

1                                   A bill to be entitled  
 2       An act relating to public assistance; amending ss. 97.021,  
 3       163.2523, 163.456, 220.187, 288.9618, 341.041, 379.353,  
 4       402.33, 409.2554, 409.2576, 409.903, 409.942, 411.0101,  
 5       414.0252, 414.065, 414.0655, 414.075, 414.085, 414.095,  
 6       414.14, 414.16, 414.17, 414.175, 414.31, 414.32, 414.33,  
 7       414.34, 414.35, 414.36, 414.39, 414.41, 414.45, 420.624,  
 8       430.2053, 445.004, 445.009, 445.024, 445.026, 445.048,  
 9       718.115, 817.568, 921.0022, and 943.401, F.S.; revising  
 10      terminology relating to the food stamp program and the  
 11      WAGES Program to conform to current federal law; providing  
 12      an effective date.

13  
 14   Be It Enacted by the Legislature of the State of Florida:

15  
 16           Section 1. Subsection (29) of section 97.021, Florida  
 17   Statutes, is amended to read:

18           97.021 Definitions.—For the purposes of this code, except  
 19   where the context clearly indicates otherwise, the term:

20           (29) "Public assistance" means assistance provided through  
 21   the food assistance ~~stamp~~ program under the federal Supplemental  
 22   Nutrition Assistance Program; the Medicaid program; the Special  
 23   Supplemental Food Program for Women, Infants, and Children; and  
 24   the Temporary Cash Assistance ~~WAGES~~ Program.

25           Section 2. Section 163.2523, Florida Statutes, is amended  
 26   to read:

27           163.2523 Grant program.—An Urban Infill and Redevelopment  
 28   Assistance Grant Program is created for local governments. A

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29 | local government may allocate grant money to special districts,  
30 | including community redevelopment agencies, and nonprofit  
31 | community development organizations to implement projects  
32 | consistent with an adopted urban infill and redevelopment plan  
33 | or plan employed in lieu thereof. Thirty percent of the general  
34 | revenue appropriated for this program shall be available for  
35 | planning grants to be used by local governments for the  
36 | development of an urban infill and redevelopment plan, including  
37 | community participation processes for the plan. Sixty percent of  
38 | the general revenue appropriated for this program shall be  
39 | available for fifty/fifty matching grants for implementing urban  
40 | infill and redevelopment projects that further the objectives  
41 | set forth in the local government's adopted urban infill and  
42 | redevelopment plan or plan employed in lieu thereof. The  
43 | remaining 10 percent of the revenue must be used for outright  
44 | grants for implementing projects requiring an expenditure of  
45 | under \$50,000. If the volume of fundable applications under any  
46 | of the allocations specified in this section does not fully  
47 | obligate the amount of the allocation, the Department of  
48 | Community Affairs may transfer the unused balance to the  
49 | category having the highest dollar value of applications  
50 | eligible but unfunded. However, in no event may the percentage  
51 | of dollars allocated to outright grants for implementing  
52 | projects exceed 20 percent in any given fiscal year. Projects  
53 | that provide employment opportunities to clients of the  
54 | Temporary Cash Assistance ~~WAGES~~ program and projects within  
55 | urban infill and redevelopment areas that include a community  
56 | redevelopment area, Florida Main Street program, Front Porch

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

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57 Florida Community, sustainable community, enterprise zone,  
 58 federal enterprise zone, enterprise community, or neighborhood  
 59 improvement district must be given an elevated priority in the  
 60 scoring of competing grant applications. The Division of Housing  
 61 and Community Development of the Department of Community Affairs  
 62 shall administer the grant program. The Department of Community  
 63 Affairs shall adopt rules establishing grant review criteria  
 64 consistent with this section.

65 Section 3. Paragraph (c) of subsection (1) of section  
 66 163.456, Florida Statutes, is amended to read:

67 163.456 Legislative findings and intent.—

68 (1) The Legislature finds that:

69 (c) The available means of eliminating or reducing these  
 70 deteriorating economic conditions and encouraging local resident  
 71 participation and support is to provide support assistance and  
 72 resource investment to community-based development  
 73 organizations. The Legislature also finds that community-based  
 74 development organizations can contribute to the creation of jobs  
 75 in response to federal welfare reform and state Temporary Cash  
 76 Assistance ~~WAGES~~ Program legislation, and economic development  
 77 activities related to urban and rural economic initiatives.

78 Section 4. Paragraph (b) of subsection (2) of section  
 79 220.187, Florida Statutes, is amended to read:

80 220.187 Credits for contributions to nonprofit  
 81 scholarship-funding organizations.—

82 (2) DEFINITIONS.—As used in this section, the term:

83 (b) "Direct certification list" means the certified list  
 84 of children who qualify for the food assistance ~~Stamp~~ program,

85 the Temporary Assistance to Needy Families Program, or the Food  
 86 Distribution Program on Indian Reservations provided to the  
 87 Department of Education by the Department of Children and Family  
 88 Services.

89 Section 5. Paragraph (h) of subsection (1) of section  
 90 288.9618, Florida Statutes, is amended to read:

91 288.9618 Microenterprises.—

92 (1) Subject to specific appropriations in the General  
 93 Appropriations Act, the Office of Tourism, Trade, and Economic  
 94 Development may contract with some appropriate not-for-profit or  
 95 governmental organization for any action that the office deems  
 96 necessary to foster the development of microenterprises in the  
 97 state. As used within this section, microenterprises are  
 98 extremely small business enterprises which enable low and  
 99 moderate income individuals to achieve self-sufficiency through  
 100 self-employment. Microenterprise programs are those which  
 101 provide at least one of the following: small amounts of capital,  
 102 business training, and technical assistance. Where feasible, the  
 103 office or organizations under contract with the office shall  
 104 work in cooperation with other organizations active in the study  
 105 and support of microenterprises. Such actions may include, but  
 106 are not limited to:

107 (h) Coordinating with other organizations to ensure that  
 108 participants in the Temporary Cash Assistance ~~WAGES~~ Program are  
 109 given opportunities to create microenterprises.

110 Section 6. Subsection (14) of section 341.041, Florida  
 111 Statutes, is amended to read:

112 341.041 Transit responsibilities of the department.—The

113 department shall, within the resources provided pursuant to  
 114 chapter 216:

115 (14) Assist local governmental entities and other transit  
 116 operators in the planning, development, and coordination of  
 117 transit services for Temporary Cash Assistance ~~WAGES~~ Program  
 118 participants as defined in s. 414.0252.

119 Section 7. Paragraph (h) of subsection (2) of section  
 120 379.353, Florida Statutes, is amended to read:

121 379.353 Recreational licenses and permits; exemptions from  
 122 fees and requirements.—

123 (2) A hunting, freshwater fishing, or saltwater fishing  
 124 license or permit is not required for:

125 (h) Any resident saltwater fishing from land or from a  
 126 structure fixed to the land who has been determined eligible by  
 127 the Department of Children and Family Services for the food  
 128 assistance ~~stamp~~ program, temporary cash assistance, or the  
 129 Medicaid programs. A benefit issuance or program identification  
 130 card issued by the Department of Children and Family Services or  
 131 the Florida Medicaid program of the Agency for Health Care  
 132 Administration shall serve as proof of program eligibility. The  
 133 client must have in his or her possession the ID card and  
 134 positive proof of identification when fishing.

