



870798

LEGISLATIVE ACTION

Senate

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House

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

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (20) of section 61.703, Florida Statutes, is amended to read:

61.703 Definitions.—As used in this part:

(20) "Uniformed service" means any of the following:

(a) Active and reserve components of the Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard of the United



11 States.

12 Section 2. Subsection (1) of section 92.51, Florida  
13 Statutes, is amended to read:

14 92.51 Oaths, affidavits, and acknowledgments; taken or  
15 administered by commissioned officer of United States Armed  
16 Forces.—

17 (1) Oaths, affidavits, and acknowledgments required or  
18 authorized by the laws of this state may be taken or  
19 administered within or without the United States by or before  
20 any commissioned officer in active service of the Armed Forces  
21 of the United States with the rank of second lieutenant or  
22 higher in the Army, Air Force, Space Force, or Marine Corps or  
23 ensign or higher in the Navy or Coast Guard when the person  
24 required or authorized to make and execute the oath, affidavit,  
25 or acknowledgment is a member of the Armed Forces of the United  
26 States, the spouse of such member or a person whose duties  
27 require the person's presence with the Armed Forces of the  
28 United States.

29 Section 3. Subsection (42) of section 97.021, Florida  
30 Statutes, is amended to read:

31 97.021 Definitions.—For the purposes of this code, except  
32 where the context clearly indicates otherwise, the term:

33 (42) "Uniformed services" means the Army, Navy, Air Force,  
34 Marine Corps, Space Force, and Coast Guard, the commissioned  
35 corps of the Public Health Service, and the commissioned corps  
36 of the National Oceanic and Atmospheric Administration.

37 Section 4. Section 115.01, Florida Statutes, is amended to  
38 read:

39 115.01 Leave of absence for military service.—Any county or



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40 state official of the state, subject to the provisions and  
41 conditions hereinafter set forth, may be granted leave of  
42 absence from his or her office, to serve in the volunteer forces  
43 of the United States, or in the National Guard of any state, or  
44 in the regular Army, ~~or~~ Navy, Air Force, Marine Corps, or Space  
45 Force of the United States, when the same shall be called into  
46 active service of the United States during war between the  
47 United States and a foreign government.

48 Section 5. Paragraph (n) of subsection (2) of section  
49 163.3175, Florida Statutes, is amended to read:

50 163.3175 Legislative findings on compatibility of  
51 development with military installations; exchange of information  
52 between local governments and military installations.—

53 (2) Certain major military installations, due to their  
54 mission and activities, have a greater potential for  
55 experiencing compatibility and coordination issues than others.  
56 Consequently, this section and the provisions in s.

57 163.3177(6)(a), relating to compatibility of land development  
58 with military installations, apply to specific affected local  
59 governments in proximity to and in association with specific  
60 military installations, as follows:

61 (n) Patrick Space ~~Air~~ Force Base and Cape Canaveral Space  
62 ~~Air~~ Force Station, associated with Brevard County and Satellite  
63 Beach.

64 Section 6. Paragraph (a) of subsection (4) of section  
65 210.04, Florida Statutes, is amended to read:

66 210.04 Construction; exemptions; collection.—

67 (4) No tax shall be required to be paid:

68 (a) Upon cigarettes sold at post exchanges, ship service



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69 stores, ship stores, slop chests, or base exchanges to members  
70 of the Armed Services of the United States when such post  
71 exchanges, ship service stores, or base exchanges are operated  
72 under regulations of the Army, Navy, ~~or~~ Air Force, or Space  
73 Force of the United States on military, naval, space force, or  
74 air force reservations in this state or when such ship stores or  
75 slop chests are operated under the regulations of the United  
76 States Navy on ships of the United States Navy; however, it is  
77 unlawful for anyone, including members of the Armed Services of  
78 the United States, to purchase such tax-exempt cigarettes for  
79 purposes of resale. Any person who resells, or offers for  
80 resale, tax-exempt cigarettes purchased at post exchanges, ship  
81 service stores, ship stores, slop chests, or base exchanges is  
82 guilty of a violation of the cigarette tax law, punishable as  
83 provided in s. 210.18(1).

84 Section 7. Subsection (4) of section 250.01, Florida  
85 Statutes, is amended to read:

86 250.01 Definitions.—As used in this chapter, the term:

87 (4) "Armed forces" means the United States Army, Navy, Air  
88 Force, Marine Corps, Space Force, and Coast Guard.

