

1 A bill to be entitled
 2 An act relating to adoption benefits; amending s.
 3 409.1664, F.S.; revising the definition of the term
 4 "qualifying adoptive employee"; providing that certain
 5 adoptive veterans and servicemembers are eligible to
 6 apply for certain monetary benefits; defining the
 7 terms "veteran" and "servicemember"; providing an
 8 effective date.

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

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 12 Section 1. Section 409.1664, Florida Statutes, is amended
 13 to read:

14 409.1664 Adoption benefits for qualifying adoptive
 15 employees of state agencies, veterans, and servicemembers.-

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

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

19 (b) "Qualifying adoptive employee" means a full-time or
 20 part-time employee of a state agency, a charter school
 21 established under s. 1002.33, or the Florida Virtual School
 22 established under s. 1002.37 who is paid from regular salary
 23 appropriations, or otherwise meets his or her employer's
 24 definition of a regular rather than temporary employee, and who
 25 adopts a child within the child welfare system pursuant to

26 | chapter 63 on or after July 1, 2015. The term includes
27 | instructional personnel, as defined in s. 1012.01, who are
28 | employed by the Florida School for the Deaf and the Blind. For
29 | purposes of this paragraph, an employer's definition of a
30 | regular employee may include an other-personal-services employee
31 | who has been continuously employed full-time or part-time by the
32 | state agency for at least 1 year.

33 | (c) "State agency" means a branch, department, or agency
34 | of state government for which the Chief Financial Officer
35 | processes payroll requisitions, a state university or Florida
36 | College System institution as defined in s. 1000.21, a school
37 | district unit as defined in s. 1001.30, or a water management
38 | district as defined in s. 373.019.

39 | (2) A qualifying adoptive employee who adopts a child
40 | within the child welfare system who has special needs described
41 | in s. 409.166(2)(a)2. is eligible to receive a lump-sum monetary
42 | benefit in the amount of \$10,000 per such child, subject to
43 | applicable taxes. A qualifying adoptive employee who adopts a
44 | child within the child welfare system who does not have special
45 | needs described in s. 409.166(2)(a)2. is eligible to receive a
46 | lump-sum monetary benefit in the amount of \$5,000 per such
47 | child, subject to applicable taxes. A qualifying adoptive
48 | employee of a charter school or the Florida Virtual School may
49 | retroactively apply for the monetary benefit provided in this
50 | subsection if such employee was employed by a charter school or

51 the Florida Virtual School when he or she adopted a child within
52 the child welfare system pursuant to chapter 63 on or after July
53 1, 2015.

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

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

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

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

75 (4) This section does not preclude a qualifying adoptive

76 employee from receiving adoption assistance for which he or she
77 may qualify under s. 409.166 or any other statute that provides
78 financial incentives for the adoption of children.

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

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

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

96 (8) Each state agency shall develop a uniform procedure
97 for informing employees about this benefit and for assisting the
98 department in making eligibility determinations and processing
99 applications. Any procedure adopted by a state agency is valid
100 and enforceable if the procedure does not conflict with the

101 | express terms of this section.

102 | (9) A veteran or servicemember who is domiciled in this
103 | state and who adopts a child within the child welfare system
104 | pursuant to chapter 63 on or after July 1, 2020, is eligible to
105 | apply for the monetary benefits awarded under subsection (2),
106 | regardless of whether the veteran or servicemember is a
107 | qualifying adoptive employee. As used in this subsection, the
108 | term "veteran" has the same meaning as provided in s. 1.01(14)
109 | and the term "servicemember" has the same meaning as provided in
110 | s. 250.01(19).

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