federal Aviation Administration (FAA), Department of Defense, the DOT, Florida National Guard, and industry on establishing and operating spaceport infrastructure and facilities in the state.

In 2023, the Legislature expanded those duties by requiring Space Florida to conduct the following collaborative measures:

- Solicit input regularly on Space Florida plans and activities from the aerospace industry, private sector spaceport territory stakeholders, each entity that owns or has ownership interest in a facility within spaceport territory, and other political subdivisions within spaceport territory.
- Partner with the Board of Governors to foster technological advancement and economic development for spaceport activities by strengthening higher education programs and supporting aerospace activities.
- Partner with the FDC's Division of Workforce Services, CSF, and local workforce development boards to support initiatives that address the high technology skills and staff resources needed to better promote the state's efforts in becoming the nation's leader in aerospace and space exploration.
- Partner with the Metropolitan Planning Organization Advisory Council to coordinate and specify how aerospace planning and programming will be part of the state's cooperative transportation planning process.¹⁶

Contracts, Grants, and Contributions

Space Florida is authorized to:

- Make and enter all contracts and agreements necessary or incidental to the performance of its functions and execution of its powers.
- Contract with, and accept and receive grants or loans of money, material, or property from, any person, private or public as the Space Florida Board determines necessary or desirable to carry out the purposes of the Space Florida Act.
- In connection with any such contract, grant, or loan, stipulate and agree to such covenants, terms, and conditions as the Space Florida board of directors deems appropriate.¹⁷

¹⁵ Section 331.3051(7), F.S.

¹⁶ Ch. 2023-200, s. 5 Laws of Fla. Section 331.3051(11), (12), (13), and (14), F.S.

¹⁷ Section 331.324, F.S.

Board of Directors

Under general law, Space Florida is governed by an independent board of directors (Space Florida Board), which consists of the Governor, or the Governor's designee, who is a voting member and serves as the chair and the following appointed members:¹⁸

- The Secretary of Transportation or his or her designee.
- Five members appointed by the Governor and subject to Senate confirmation.¹⁹
- One member appointed by the President of the Senate.²⁰
- One member appointed by the Speaker of the House of Representatives.²¹
- A representative of each of the following entities, appointed by the Governor, who shall serve as an ex officio, nonvoting member of the board:
 - An employee or official of a port district or port authority.²²
 - The Titusville-Cocoa Airport Authority.
 - The Jacksonville Aviation Authority.²³

The duties of the Space Florida Board include:

- Adopting rules and orders to conduct the business of Space Florida, the maintenance of records, and the form of all documents and records of Space Florida.
- Maintaining an executive office and Space Florida offices in close proximity to the John F. Kennedy Space Center.
- Appointing a president of Space Florida, and determining his or her title, functions, duties, powers, and salary.
- Abiding by all applicable federal labor laws in the construction and day-to-day operations of Space Florida and any spaceport.
- Preparing the annual report of operations as a supplement to its annual report, which is also required by law.²⁴

The Space Florida Board is authorized to exercise the following powers:

- Enter, and authorize any agent or employee of Space Florida to enter, upon any lands, waters, and premises, upon giving reasonable notice and due process to the land owner, for the purposes of making surveys, soundings, drillings, appraisals, and examinations necessary to perform its duties and functions.

¹⁸ Section 331.3081(1), F.S.

¹⁹ Section 331.3081(1)(b), F.S. specifies that the five members must each reflect the state's interests in the aerospace sector and represent the intent, duties, and purpose of Space Florida or have at least 5 years of relevant experience at least one of the following areas: The aerospace industry, such member may not be currently employed by an entity that is under contract with Space Florida; bond financing; academic experience in aerospace, aviation, or a relevant science; or an aircraft facilities manager, a fixed-based operator, or a commercial airport operator.

²⁰ The appointed member must have at least 5 years of experience as provided in s. 331.3081(1)(b), F.S.

²¹ *Id.*

²² Section 315.02(2), F.S., defines "port authority" to mean any port authority in Florida created by or pursuant to the provisions of any general or special law or any district or board of county commissioners acting as a port authority under or pursuant to the provisions of any general or special law.

²³ Section 331.3081(1), F.S.

²⁴ Section 331.310(2), F.S.