89 Section 8. Subsection (2) of section 250.43, Florida  
90 Statutes, is amended to read:

91 250.43 Wearing of uniform and insignia of rank; penalty.—

92 (2) Every person other than an officer or enlisted person  
93 of the Florida National Guard, naval militia, or marine corps of  
94 this state, any other state, Puerto Rico, or the District of  
95 Columbia, or of the United States Army, Navy, Marine Corps, ~~or~~  
96 Air Force, or Space Force, who wears the uniform of the United  
97 States Army, Navy, Marine Corps, Air Force, Space Force,



98 National Guard, Naval Militia, or Marine Corps or any part of  
99 such uniform, or a uniform or part of uniform similar thereto,  
100 or in imitation thereof, within the bounds of the state, except  
101 in cases where the wearing of such uniform is permitted by the  
102 laws of the United States and the regulations of the Secretary  
103 of Defense, commits a misdemeanor of the first degree,  
104 punishable as provided in s. 775.082 or s. 775.083. This section  
105 does not prohibit persons in the theatrical profession from  
106 wearing such uniforms while actually engaged in such profession,  
107 in any playhouse or theater, in a production in no way  
108 reflecting upon such uniform; does not prohibit the uniform rank  
109 of civic societies parading or traveling in a body or assembling  
110 in a lodge room; and does not apply to cadets of any military  
111 school or to Boy Scouts or Girl Scouts.

112 Section 9. Section 250.52, Florida Statutes, is amended to  
113 read:

114 250.52 Unlawful to persuade citizens not to enlist;  
115 penalty.—Whenever the United States is at war, or our foreign  
116 relations tend to indicate an impending war or state of war, a  
117 person may not solicit or persuade a citizen of the United  
118 States not to enlist or serve in the Army, Air Force, Space  
119 Force, Marine Corps, Coast Guard, or Navy, or in any reserve  
120 component thereof, or in the Florida National Guard, or publicly  
121 attempt to dissuade any such citizen from enlisting. This  
122 section does not apply to the soliciting or persuading done by  
123 any person related by affinity or consanguinity to the person  
124 solicited or persuaded or whose advice is requested by the  
125 person solicited or persuaded. Any person who violates this  
126 section commits a misdemeanor of the first degree, punishable as



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127 provided in s. 775.082 or s. 775.083.

128 Section 10. Paragraph (b) of subsection (1) of section  
129 295.061, Florida Statutes, is amended to read:

130 295.061 Active duty servicemembers; death benefits.—

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

132 (b) "United States Armed Forces" means the United States  
133 Army, Navy, Air Force, Marine Corps, Space Force, and Coast  
134 Guard.

135 Section 11. Subsection (7) of section 296.02, Florida  
136 Statutes, is amended to read:

137 296.02 Definitions.—For the purposes of this part, except  
138 where the context clearly indicates otherwise:

139 (7) "Peacetime service" means Army, Navy, Marines, Coast  
140 Guard, ~~or~~ Air Force, or Space Force service that is not during a  
141 wartime era as defined in s. 1.01(14).

142 Section 12. Subsection (1) of section 331.304, Florida  
143 Statutes, is amended to read:

144 331.304 Spaceport territory.—The following property shall  
145 constitute spaceport territory:

146 (1) Certain real property located in Brevard County that is  
147 included within the 1998 boundaries of Patrick Space Force Base,  
148 formerly Patrick Air Force Base; Cape Canaveral Space Force  
149 Station, formerly Cape Canaveral Air Force Station; ~~or~~ John F.  
150 Kennedy Space Center. The territory consisting of areas within  
151 the John F. Kennedy Space Center and the Cape Canaveral Space  
152 ~~Air~~ Force Station may be referred to as the "Cape Canaveral  
153 Spaceport."

154 Section 13. Subsection (3) of section 461.002, Florida  
155 Statutes, is amended to read:



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156 461.002 Exceptions.—

157 (3) This chapter shall not apply to the practice of  
158 podiatric medicine by graduate podiatric physicians in the  
159 United States Army, Air Force, Space Force, Marines, Navy,  
160 Public Health Service, Coast Guard, or United States Department  
161 of Veterans Affairs in the discharge of their official duties.

162 Section 14. Subsection (3) of section 466.002, Florida  
163 Statutes, is amended to read:

164 466.002 Persons exempt from operation of chapter.—Nothing  
165 in this chapter shall apply to the following practices, acts,  
166 and operations:

167 (3) The practice of dentistry in the discharge of their  
168 official duties by graduate dentists or dental surgeons in the  
169 United States Army, Air Force, Space Force, Marines, Navy,  
170 Public Health Service, Coast Guard, or United States Department  
171 of Veterans Affairs.