135 Section 8. Paragraph (g) of subsection (1) of section  
 136 402.33, Florida Statutes, is amended to read:

137 402.33 Department authority to charge fees for services  
 138 provided.—

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

140 (g) "State and federal aid" means cash assistance or cash

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141 equivalent benefits based on an individual's proof of financial  
 142 need, including, but not limited to, temporary cash assistance  
 143 and food assistance ~~stamps~~.

144 Section 9. Subsection (8) of section 409.2554, Florida  
 145 Statutes, is amended to read:

146 409.2554 Definitions; ss. 409.2551-409.2598.—As used in  
 147 ss. 409.2551-409.2598, the term:

148 (8) "Public assistance" means money assistance paid on the  
 149 basis of Title IV-E and Title XIX of the Social Security Act,  
 150 temporary cash assistance, or food assistance benefits ~~stamps~~  
 151 received on behalf of a child under 18 years of age who has an  
 152 absent parent.

153 Section 10. Paragraph (a) of subsection (9) of section  
 154 409.2576, Florida Statutes, is amended to read:

155 409.2576 State Directory of New Hires.—

156 (9) DISCLOSURE OF INFORMATION.—

157 (a) New hire information shall be disclosed to the state  
 158 agency administering the following programs for the purposes of  
 159 determining eligibility under those programs:

160 1. Any state program funded under part A of Title IV of  
 161 the Social Security Act;

162 2. The Medicaid program under Title XIX of the Social  
 163 Security Act;

164 3. The unemployment compensation program under s. 3304 of  
 165 the Internal Revenue Code of 1954;

166 4. The food assistance ~~stamp~~ program under the Food and  
 167 Nutrition Act of 2008 ~~Food Stamp Act of 1977~~; and

168 5. Any state program under a plan approved under Title I

169 (Old-Age Assistance for the Aged), Title X (Aid to the Blind),  
 170 Title XIV (Aid to the Permanently and Totally Disabled), or  
 171 Title XVI (Aid to the Aged, Blind, or Disabled; Supplemental  
 172 Security Income for the Aged, Blind, and Disabled) of the Social  
 173 Security Act.

174 Section 11. Subsection (3) of section 409.903, Florida  
 175 Statutes, is amended to read:

176 409.903 Mandatory payments for eligible persons.—The  
 177 agency shall make payments for medical assistance and related  
 178 services on behalf of the following persons who the department,  
 179 or the Social Security Administration by contract with the  
 180 Department of Children and Family Services, determines to be  
 181 eligible, subject to the income, assets, and categorical  
 182 eligibility tests set forth in federal and state law. Payment on  
 183 behalf of these Medicaid eligible persons is subject to the  
 184 availability of moneys and any limitations established by the  
 185 General Appropriations Act or chapter 216.

186 (3) A child under age 21 living in a low-income, two-  
 187 parent family, and a child under age 7 living with a  
 188 nonrelative, if the income and assets of the family or child, as  
 189 applicable, do not exceed the resource limits under the  
 190 Temporary Cash Assistance ~~WAGES~~ Program.

191 Section 12. Subsection (1) of section 409.942, Florida  
 192 Statutes, is amended to read:

193 409.942 Electronic benefit transfer program.—

194 (1) The Department of Children and Family Services shall  
 195 establish an electronic benefit transfer program for the  
 196 dissemination of food assistance ~~stamp~~ benefits and temporary

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197 cash assistance payments, including refugee cash assistance  
198 payments, asylum applicant payments, and child support disregard  
199 payments. If the Federal Government does not enact legislation  
200 or regulations providing for dissemination of supplemental  
201 security income by electronic benefit transfer, the state may  
202 include supplemental security income in the electronic benefit  
203 transfer program.

204 Section 13. Subsection (1) of section 411.0101, Florida  
205 Statutes, is amended to read:

206 411.0101 Child care and early childhood resource and  
207 referral.—The Agency for Workforce Innovation shall establish a  
208 statewide child care resource and referral network. Preference  
209 shall be given to using the already established early learning  
210 coalitions as the child care resource and referral agency. If an  
211 early learning coalition cannot comply with the requirements to  
212 offer the resource information component or does not want to  
213 offer that service, the early learning coalition shall select  
214 the resource information agency based upon a request for  
215 proposal pursuant to s. 411.01(5)(e)1. At least one child care  
216 resource and referral agency must be established in each early  
217 learning coalition's county or multicounty region. Child care  
218 resource and referral agencies shall provide the following  
219 services:

220 (1) Identification of existing public and private child  
221 care and early childhood education services, including child  
222 care services by public and private employers, and the  
223 development of a resource file of those services. These services  
224 may include family day care, public and private child care

225 | programs, head start, prekindergarten early intervention  
 226 | programs, special education programs for prekindergarten  
 227 | handicapped children, services for children with developmental  
 228 | disabilities, full-time and part-time programs, before-school  
 229 | and after-school programs, vacation care programs, parent  
 230 | education, the Temporary Cash Assistance ~~WAGES~~ Program, and  
 231 | related family support services. The resource file shall  
 232 | include, but not be limited to:

- 233 | (a) Type of program.
- 234 | (b) Hours of service.
- 235 | (c) Ages of children served.
- 236 | (d) Number of children served.
- 237 | (e) Significant program information.
- 238 | (f) Fees and eligibility for services.
- 239 | (g) Availability of transportation.

240 | Section 14. Subsection (10) of section 414.0252, Florida  
 241 | Statutes, is amended to read:

242 | 414.0252 Definitions.—As used in ss. 414.025-414.55, the  
 243 | term:

244 | (10) "Public assistance" means benefits paid on the basis  
 245 | of the temporary cash assistance, food assistance ~~stamp~~,  
 246 | Medicaid, or optional state supplementation program.

247 | Section 15. Subsection (1), paragraphs (a), (c), and (d)  
 248 | of subsection (2), and subsection (3) of section 414.065,  
 249 | Florida Statutes, are amended to read:

250 | 414.065 Noncompliance with work requirements.—

251 | (1) PENALTIES FOR NONPARTICIPATION IN WORK REQUIREMENTS  
 252 | AND FAILURE TO COMPLY WITH ALTERNATIVE REQUIREMENT PLANS.—The

253 department shall establish procedures for administering  
 254 penalties for nonparticipation in work requirements and failure  
 255 to comply with the alternative requirement plan. If an  
 256 individual in a family receiving temporary cash assistance fails  
 257 to engage in work activities required in accordance with s.  
 258 445.024, the following penalties shall apply. Prior to the  
 259 imposition of a sanction, the participant shall be notified  
 260 orally or in writing that the participant is subject to sanction  
 261 and that action will be taken to impose the sanction unless the  
 262 participant complies with the work activity requirements. The  
 263 participant shall be counseled as to the consequences of  
 264 noncompliance and, if appropriate, shall be referred for  
 265 services that could assist the participant to fully comply with  
 266 program requirements. If the participant has good cause for  
 267 noncompliance or demonstrates satisfactory compliance, the  
 268 sanction shall not be imposed. If the participant has  
 269 subsequently obtained employment, the participant shall be  
 270 counseled regarding the transitional benefits that may be  
 271 available and provided information about how to access such  
 272 benefits. The department shall administer sanctions related to  
 273 food assistance stamps ~~stamps~~ consistent with federal regulations.