- Execute all contracts and other documents, adopt all proceedings, and perform all acts determined by the Space Florida Board to be necessary or desirable to carry out the purposes of the Space Florida Act.
- Establish and create such departments, committees, or other entities as from time to time the Space Florida Board deems necessary or desirable in the performance of any acts or other things necessary to the exercise of the powers provided in statute.
- Provide financial services to support aerospace-related business development within the state. Financial services may include, but are not limited to:
 - Insuring, coinsuring, or originating for sale direct aerospace-related loans.
 - Direct lending.
 - Guaranteeing and collateralizing loans.
 - Creating accounts.
 - Capitalizing, underwriting, leasing, selling, or securing funding for aerospace-related infrastructure.
 - Investing in permissible securities.
 - Organizing financial institutions and international bank syndicates.
 - Acquiring, accepting, or administering grants, contracts, and fees from other organizations to perform activities that are consistent with the purposes of Space Florida's business plan. If the Space Florida Board deems a financial services entity is necessary, the Space Florida Board may create, form, or contract with one or more such entities.
- Examine, and authorize any officer or agent of Space Florida to examine, the county tax rolls with respect to the assessed valuation of the real and personal property within any spaceport territory.
- Engage in the planning and implementation of space-related economic and educational development within the state.
- Provide the strategic direction for the aerospace-related research priorities of the state and its aerospace-related businesses.
- Execute intergovernmental agreements and development agreements consistent with prevailing statutory provisions, including, but not limited to, special benefits or tax increment financing initiatives.
- Establish reserve funds for future Space Florida Board operations.
- Adopt rules to carry out the purposes of the Space Florida Act.²⁵

Florida Opportunity Fund

In 2007 the Legislature passed the Capital Formation Act (Act),²⁶ a multi-faceted approach to nurturing entrepreneurs and emerging companies in the state, with the intent to mobilize private investment in a broad variety of partnerships in diversified industries and geographies.²⁷ One component of the Act was the creation of the Florida Opportunity Fund as an investor in seed and early stage businesses, infrastructure projects, venture capital funds, and angel funds.²⁸ Designed to mobilize investment in a broad variety of Florida-based, new technology companies

²⁵ Section 331.310(1), F.S. Sections 288.9621-288.96255, F.S.

²⁶ Chapter 2007-189, Laws of Fla.

²⁷ Section 288.9622, F.S.

²⁸ *Id.*

and to generate a return sufficient to continue reinvestment, the Florida Opportunity Fund, the private, not-for profit corporation, is required to:

- Invest in certain seed and early stage venture capital funds. The fund also may make direct investments, including loans, in individual businesses and infrastructure projects. While not precluded from investing in venture capital funds that have investments outside this state, the fund must require a venture capital fund to show a record of successful investment in this state, to be based in this state, or to have an office in this state staffed with a full-time, professional venture investment executive in order to be eligible for investment.
- Negotiate for investment capital or loan proceeds from private, institutional, or banking sources.
- Negotiate any and all terms and conditions for its investments.
- Invest only in funds, businesses, and infrastructure projects that have raised capital from other sources so that the amount invested in such funds, businesses, or infrastructure projects is at least twice the amount invested by the fund. Direct investments must be made in Florida infrastructure projects or businesses that are Florida-based or have significant business activities in Florida and operate in technology sectors that are strategic to Florida, including, but not limited to, enterprises in life sciences, information technology, advanced manufacturing processes, aviation and aerospace, and homeland security and defense, as well as other strategic technologies.
- Form or operate other entities and accept additional funds from other public and private sources to further its purpose.²⁹

III. Effect of Proposed Changes:

The bill amends s. 331.3051, F.S., revising Space Florida's duties to include administering the International Aerospace Innovation Fund (IAIF).

The bill also amends s. 331.310, F.S., conforming a cross-reference to incorporate Space Florida's duty to administer the IAIF.

The bill creates s. 331.372, F.S., establishing the IAIF, administered by Space Florida, to accelerate global aerospace innovation by funding collaborative research and development projects, workforce development initiatives, and commercialization efforts.

As part of funding such projects, initiatives, and commercialization efforts, the IAIF will develop partnerships between Florida-based aerospace companies and international aerospace companies, drive innovation in critical technology areas related to aerospace, including, but not limited to, space exploration, advanced manufacturing, and space infrastructure, and attract global investment in this state's aerospace ecosystem.