274 (a)1. First noncompliance: temporary cash assistance shall  
 275 be terminated for the family for a minimum of 10 days or until  
 276 the individual who failed to comply does so.

277 2. Second noncompliance: temporary cash assistance shall  
 278 be terminated for the family for 1 month or until the individual  
 279 who failed to comply does so, whichever is later. Upon meeting  
 280 this requirement, temporary cash assistance shall be reinstated

281 to the date of compliance or the first day of the month  
 282 following the penalty period, whichever is later.

283 3. Third noncompliance: temporary cash assistance shall be  
 284 terminated for the family for 3 months or until the individual  
 285 who failed to comply does so, whichever is later. The individual  
 286 shall be required to comply with the required work activity upon  
 287 completion of the 3-month penalty period, before reinstatement  
 288 of temporary cash assistance. Upon meeting this requirement,  
 289 temporary cash assistance shall be reinstated to the date of  
 290 compliance or the first day of the month following the penalty  
 291 period, whichever is later.

292 (b) If a participant receiving temporary cash assistance  
 293 who is otherwise exempted from noncompliance penalties fails to  
 294 comply with the alternative requirement plan required in  
 295 accordance with this section, the penalties provided in  
 296 paragraph (a) shall apply.

297  
 298 If a participant fully complies with work activity requirements  
 299 for at least 6 months, the participant shall be reinstated as  
 300 being in full compliance with program requirements for purpose  
 301 of sanctions imposed under this section.

302 (2) CONTINUATION OF TEMPORARY CASH ASSISTANCE FOR  
 303 CHILDREN; PROTECTIVE PAYEES.—

304 (a) Upon the second or third occurrence of noncompliance,  
 305 temporary cash assistance and food assistance ~~stamps~~ for the  
 306 child or children in a family who are under age 16 may be  
 307 continued. Any such payments must be made through a protective  
 308 payee or, in the case of food assistance ~~stamps~~, through an

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309 authorized representative. Under no circumstances shall  
310 temporary cash assistance or food assistance ~~stamps~~ be paid to  
311 an individual who has failed to comply with program  
312 requirements.

313 (c) The protective payee designated by the department  
314 shall be the authorized representative for purposes of receiving  
315 food assistance ~~stamps~~ on behalf of a child or children under  
316 age 16. The authorized representative must agree in writing to  
317 use the food assistance ~~stamps~~ in the best interest of the child  
318 or children.

319 (d) If it is in the best interest of the child or  
320 children, as determined by the department, for the staff member  
321 of a private agency, a public agency, the department, or any  
322 other appropriate organization to serve as a protective payee or  
323 authorized representative, such designation may be made, except  
324 that a protective payee or authorized representative must not be  
325 any individual involved in determining eligibility for temporary  
326 cash assistance or food assistance ~~stamps~~ for the family, staff  
327 handling any fiscal processes related to issuance of temporary  
328 cash assistance or food assistance ~~stamps~~, or landlords,  
329 grocers, or vendors of goods, services, or items dealing  
330 directly with the participant.

331 (3) PROPORTIONAL REDUCTION OF TEMPORARY CASH ASSISTANCE  
332 RELATED TO PAY AFTER PERFORMANCE.—Notwithstanding the provisions  
333 of subsection (1), if an individual is receiving temporary cash  
334 assistance under a pay-after-performance arrangement and the  
335 individual participates, but fails to meet the full  
336 participation requirement, then the temporary cash assistance

337 received shall be reduced and shall be proportional to the  
 338 actual participation. Food assistance ~~stamps~~ may be included in  
 339 a pay-after-performance arrangement if permitted under federal  
 340 law.

341 Section 16. Subsection (1) of section 414.0655, Florida  
 342 Statutes, is amended to read:

343 414.0655 Medical incapacity due to substance abuse or  
 344 mental health impairment.—

345 (1) Notwithstanding the provisions of s. 414.065 to the  
 346 contrary, any participant who requires out-of-home residential  
 347 treatment for alcoholism, drug addiction, alcohol abuse, or a  
 348 mental health disorder, as certified by a physician licensed  
 349 under chapter 458 or chapter 459, shall be exempted from work  
 350 activities while participating in treatment. The participant  
 351 shall be required to comply with the course of treatment  
 352 necessary for the individual to resume work activity  
 353 participation. The treatment agency shall be required to notify  
 354 the department with an initial estimate of when the participant  
 355 will have completed the course of treatment and be ready to  
 356 resume full participation in the Temporary Cash Assistance ~~WAGES~~  
 357 Program. If the treatment will take longer than 60 days, the  
 358 treatment agency shall provide to the department the conditions  
 359 justifying extended treatment, and the department and the  
 360 treatment agency shall negotiate a continued stay in treatment  
 361 not to exceed an additional 90 days.

362 Section 17. Section 414.075, Florida Statutes, is amended  
 363 to read:

364 414.075 Resource eligibility standards.—For purposes of

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365 program simplification and effective program management, certain  
366 resource definitions, as outlined in the food assistance ~~stamp~~  
367 regulations at 7 C.F.R. s. 273.8, shall be applied to the  
368 Temporary Cash Assistance ~~WAGES~~ Program as determined by the  
369 department to be consistent with federal law regarding temporary  
370 cash assistance and Medicaid for needy families, except that:

371 (1) The maximum allowable resources, including liquid and  
372 nonliquid resources, of all members of the family may not exceed  
373 \$2,000.

374 (2) In determining the resources of a family, the  
375 following shall be excluded:

376 (a) Licensed vehicles needed for individuals subject to  
377 the work participation requirement, not to exceed a combined  
378 value of \$8,500, and needed for training, employment, or  
379 education purposes. For any family without an individual subject  
380 to the work participation requirement, one vehicle valued at not  
381 more than \$8,500 shall be excluded. Any vehicle that is  
382 necessary to transport a physically disabled family member shall  
383 be excluded. A vehicle shall be considered necessary for the  
384 transportation of a physically disabled family member if the  
385 vehicle is specially equipped to meet the specific needs of the  
386 disabled person or if the vehicle is a special type of vehicle  
387 and makes it possible to transport the disabled person.

388 (b) Funds paid to a homeless shelter which are being held  
389 for the family to enable the family to pay deposits or other  
390 costs associated with moving to a new shelter arrangement.

391 (3) A vacation home that annually produces income  
392 consistent with its fair market value, and that is excluded as a

393 resource in determining eligibility for food assistance ~~stamp~~  
 394 under federal regulations, may not be excluded as a resource in  
 395 determining a family's eligibility for temporary cash  
 396 assistance.

397 (4) An individual and the assistance group in which the  
 398 individual is a current member will be ineligible for a period  
 399 of 2 years from the original date of a transfer of an asset made  
 400 for the purpose of qualifying for or maintaining eligibility for  
 401 temporary cash assistance.

402 Section 18. Subsection (1) of section 414.085, Florida  
 403 Statutes, is amended to read:

404 414.085 Income eligibility standards.—

405 (1) For purposes of program simplification and effective  
 406 program management, certain income definitions, as outlined in  
 407 the food assistance ~~stamp~~ regulations at 7 C.F.R. s. 273.9,  
 408 shall be applied to the temporary cash assistance program as  
 409 determined by the department to be consistent with federal law  
 410 regarding temporary cash assistance and Medicaid for needy  
 411 families, except as to the following:

412 (a) Participation in the temporary cash assistance program  
 413 shall be limited to those families whose gross family income is  
 414 equal to or less than 185 percent of the federal poverty level  
 415 established in s. 673(2) of the Community Services Block Grant  
 416 Act, 42 U.S.C. s. 9901(2).

417 (b) Income security payments, including payments funded  
 418 under part B of Title IV of the Social Security Act, as amended;  
 419 supplemental security income under Title XVI of the Social  
 420 Security Act, as amended; or other income security payments as

421 defined by federal law shall be excluded as income unless  
 422 required to be included by federal law.

423 (c) The first \$50 of child support paid to a parent  
 424 receiving temporary cash assistance may not be disregarded in  
 425 calculating the amount of temporary cash assistance for the  
 426 family, unless such exclusion is required by federal law.

427 (d) An incentive payment to a participant authorized by a  
 428 regional workforce board shall not be considered income.

429 Section 19. Subsection (1), paragraphs (c) and (f) of  
 430 subsection (9), and paragraph (f) of subsection (14) of section  
 431 414.095, Florida Statutes, are amended to read:

432 414.095 Determining eligibility for temporary cash  
 433 assistance.—

434 (1) ELIGIBILITY.—An applicant must meet eligibility  
 435 requirements of this section before receiving services or  
 436 temporary cash assistance under this chapter, except that an  
 437 applicant shall be required to register for work and engage in  
 438 work activities in accordance with s. 445.024, as designated by  
 439 the regional workforce board, and may receive support services  
 440 or child care assistance in conjunction with such requirement.  
 441 The department shall make a determination of eligibility based  
 442 on the criteria listed in this chapter. The department shall  
 443 monitor continued eligibility for temporary cash assistance  
 444 through periodic reviews consistent with the food assistance  
 445 ~~stamp~~ eligibility process. Benefits shall not be denied to an  
 446 individual solely based on a felony drug conviction, unless the  
 447 conviction is for trafficking pursuant to s. 893.135. To be  
 448 eligible under this section, an individual convicted of a drug

449 felony must be satisfactorily meeting the requirements of the  
 450 temporary cash assistance program, including all substance abuse  
 451 treatment requirements. Within the limits specified in this  
 452 chapter, the state opts out of the provision of Pub. L. No. 104-  
 453 193, s. 115, that eliminates eligibility for temporary cash  
 454 assistance and food assistance ~~stamps~~ for any individual  
 455 convicted of a controlled substance felony.

456 (9) OPPORTUNITIES AND OBLIGATIONS.—An applicant for  
 457 temporary cash assistance has the following opportunities and  
 458 obligations:

459 (c) To be advised of any reduction or termination of  
 460 temporary cash assistance or food assistance ~~stamps~~.

461 (f) To use temporary cash assistance and food assistance  
 462 ~~stamps~~ for the purpose for which the assistance is intended.

463 (14) PROHIBITIONS AND RESTRICTIONS.—

464 (f) An individual who is convicted in federal or state  
 465 court of receiving benefits under this chapter, Title XIX, the  
 466 Food and Nutrition Act of 2008 ~~Food Stamp Act of 1977~~, or Title  
 467 XVI (Supplemental Security Income), in two or more states  
 468 simultaneously may not receive temporary cash assistance or  
 469 services under this chapter for 10 years following the date of  
 470 conviction.

471 Section 20. Section 414.14, Florida Statutes, is amended  
 472 to read:

473 414.14 Public assistance policy simplification.—To the  
 474 extent possible, the department shall align the requirements for  
 475 eligibility under this chapter with the food assistance ~~stamp~~  
 476 program and medical assistance eligibility policies and

477 procedures to simplify the budgeting process and reduce errors.  
 478 If the department determines that s. 414.075, relating to  
 479 resources, or s. 414.085, relating to income, is inconsistent  
 480 with related provisions of federal law which govern the food  
 481 assistance ~~stamp~~ program or medical assistance, and that  
 482 conformance to federal law would simplify administration of the  
 483 Temporary Cash Assistance ~~WAGES~~ Program or reduce errors without  
 484 materially increasing the cost of the program to the state, the  
 485 secretary of the department may propose a change in the resource  
 486 or income requirements of the program by rule. The secretary  
 487 shall provide written notice to the President of the Senate, the  
 488 Speaker of the House of Representatives, and the chairpersons of  
 489 the relevant committees of both houses of the Legislature  
 490 summarizing the proposed modifications to be made by rule and  
 491 changes necessary to conform state law to federal law. The  
 492 proposed rule shall take effect 14 days after written notice is  
 493 given unless the President of the Senate or the Speaker of the  
 494 House of Representatives advises the secretary that the proposed  
 495 rule exceeds the delegated authority of the Legislature.

496 Section 21. Paragraph (e) of subsection (3) of section  
 497 414.16, Florida Statutes, is amended to read:

498 414.16 Emergency assistance program.—

499 (3) CRITERIA.—The department shall develop criteria for  
 500 implementation of the program in accordance with the following  
 501 guidelines:

502 (e) The family's adjusted gross income may not exceed the  
 503 prevailing standard for participation in the Temporary Cash  
 504 Assistance ~~WAGES~~ Program for the family's size.

505 Section 22. Section 414.17, Florida Statutes, is amended  
 506 to read:

507 414.17 Audits.—The Temporary Cash Assistance ~~WAGES~~ Program  
 508 is subject to the audit requirements of 31 U.S.C. ss. 5701 et  
 509 seq.

510 Section 23. Subsection (2) of section 414.175, Florida  
 511 Statutes, is amended to read:

512 414.175 Review of existing waivers.—

513 (2) The department shall review federal law, including  
 514 revisions to federal food assistance program ~~stamp~~ requirements.  
 515 If the department determines that federal food assistance ~~stamp~~  
 516 waivers will further the goals of this chapter, including  
 517 simplification of program policies or program administration,  
 518 the department may obtain waivers if this can be accomplished  
 519 within available resources.

520 Section 24. Section 414.31, Florida Statutes, is amended  
 521 to read:

522 414.31 State agency for administering federal food  
 523 assistance ~~stamp~~ program.—

524 (1) The department shall place into operation in each of  
 525 the several counties of the state a food assistance ~~stamp~~  
 526 program as authorized by the Congress of the United States. The  
 527 department is designated as the state agency responsible for the  
 528 administration and operation of such programs.

529 (2) The department shall provide for such instruction and  
 530 counseling as will best assure that the recipients are able to  
 531 provide a nutritionally adequate diet through the increased  
 532 purchasing power received. This program shall be administered

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533 and operated in such a way that the distribution of food  
534 assistance ~~stamps~~ shall be in locations reasonably accessible to  
535 those areas in which persons eligible for the benefit of this  
536 program are likely to be concentrated.