Space Florida is required to secure funding for the IAIF, which may be received from:

- The state, in the form of direct appropriations to Space Florida for purposes of the International Aerospace Innovation Fund, investment by the Florida Opportunity Fund,³⁰ and any other investment, loan, or grant funds for which projects of the IAIF qualify.

²⁹ Sections 288.9622 and 288.9624, F.S.

³⁰ Section 288.9624, F.S.

- Private sector investments. Space Florida may solicit matching funds from and partner with private aerospace companies and venture capital funds.
- International contributions. To the extent permitted under state law, Space Florida may collaborate with foreign industry development organizations or innovation authorities to co-fund IAIF projects.

The bill requires Space Florida to establish an application process for projects seeking funding from the IAIF and develop eligibility criteria for projects that may be funded by the IAIF. Space Florida must also establish a panel of aerospace experts to evaluate and recommend projects.

The eligibility criteria for projects must include, but are not limited to, all of the following:

- The project must involve at least one aerospace company or organization that is based in this state.
- The project must be a partnership that involves at least one of the following:
 - An international aerospace company.
 - A university.
 - A space agency.
 - A research institute.
- The project must be intended, and have demonstrated potential, for commercialization.

Funding by the IAIF must be competitively awarded to eligible projects based on merit.

In addition, the bill requires Space Florida to identify and establish partnerships, to the extent possible, with countries that have robust aerospace sectors.

The bill authorizes Space Florida to negotiate and enter into bilateral agreements for the purposes of the IAIF, which may include, but are not limited to, the establishment of co-funding commitments, intellectual property rights, and collaboration terms.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Funding for the IAIF may be derived from private sector investments and international contributions, as secured by Space Florida. The impact on the private sector is indeterminate. However, the bill may have a positive impact on funding for Florida aerospace companies or organizations, since the bill requires that a project must involve at least one aerospace company or organization that is based in this state.

C. Government Sector Impact:

Funding for the IAIF from the state, as secured by Space Florida, may be in the form of direct appropriation for the purposes of the IAIF, investment by the Florida Opportunity Fund, and other investment, loan, or grant funds for which the IAIF projects qualify. Therefore, the bill may have an indeterminate fiscal impact.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 331.3051 and 331.310.

This bill creates section 331.372 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Wright

8-01510A-25

20251516__

1 A bill to be entitled
 2 An act relating to the aerospace industry; amending s.
 3 331.3051, F.S.; requiring Space Florida to administer
 4 the International Aerospace Innovation Fund; amending
 5 s. 331.310, F.S.; conforming a cross-reference;
 6 creating s. 331.372, F.S.; establishing the
 7 International Aerospace Innovation Fund; providing the
 8 purpose and duties of the fund; requiring Space
 9 Florida to secure funding from certain sources;
 10 requiring Space Florida to develop certain eligibility
 11 criteria; providing requirements for such eligibility
 12 criteria; requiring that funding be awarded in a
 13 certain manner; requiring Space Florida to establish a
 14 certain panel; requiring Space Florida to establish an
 15 application process for projects seeking funding from
 16 the fund; requiring Space Florida to identify and
 17 establish certain partnerships; authorizing Space
 18 Florida to negotiate and enter into bilateral
 19 agreements for certain purposes; providing an
 20 effective date.
 21
 22 Be It Enacted by the Legislature of the State of Florida:
 23
 24 Section 1. Present subsections (15) and (16) of section
 25 331.3051, Florida Statutes, are redesignated as subsections (16)
 26 and (17), respectively, and a new subsection (15) is added to
 27 that section, to read:
 28 331.3051 Duties of Space Florida.—Space Florida shall:
 29 (15) Administer the International Aerospace Innovation Fund

Page 1 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

8-01510A-25

20251516__

30 established under s. 331.372.
 31 Section 2. Paragraph (e) of subsection (2) of section
 32 331.310, Florida Statutes, is amended to read:
 33 331.310 Powers and duties of the board of directors.—
 34 (2) The board of directors shall:
 35 (e) Prepare an annual report of operations as a supplement
 36 to the annual report required under s. 331.3051(17) ~~or~~
 37 ~~331.3051(16)~~. The report must include, but not be limited to, a
 38 balance sheet, an income statement, a statement of changes in
 39 financial position, a reconciliation of changes in equity
 40 accounts, a summary of significant accounting principles, the
 41 auditor's report, a summary of the status of existing and
 42 proposed bonding projects, comments from management about the
 43 year's business, and prospects for the next year.
 44 Section 3. Section 331.372, Florida Statutes, is created to
 45 read:
 46 331.372 International Aerospace Innovation Fund.—
 47 (1) The International Aerospace Innovation Fund is
 48 established to accelerate global aerospace innovation by funding
 49 collaborative research and development projects, workforce
 50 development initiatives, and commercialization efforts. The
 51 International Aerospace Innovation Fund shall be administered by
 52 Space Florida.
 53 (2) The International Aerospace Innovation Fund shall:
 54 (a) Develop partnerships between Florida-based aerospace
 55 companies and international aerospace companies.
 56 (b) Drive innovation in critical technology areas related
 57 to aerospace as defined in s. 331.303, including, but not
 58 limited to, space exploration, advanced manufacturing, and space