537 Section 25. Section 414.32, Florida Statutes, is amended  
538 to read:

539 414.32 Prohibitions and restrictions with respect to food  
540 assistance program ~~stamps~~.—

541 (1) COOPERATION WITH CHILD SUPPORT ENFORCEMENT AGENCY.—

542 (a) A parent or caretaker relative who receives temporary  
543 cash assistance or food assistance ~~stamps~~ on behalf of a child  
544 under 18 years of age who has an absent parent is ineligible for  
545 food assistance ~~stamps~~ unless the parent or caretaker relative  
546 cooperates with the state agency that administers the child  
547 support enforcement program in establishing the paternity of the  
548 child, if the child is born out of wedlock, and in obtaining  
549 support for the child or for the parent or caretaker relative  
550 and the child. This paragraph does not apply if the state agency  
551 that administers the food assistance ~~stamp~~ program determines  
552 that the parent or caretaker relative has good cause for failing  
553 to cooperate. The Department of Revenue shall determine good  
554 cause for failure to cooperate if the Department of Children and  
555 Family Services obtains written authorization from the United  
556 States Department of Agriculture approving such arrangements.

557 (b) A putative or identified noncustodial parent of a  
558 child under 18 years of age is ineligible for food assistance  
559 ~~stamps~~ if the parent fails to cooperate with the state agency  
560 that administers the child support enforcement program in

561 establishing the paternity of the child, if the child is born  
 562 out of wedlock, or fails to provide support for the child. This  
 563 paragraph does not apply if the state agency that administers  
 564 the child support enforcement program determines that the  
 565 noncustodial parent has good cause for refusing to cooperate in  
 566 establishing the paternity of the child.

567 (2) REDUCTION OR DENIAL OF TEMPORARY CASH ASSISTANCE.—The  
 568 food assistance stamp allotment shall be reduced or terminated  
 569 as otherwise provided in this chapter if ~~temporary~~ cash  
 570 assistance under the Temporary Cash Assistance ~~WAGES~~ Program is  
 571 reduced or denied because an individual in the family fails to  
 572 perform an action required under the program.

573 (3) DENIAL OF FOOD ASSISTANCE STAMP BENEFITS FOR RECEIPT  
 574 OF MULTIPLE FOOD ASSISTANCE STAMP BENEFITS.—An individual is  
 575 ineligible to participate in the food assistance stamp program  
 576 individually, or as a member of any assistance group, for 10  
 577 years following a conviction in federal or state court of having  
 578 made a fraudulent statement or representation with respect to  
 579 the identity or place of residence of the individual in order to  
 580 receive multiple benefits simultaneously under the food  
 581 assistance stamp program.

582 (4) DENIAL OF FOOD ASSISTANCE STAMP BENEFITS TO FLEEING  
 583 FELONS.—An individual is ineligible to participate in the food  
 584 assistance stamp program during any period when the individual  
 585 is fleeing to avoid prosecution, custody, or confinement after  
 586 committing a crime, attempting to commit a crime that is a  
 587 felony under the laws of the place from which the individual  
 588 flees or a high misdemeanor in the State of New Jersey, or

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589 | violating a condition of probation or parole imposed under  
 590 | federal or state law.

591 |       Section 26. Section 414.33, Florida Statutes, is amended  
 592 | to read:

593 |           414.33 Violations of food assistance ~~stamp~~ program.—

594 |       (1) In accordance with federal law and regulations, the  
 595 | department shall establish procedures for notifying the  
 596 | appropriate federal and state agencies of any violation of  
 597 | federal or state laws or rules governing the food assistance  
 598 | ~~stamp~~ program.

599 |       (2) In addition, the department shall establish procedures  
 600 | for referring to the Department of Law Enforcement any case that  
 601 | involves a suspected violation of federal or state law or rules  
 602 | governing the administration of the food assistance ~~stamp~~  
 603 | program.

604 |       Section 27. Section 414.34, Florida Statutes, is amended  
 605 | to read:

606 |           414.34 Annual report concerning administrative complaints  
 607 | and disciplinary actions involving food assistance ~~stamp~~ program  
 608 | violations.—The department shall prepare and submit a report to  
 609 | the President of the Senate, the Speaker of the House of  
 610 | Representatives, the chairs of the appropriate legislative  
 611 | committees, and the Department of Law Enforcement by January 1  
 612 | of each year. In addition to any other information the  
 613 | Legislature may require, the report must include statistics and  
 614 | relevant information detailing:

- 615 |       (1) The number of complaints received and investigated.
- 616 |       (2) The number of findings of probable cause made.

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617 (3) The number of findings of no probable cause made.

618 (4) The number of administrative complaints filed.

619 (5) The disposition of all administrative complaints.

620 (6) The number of criminal complaints brought under s.  
621 414.39, and their disposition.

622 (7) The status of the development and implementation of  
623 rules governing the electronic benefits transfer program,  
624 including any recommendations for statutory changes.

625 Section 28. Subsections (1) and (3) of section 414.35,  
626 Florida Statutes, are amended to read:

627 414.35 Emergency relief.—

628 (1) The department shall adopt rules for the  
629 administration of emergency assistance programs delegated to the  
630 department either by executive order in accordance with the  
631 Disaster Relief Act of 1974 or pursuant to the Food and  
632 Nutrition Act of 2008 ~~Food Stamp Act of 1977~~.

633 (3) In administering emergency food assistance ~~stamp~~ and  
634 other emergency assistance programs, the department shall  
635 cooperate fully with the United States Government and with other  
636 departments, instrumentalities, and agencies of this state.

637 Section 29. Subsections (1) and (2) of section 414.36,  
638 Florida Statutes, are amended to read:

639 414.36 Public assistance overpayment recovery program;  
640 contracts.—

641 (1) The department shall develop and implement a plan for  
642 the statewide privatization of activities relating to the  
643 recovery of public assistance overpayment claims. These  
644 activities shall include, at a minimum, voluntary cash

645 collections functions for recovery of fraudulent and  
 646 nonfraudulent benefits paid to recipients of temporary cash  
 647 assistance, food assistance ~~stamps~~, and aid to families with  
 648 dependent children.

649 (2) For purposes of privatization of public assistance  
 650 overpayment recovery, the department shall enter into contracts  
 651 consistent with federal law with for-profit corporations, not-  
 652 for-profit corporations, or other entities capable of providing  
 653 the services for recovering public assistance required under  
 654 this section. The department shall issue requests for proposals,  
 655 enter into a competitive bidding process, and negotiate  
 656 contracts for such services. Contracts for such services may be  
 657 funded on a contingency fee basis, per fiscal year, based on a  
 658 percentage of the state-retained share of collections, for  
 659 claims for food assistance ~~stamps~~, aid to families with  
 660 dependent children, and temporary cash assistance. This section  
 661 does not prohibit districts from entering into contracts to  
 662 carry out the provisions of this section, if that is a cost-  
 663 effective use of resources.

664 Section 30. Subsections (2) and (3), paragraph (c) of  
 665 subsection (5), and subsection (10) of section 414.39, Florida  
 666 Statutes, are amended to read:

667 414.39 Fraud.—

668 (2) Any person who knowingly:

669 (a) Uses, transfers, acquires, traffics, alters, forges,  
 670 or possesses, or

671 (b) Attempts to use, transfer, acquire, traffic, alter,  
 672 forge, or possess, or

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673 (c) Aids and abets another person in the use, transfer,  
674 acquisition, traffic, alteration, forgery, or possession of,  
675  
676 ~~a food stamp,~~ a food assistance ~~stamp~~ identification card, an  
677 authorization, including, but not limited to, an electronic  
678 authorization, for the expenditure ~~purchase~~ of food assistance  
679 benefits ~~stamps~~, a certificate of eligibility for medical  
680 services, or a Medicaid identification card in any manner not  
681 authorized by law commits ~~is guilty of~~ a crime and shall be  
682 punished as provided in subsection (5). ~~For the purposes of this~~  
683 ~~section, the value of an authorization to purchase food stamps~~  
684 ~~shall be the difference between the coupon allotment and the~~  
685 ~~amount paid by the recipient for that allotment.~~

686 (3) Any person having duties in the administration of a  
687 state or federally funded public assistance program or in the  
688 distribution of public assistance, or authorizations or  
689 identifications to obtain public assistance, under a state or  
690 federally funded public assistance program and who:

691 (a) Fraudulently misappropriates, attempts to  
692 misappropriate, or aids and abets in the misappropriation of, a  
693 food assistance ~~stamp~~, an authorization for food assistance  
694 ~~stamps~~, a food assistance ~~stamp~~ identification card, a  
695 certificate of eligibility for prescribed medicine, a Medicaid  
696 identification card, or public assistance from any other state  
697 or federally funded program with which he or she has been  
698 entrusted or of which he or she has gained possession by virtue  
699 of his or her position, or who knowingly fails to disclose any  
700 such fraudulent activity; or

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701 (b) Knowingly misappropriates, attempts to misappropriate,  
 702 or aids or abets in the misappropriation of, funds given in  
 703 exchange for food assistance program benefits ~~stamps~~ or for any  
 704 form of food assistance ~~stamp~~ benefits authorization,  
 705  
 706 commits ~~is guilty of~~ a crime and shall be punished as provided  
 707 in subsection (5).

708 (5)

709 (c) As used in this subsection, the value of a food  
 710 assistance ~~stamp~~ authorization benefit is the cash or exchange  
 711 value unlawfully obtained by the fraudulent act committed in  
 712 violation of this section.

713 (10) The department shall create an error-prone or fraud-  
 714 prone case profile within its public assistance information  
 715 system and shall screen each application for public assistance,  
 716 including food assistance ~~stamps~~, Medicaid, and temporary cash  
 717 assistance, against the profile to identify cases that have a  
 718 potential for error or fraud. Each case so identified shall be  
 719 subjected to preeligibility fraud screening.

720 Section 31. Section 414.41, Florida Statutes, is amended  
 721 to read:

722 414.41 Recovery of payments made due to mistake or fraud.—

723 (1) Whenever it becomes apparent that any person or  
 724 provider has received any public assistance under this chapter  
 725 to which she or he is not entitled, through either simple  
 726 mistake or fraud on the part of the department or on the part of  
 727 the recipient or participant, the department shall take all  
 728 necessary steps to recover the overpayment. Recovery may include

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729 Federal Income Tax Refund Offset Program collections activities  
730 in conjunction with Food and Nutrition ~~Consumer~~ Service and the  
731 Internal Revenue Service to intercept income tax refunds due to  
732 clients who owe food assistance ~~stamp~~ or temporary cash  
733 assistance ~~WAGES~~ debt to the state. The department will follow  
734 the guidelines in accordance with federal rules and regulations  
735 and consistent with the Food Assistance ~~Stamp~~ Program. The  
736 department may make appropriate settlements and shall establish  
737 a policy and cost-effective rules to be used in the computation  
738 and recovery of such overpayments.

739 (a) The department will consider an individual who has  
740 willfully provided false information or omitted information to  
741 become or remain eligible for temporary cash assistance to have  
742 committed an intentional program violation.

743 (b) When the intentional program violation or case facts  
744 do not warrant criminal prosecution for fraud as defined in s.  
745 414.39, the department will initiate an administrative  
746 disqualification hearing. The administrative disqualification  
747 hearing will be initiated regardless of the individual's current  
748 eligibility.

749 (c) Upon a finding through the administrative  
750 disqualification hearing process that the individual did commit  
751 an intentional program violation, the department will impose a  
752 disqualification period consistent with those established for  
753 food assistance ~~stamp~~ program purposes.

754 (2) The department shall determine if recovery of an  
755 overpayment as a result of department error regarding ~~temporary~~  
756 cash assistance provided under the Temporary Cash Assistance

757 ~~WAGES~~ Program or benefits provided to a recipient of aid to  
 758 families with dependent children would create extreme hardship.  
 759 The department shall provide by rule the circumstances that  
 760 constitute an extreme hardship. The department may reduce the  
 761 amount of repayment if a recipient or participant demonstrates  
 762 to the satisfaction of the department that repayment of the  
 763 entire overpayment would result in extreme hardship, but the  
 764 department may not excuse repayment. A determination of extreme  
 765 hardship is not grounds for a waiver of repayment in whole or in  
 766 part.

767 (3) The department, or its designee, shall enforce an  
 768 order of income deduction by the court against the liable adult  
 769 recipient or participant, including the head of a family, for  
 770 overpayment received as an adult under the temporary cash  
 771 assistance program, the AFDC program, the food assistance ~~stamp~~  
 772 program, or the Medicaid program.

773 Section 32. Section 414.45, Florida Statutes, is amended  
 774 to read:

775 414.45 Rulemaking.—The department has authority to adopt  
 776 rules pursuant to ss. 120.536(1) and 120.54 to implement and  
 777 enforce the provisions of this chapter. The rules must provide  
 778 protection against discrimination and the opportunity for a  
 779 participant to request a review by a supervisor or administrator  
 780 of any decision made by a panel or board of the department or  
 781 the Temporary Cash Assistance ~~WAGES~~ Program.

782 Section 33. Subsection (8) of section 420.624, Florida  
 783 Statutes, is amended to read:

784 420.624 Local homeless assistance continuum of care.—

785 (8) Continuum of care plans must promote participation by  
 786 all interested individuals and organizations and may not exclude  
 787 individuals and organizations on the basis of race, color,  
 788 national origin, sex, handicap, familial status, or religion.  
 789 Faith-based organizations must be encouraged to participate. To  
 790 the extent possible, these components should be coordinated and  
 791 integrated with other mainstream health, social services, and  
 792 employment programs for which homeless populations may be  
 793 eligible, including Medicaid, State Children's Health Insurance  
 794 Program, Temporary Assistance for Needy Families, Food  
 795 Assistance Program ~~Stamps~~, and services funded through the  
 796 Mental Health and Substance Abuse Block Grant, the Workforce  
 797 Investment Act, and the welfare-to-work grant program.

798 Section 34. Paragraph (g) of subsection (5) of section  
 799 430.2053, Florida Statutes, is amended to read:

800 430.2053 Aging resource centers.—

801 (5) The duties of an aging resource center are to:

802 (g) Enhance the existing area agency on aging in each  
 803 planning and service area by integrating, either physically or  
 804 virtually, the staff and services of the area agency on aging  
 805 with the staff of the department's local CARES Medicaid nursing  
 806 home preadmission screening unit and a sufficient number of  
 807 staff from the Department of Children and Family Services'  
 808 Economic Self-Sufficiency Unit necessary to determine the  
 809 financial eligibility for all persons age 60 and older residing  
 810 within the area served by the aging resource center that are  
 811 seeking Medicaid services, Supplemental Security Income, and  
 812 food assistance ~~stamps~~.