Page 2 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

8-01510A-25

20251516__

59 infrastructure.

60 (c) Attract global investment in this state's aerospace
61 ecosystem.

62 (3) Space Florida shall secure funding for the
63 International Aerospace Innovation Fund. Funding may be received
64 from:

65 (a) The state, in the form of direct appropriations to
66 Space Florida for purposes of the International Aerospace
67 Innovation Fund, investment by the Florida Opportunity Fund, and
68 any other investment, loan, or grant funds for which projects of
69 the International Aerospace Innovation Fund qualify.

70 (b) Private sector investments. Space Florida may solicit
71 matching funds from and partner with private aerospace companies
72 and venture capital funds.

73 (c) International contributions. To the extent permitted
74 under state law, Space Florida may collaborate with foreign
75 industry development organizations or innovation authorities to
76 co-fund International Aerospace Innovation Fund projects.

77 (4)(a) Space Florida shall develop eligibility criteria for
78 projects that may be funded by the International Aerospace
79 Innovation Fund. The eligibility criteria must include, but are
80 not limited to, all of the following:

81 1. The project must involve at least one aerospace company
82 or organization that is based in this state.

83 2. The project must be a partnership that involves at least
84 one of the following:

85 a. An international aerospace company.

86 b. A university.

87 c. A space agency.

8-01510A-25

20251516__

88 d. A research institute.

89 3. The project must be intended, and have demonstrated
90 potential, for commercialization.

91 (b) Funding must be competitively awarded to eligible
92 projects based on merit. Space Florida shall establish a panel
93 of aerospace experts to evaluate and recommend projects.

94 (c) Space Florida shall establish an application process
95 for projects seeking funding by the International Aerospace
96 Innovation Fund.

97 (5) Space Florida shall identify and establish
98 partnerships, to the extent possible, with countries that have
99 robust aerospace sectors.

100 (6) Space Florida may negotiate and enter into bilateral
101 agreements for the purposes of this section, which may include,
102 but are not limited to, the establishment of co-funding
103 commitments, intellectual property rights, and collaboration
104 terms.

105 Section 4. This act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

3/18/25

Meeting Date

SB1514

Bill Number or Topic

military & Veterans' Affairs

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Carolyn Johnson

Phone 521-1200

Address 134 S Bronough St

Street

Email cjohnson@flchamber.com

Tallahassee FL

City

State

32301

Zip

Speaking:

☒ For

☐ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

FL Chamber of Commerce.

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3-18-25

Meeting Date

The Florida Senate
APPEARANCE RECORD

1516

Bill Number or Topic

Military & Vet Affairs

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Lindsay Pierce

Phone

334-268-8282

Address

113 E. College Ave

Email

lpierce@spaceflorida.gov

Street

TLH

City

FL

State

32301

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Space Florida

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Agriculture, *Chair*
Appropriations Committee on Agriculture, Environment,
and General Government
Appropriations Committee on Transportation,
Tourism, and Economic Development
Banking and Insurance
Fiscal Policy
Military and Veterans Affairs, Space, and
Domestic Security
Transportation

SENATOR KEITH TRUENOW

13th District

March 18, 2025

The Honorable Tom Wright
412 Senate Office Building
Tallahassee, FL 32399

Dear Chairman Wright,

I would like to be excused from the Military and Veterans Affairs, Space, and Domestic Security Committee meeting today, as I was in the Criminal Justice Committee meeting presenting a bill.

I appreciate your favorable consideration.

Sincerely,

A handwritten signature in blue ink that reads "Keith Truenow".