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813 Section 35. Paragraph (b) of subsection (5) of section  
814 445.004, Florida Statutes, is amended to read:

815 445.004 Workforce Florida, Inc.; creation; purpose;  
816 membership; duties and powers.—

817 (5) Workforce Florida, Inc., shall have all the powers and  
818 authority, not explicitly prohibited by statute, necessary or  
819 convenient to carry out and effectuate the purposes as  
820 determined by statute, Pub. L. No. 105-220, and the Governor, as  
821 well as its functions, duties, and responsibilities, including,  
822 but not limited to, the following:

823 (b) Providing oversight and policy direction to ensure  
824 that the following programs are administered by the Agency for  
825 Workforce Innovation in compliance with approved plans and under  
826 contract with Workforce Florida, Inc.:

827 1. Programs authorized under Title I of the Workforce  
828 Investment Act of 1998, Pub. L. No. 105-220, with the exception  
829 of programs funded directly by the United States Department of  
830 Labor under Title I, s. 167.

831 2. Programs authorized under the Wagner-Peyser Act of  
832 1933, as amended, 29 U.S.C. ss. 49 et seq.

833 3. Activities authorized under Title II of the Trade Act  
834 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade  
835 Adjustment Assistance Program.

836 4. Activities authorized under 38 U.S.C., chapter 41,  
837 including job counseling, training, and placement for veterans.

838 5. Employment and training activities carried out under  
839 funds awarded to this state by the United States Department of  
840 Housing and Urban Development.

841           6. Welfare transition services funded by the Temporary  
 842 Assistance for Needy Families Program, created under the  
 843 Personal Responsibility and Work Opportunity Reconciliation Act  
 844 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,  
 845 of the Social Security Act, as amended.

846           7. Displaced homemaker programs, provided under s. 446.50.

847           8. The Florida Bonding Program, provided under Pub. L. No.  
 848 97-300, s. 164(a)(1).

849           9. The Food Assistance ~~Stamp~~ Employment and Training  
 850 Program, provided under the Food and Nutrition Act of 2008 ~~Stamp~~  
 851 ~~Act of 1977~~, 7 U.S.C. ss. 2011-2032; the Food Security Act of  
 852 1988, Pub. L. No. 99-198; and the Hunger Prevention Act, Pub. L.  
 853 No. 100-435.

854           10. The Quick-Response Training Program, provided under  
 855 ss. 288.046-288.047. Matching funds and in-kind contributions  
 856 that are provided by clients of the Quick-Response Training  
 857 Program shall count toward the requirements of s.  
 858 288.90151(5)(d), pertaining to the return on investment from  
 859 activities of Enterprise Florida, Inc.

860           11. The Work Opportunity Tax Credit, provided under the  
 861 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,  
 862 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

863           12. Offender placement services, provided under ss.  
 864 944.707-944.708.

865           Section 36. Paragraph (b) of subsection (9) of section  
 866 445.009, Florida Statutes, is amended to read:

867           445.009 One-stop delivery system.—  
 868           (9)

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869 (b) The network shall assure that a uniform method is used  
870 to determine eligibility for and management of services provided  
871 by agencies that conduct workforce development activities. The  
872 Department of Management Services shall develop strategies to  
873 allow access to the databases and information management systems  
874 of the following systems in order to link information in those  
875 databases with the one-stop delivery system:

876 1. The Unemployment Compensation Program of the Agency for  
877 Workforce Innovation.

878 2. The public employment service described in s. 443.181.

879 3. The FLORIDA System and the components related to  
880 temporary cash assistance ~~WAGES~~, food assistance ~~stamps~~, and  
881 Medicaid eligibility.

882 4. The Student Financial Assistance System of the  
883 Department of Education.

884 5. Enrollment in the public postsecondary education  
885 system.

886 6. Other information systems determined appropriate by  
887 Workforce Florida, Inc.

888 Section 37. Subsection (2) of section 445.024, Florida  
889 Statutes, is amended to read:

890 445.024 Work requirements.—

891 (2) WORK ACTIVITY REQUIREMENTS.—Each individual who is not  
892 otherwise exempt from work activity requirements must  
893 participate in a work activity for the maximum number of hours  
894 allowable under federal law; however, a participant may not be  
895 required to work more than 40 hours per week. The maximum number  
896 of hours each month that a family may be required to participate

897 | in community service or work experience programs is the number  
 898 | of hours that would result from dividing the family's monthly  
 899 | amount for temporary cash assistance and food assistance ~~stamps~~  
 900 | by the applicable minimum wage. However, the maximum hours  
 901 | required per week for community service or work experience may  
 902 | not exceed 40 hours.

903 |         (a) A participant in a work activity may also be required  
 904 | to enroll in and attend a course of instruction designed to  
 905 | increase literacy skills to a level necessary for obtaining or  
 906 | retaining employment if the instruction plus the work activity  
 907 | does not require more than 40 hours per week.

908 |         (b) Program funds may be used, as available, to support  
 909 | the efforts of a participant who meets the work activity  
 910 | requirements and who wishes to enroll in or continue enrollment  
 911 | in an adult general education program or other training  
 912 | programs.

913 |         Section 38. Section 445.026, Florida Statutes, is amended  
 914 | to read:

915 |         445.026 Cash assistance severance benefit.—An individual  
 916 | who meets the criteria listed in this section may choose to  
 917 | receive a lump-sum payment in lieu of ongoing cash assistance  
 918 | payments, provided the individual:

- 919 |             (1) Is employed and is receiving earnings.
- 920 |             (2) Has received cash assistance for at least 6  
 921 | consecutive months.
- 922 |             (3) Expects to remain employed for at least 6 months.
- 923 |             (4) Chooses to receive a one-time, lump-sum payment in  
 924 | lieu of ongoing monthly payments.

925 (5) Provides employment and earnings information to the  
 926 regional workforce board, so that the regional workforce board  
 927 can ensure that the family's eligibility for severance benefits  
 928 can be evaluated.

929 (6) Signs an agreement not to apply for or accept cash  
 930 assistance for 6 months after receipt of the one-time payment.  
 931 In the event of an emergency, such agreement shall provide for  
 932 an exception to this restriction, provided that the one-time  
 933 payment shall be deducted from any cash assistance for which the  
 934 family subsequently is approved. This deduction may be prorated  
 935 over an 8-month period. The board of directors of Workforce  
 936 Florida, Inc., shall adopt criteria defining the conditions  
 937 under which a family may receive cash assistance due to such  
 938 emergency.

939  
 940 Such individual may choose to accept a one-time, lump-sum  
 941 payment of \$1,000 in lieu of receiving ongoing cash assistance.  
 942 Such payment shall only count toward the time limitation for the  
 943 month in which the payment is made in lieu of cash assistance. A  
 944 participant choosing to accept such payment shall be terminated  
 945 from cash assistance. However, eligibility for Medicaid, food  
 946 assistance ~~stamps~~, or child care shall continue, subject to the  
 947 eligibility requirements of those programs.