Senator Keith Truenow
Senate District 13

KT/dd

cc: Tim Proctor, Staff Director
Lois Graham, Administrative Assistant

REPLY TO:

- ☐ Lake County Agricultural Center, 1951 Woodlea Road, Tavares, Florida 32778 (352) 750-3133
- ☐ 16207 State Road 50, Suite 401, Clermont, Florida 34711
- ☐ 304 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5013

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

CourtSmart Tag Report

Room: SB 301

Case No.:

Type:

Caption: Senate Military and Veterans Affairs, Space, and Domestic Security

Judge:

Started: 3/18/2025 3:33:16 PM

Ends: 3/18/2025 4:15:37 PM **Length:** 00:42:22

3:33:15 PM Chair Wright calls meeting to order
3:33:19 PM Roll call
3:33:37 PM Quorum announced
3:33:47 PM Pledge of Allegiance led by Senator Burgess
3:34:10 PM Chair with opening comments
3:34:37 PM Tab 1 SB 684 Credit for Military Service by Senator Avila
3:34:41 PM Senator Avila
3:36:00 PM Appearance Forms
3:36:08 PM Benjamin Caldas, Miami-Dade Fire Local 1403
3:37:39 PM Elio Perez, Miami-Dade Fire Local 1403
3:40:38 PM Walter Price, Pasco Fire Local 4420
3:41:40 PM Matt Herndon, United Way Miami
3:41:55 PM Senator Collins
3:42:24 PM Senator Burgess
3:42:52 PM Senator Sharief
3:43:17 PM Senator Jones
3:43:33 PM Chair Wright
3:43:43 PM Senator Avila
3:45:10 PM Roll call
3:46:10 PM SB 684 is reported favorably
3:46:24 PM Tab 3 SB 1528 Educational Opportunities for Military Children by Senator Collins
3:46:42 PM Senator Collins
3:47:57 PM Amendment Barcode 748066
3:48:23 PM Senator Collins
3:49:04 PM Amendment is adopted
3:49:14 PM Back on the Bill
3:49:20 PM Appearance Forms
3:49:30 PM Yeny Espino, Olivia Mallette, Grace Siderio - students
3:52:08 PM Senator Sharief
3:53:36 PM Senator Burgess
3:54:19 PM Senator Jones
3:54:57 PM Chair Wright
3:55:01 PM Tony Pirotta
3:55:11 PM Patti Rendon
3:56:23 PM Senator Sharief
3:57:06 PM Senator Collins
3:57:31 PM Roll call
3:58:28 PM CS/SB 1528 is reported favorably
3:58:39 PM Tab 2 SB 910 Veterans' Benefits Assistance by Senator Collins
3:58:52 PM Senator Collins
3:59:17 PM Substitute Amendment Barcode 261132
3:59:18 PM Senator Collins

4:01:14 PM Chair Wright on Barcode# 791966
4:01:16 PM Senator Collins explains the difference in amendments
4:01:52 PM Substitute Amendment is adopted
4:02:05 PM Back on the Bill
4:02:12 PM Appearance Form
4:02:18 PM Karen Murillo, AARP
4:02:24 PM Ray Colas, Veteran Benefits Guide
4:02:33 PM Senator Burgess
4:03:23 PM Chair Wright
4:03:54 PM Senator Collins
4:07:36 PM Roll call
4:08:35 PM CS/SB 910 is reported favorably
4:08:48 PM Chair to Vice-Chair
4:08:56 PM Chair Collins
4:08:59 PM Tab 4 SB 1464 Veterans' Assistance by Senator Wright
4:09:03 PM Senator Wright
4:10:26 PM Appearance Form
4:10:31 PM Matt Herndon, United Way of Florida, United Way of Miami, United Way of Broward
4:10:47 PM Senator Sharief
4:11:48 PM Chair Collins
4:11:56 PM Senator Wright
4:12:00 PM Roll Call
4:12:03 PM SB 1464 is reported favorably
4:12:15 PM Tab 5 SB 1516 Aerospace Industry by Senator Wright
4:12:29 PM Senator Wright
4:13:47 PM Appearance Forms
4:13:52 PM Lindsay Pierce, Space FL
4:13:58 PM Carolyn Johnson, FL Chamber of Commerce
4:14:14 PM Senator Wright
4:14:18 PM Roll call
4:14:49 PM SB 1516 is reported favorably
4:15:12 PM Senator Burgess moves to adjourn
4:15:23 PM Meeting adjourned