948 Section 39. Subsection (2) of section 445.048, Florida  
 949 Statutes, is amended to read:

950 445.048 Passport to Economic Progress program.—

951 (2) WAIVERS.—If Workforce Florida, Inc., in consultation  
 952 with the Department of Children and Family Services, finds that

953 federal waivers would facilitate implementation of the program,  
 954 the department shall immediately request such waivers, and  
 955 Workforce Florida, Inc., shall report to the Governor, the  
 956 President of the Senate, and the Speaker of the House of  
 957 Representatives if any refusal of the federal government to  
 958 grant such waivers prevents the implementation of the program.  
 959 If Workforce Florida, Inc., finds that federal waivers to  
 960 provisions of the Food Assistance ~~Stamp~~ Program would facilitate  
 961 implementation of the program, the Department of Children and  
 962 Family Services shall immediately request such waivers in  
 963 accordance with s. 414.175.

964 Section 40. Paragraph (d) of subsection (1) of section  
 965 718.115, Florida Statutes, is amended to read:

966 718.115 Common expenses and common surplus.—

967 (1)

968 (d) If so provided in the declaration, the cost of a  
 969 master antenna television system or duly franchised cable  
 970 television service obtained pursuant to a bulk contract shall be  
 971 deemed a common expense. If the declaration does not provide for  
 972 the cost of a master antenna television system or duly  
 973 franchised cable television service obtained under a bulk  
 974 contract as a common expense, the board may enter into such a  
 975 contract, and the cost of the service will be a common expense  
 976 but allocated on a per-unit basis rather than a percentage basis  
 977 if the declaration provides for other than an equal sharing of  
 978 common expenses, and any contract entered into before July 1,  
 979 1998, in which the cost of the service is not equally divided  
 980 among all unit owners, may be changed by vote of a majority of

981 the voting interests present at a regular or special meeting of  
982 the association, to allocate the cost equally among all units.  
983 The contract shall be for a term of not less than 2 years.

984 1. Any contract made by the board after the effective date  
985 hereof for a community antenna system or duly franchised cable  
986 television service may be canceled by a majority of the voting  
987 interests present at the next regular or special meeting of the  
988 association. Any member may make a motion to cancel said  
989 contract, but if no motion is made or if such motion fails to  
990 obtain the required majority at the next regular or special  
991 meeting, whichever is sooner, following the making of the  
992 contract, then such contract shall be deemed ratified for the  
993 term therein expressed.

994 2. Any such contract shall provide, and shall be deemed to  
995 provide if not expressly set forth, that any hearing-impaired or  
996 legally blind unit owner who does not occupy the unit with a  
997 non-hearing-impaired or sighted person, or any unit owner  
998 receiving supplemental security income under Title XVI of the  
999 Social Security Act or food assistance ~~stamp~~ as administered by  
1000 the Department of Children and Family Services pursuant to s.  
1001 414.31, may discontinue the service without incurring disconnect  
1002 fees, penalties, or subsequent service charges, and, as to such  
1003 units, the owners shall not be required to pay any common  
1004 expenses charge related to such service. If less than all  
1005 members of an association share the expenses of cable  
1006 television, the expense shall be shared equally by all  
1007 participating unit owners. The association may use the  
1008 provisions of s. 718.116 to enforce payment of the shares of

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1009 such costs by the unit owners receiving cable television.  
 1010 Section 41. Paragraph (f) of subsection (1) of section  
 1011 817.568, Florida Statutes, is amended to read:  
 1012 817.568 Criminal use of personal identification  
 1013 information.—  
 1014 (1) As used in this section, the term:  
 1015 (f) "Personal identification information" means any name  
 1016 or number that may be used, alone or in conjunction with any  
 1017 other information, to identify a specific individual, including  
 1018 any:  
 1019 1. Name, postal or electronic mail address, telephone  
 1020 number, social security number, date of birth, mother's maiden  
 1021 name, official state-issued or United States-issued driver's  
 1022 license or identification number, alien registration number,  
 1023 government passport number, employer or taxpayer identification  
 1024 number, Medicaid or food assistance ~~stamp~~ account number, bank  
 1025 account number, credit or debit card number, or personal  
 1026 identification number or code assigned to the holder of a debit  
 1027 card by the issuer to permit authorized electronic use of such  
 1028 card;  
 1029 2. Unique biometric data, such as fingerprint, voice  
 1030 print, retina or iris image, or other unique physical  
 1031 representation;  
 1032 3. Unique electronic identification number, address, or  
 1033 routing code;  
 1034 4. Medical records;  
 1035 5. Telecommunication identifying information or access  
 1036 device; or

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1037 6. Other number or information that can be used to access  
 1038 a person's financial resources.

1039 Section 42. Paragraph (a) of subsection (3) of section  
 1040 921.0022, Florida Statutes, is amended to read:

1041 921.0022 Criminal Punishment Code; offense severity  
 1042 ranking chart.—

1043 (3) OFFENSE SEVERITY RANKING CHART

1044 (a) LEVEL 1

1045

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
319.30(5)	3rd	Sell, exchange, give away

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1051			certificate of title or identification number plate.
	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
1052			
	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
1053			
	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
1054			
	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
1055			
	322.212 (5) (a)	3rd	False application for driver's license or identification card.
1056			
	414.39 (2)	3rd	Unauthorized use, possession, forgery, or alteration of food <u>assistance stamps</u> , Medicaid ID, value greater than \$200.
1057			

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1058	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
1059	443.071 (1)	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
1060	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
1061	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
1062	562.27 (1)	3rd	Possess still or still apparatus.
1063	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not

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1064			specified in subsection (2).
	812.081(2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
1065			
	815.04(4)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
1066			
	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
1067			
	817.569(2)	3rd	Use of public record or public records information to facilitate commission of a felony.
1068			
	826.01	3rd	Bigamy.
1069			
	828.122(3)	3rd	Fighting or baiting animals.
1070			
	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
1071			

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1072	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
1073	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
1074	832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
1075	838.15(2)	3rd	Commercial bribe receiving.
1076	838.16	3rd	Commercial bribery.
1077	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
1078	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
1079	849.01	3rd	Keeping gambling house.

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1080	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
1081	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
1082	849.25(2)	3rd	Engaging in bookmaking.
1083	860.08	3rd	Interfere with a railroad signal.
1084	860.13(1)(a)	3rd	Operate aircraft while under the influence.
1085	893.13(2)(a)2.	3rd	Purchase of cannabis.
1086	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
1087	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.

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1088 Section 43. Paragraph (a) of subsection (1) of section  
1089 943.401, Florida Statutes, is amended to read:

1090 943.401 Public assistance fraud.—

1091 (1)(a) The Department of Law Enforcement shall investigate  
1092 all public assistance provided to residents of the state or  
1093 provided to others by the state. In the course of such  
1094 investigation the Department of Law Enforcement shall examine  
1095 all records, including electronic benefits transfer records and  
1096 make inquiry of all persons who may have knowledge as to any  
1097 irregularity incidental to the disbursement of public moneys,  
1098 food assistance stamps, or other items or benefits  
1099 authorizations to recipients.

1100 Section 44. This act shall take effect July 1, 2010.