172 Section 15. Subsection (6) of section 496.415, Florida  
173 Statutes, is amended to read:

174 496.415 Prohibited acts.—It is unlawful for any person in  
175 connection with the planning, conduct, or execution of any  
176 solicitation or charitable or sponsor sales promotion to:

177 (6) Falsely state that he or she is a member of or  
178 represents a charitable organization or sponsor, or falsely  
179 state or represent that he or she is a member of or represents  
180 the United States Air Force, United States Army, United States  
181 Coast Guard, United States Marine Corps, United States Navy,  
182 United States Space Force, the National Guard, or a law  
183 enforcement or emergency service organization.

184 Section 16. Subsection (3) of section 540.08, Florida



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185 Statutes, is amended to read:

186 540.08 Unauthorized publication of name or likeness.—

187 (3) If a person uses the name, portrait, photograph, or  
188 other likeness of a member of the armed forces without obtaining  
189 the consent required in subsection (1) and such use is not  
190 subject to any exception listed in this section, a court may  
191 impose a civil penalty of up to \$1,000 per violation in addition  
192 to the civil remedies contained in subsection (2). Each  
193 commercial transaction constitutes a violation under this  
194 section. As used in this section, the term "member of the armed  
195 forces" means an officer or enlisted member of the Army, Navy,  
196 Air Force, Marine Corps, Space Force, or Coast Guard of the  
197 United States, the Florida National Guard, and the United States  
198 Reserve Forces, including any officer or enlisted member who  
199 died as a result of injuries sustained in the line of duty.

200 Section 17. Subsection (1) of section 695.031, Florida  
201 Statutes, is amended to read:

202 695.031 Affidavits and acknowledgments by members of armed  
203 forces and their spouses.—

204 (1) In addition to the manner, form and proof of  
205 acknowledgment of instruments as now provided by law, any person  
206 serving in or with the Armed Forces of the United States,  
207 including the Army, Navy, Air Force, Marine Corps, Space Force,  
208 Coast Guard, or any component or any arm or service of any  
209 thereof, including any female auxiliary of any thereof, and any  
210 person whose duties require his or her presence with the Armed  
211 Forces of the United States, as herein designated, or otherwise  
212 designated by law or military or naval command, may acknowledge  
213 any instrument, wherever located, either within or without the





214 state, or without the United States, before any commissioned  
215 officer in active service of the Armed Forces of the United  
216 States, as herein designated, or otherwise designated by law, or  
217 military or naval command, or order, with the rank of second  
218 lieutenant or higher in the Army, Air Force, Space Force, or  
219 Marine Corps, or of any component or any arm or service of  
220 either thereof, including any female auxiliary of any thereof,  
221 or ensign or higher in the Navy or United States Coast Guard, or  
222 of any component or any arm or service of either thereof,  
223 including any female auxiliary of any thereof.

224 Section 18. Subsection (4) of section 718.113, Florida  
225 Statutes, is amended to read:

226 718.113 Maintenance; limitation upon improvement; display  
227 of flag; hurricane shutters and protection; display of religious  
228 decorations.—

229 (4) Any unit owner may display one portable, removable  
230 United States flag in a respectful way and, on Armed Forces Day,  
231 Memorial Day, Flag Day, Independence Day, and Veterans Day, may  
232 display in a respectful way portable, removable official flags,  
233 not larger than 4 1/2 feet by 6 feet, that represent the United  
234 States Army, Navy, Air Force, Marine Corps, Space Force, or  
235 Coast Guard, regardless of any declaration rules or requirements  
236 dealing with flags or decorations.

237 Section 19. Paragraph (a) of subsection (2) of section  
238 720.304, Florida Statutes, is amended to read:

239 720.304 Right of owners to peaceably assemble; display of  
240 flag; SLAPP suits prohibited.—

241 (2) (a) Any homeowner may display one portable, removable  
242 United States flag or official flag of the State of Florida in a



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243 respectful manner, and one portable, removable official flag, in  
244 a respectful manner, not larger than 4 1/2 feet by 6 feet, which  
245 represents the United States Army, Navy, Air Force, Marine  
246 Corps, Space Force, or Coast Guard, or a POW-MIA flag,  
247 regardless of any covenants, restrictions, bylaws, rules, or  
248 requirements of the association.

249 Section 20. Subsection (3) of section 790.25, Florida  
250 Statutes, is amended to read:

251 790.25 Lawful ownership, possession, and use of firearms  
252 and other weapons.—

253 (3) LAWFUL USES.—The provisions of ss. 790.053 and 790.06  
254 do not apply in the following instances, and, despite such  
255 sections, it is lawful for the following persons to own,  
256 possess, and lawfully use firearms and other weapons,  
257 ammunition, and supplies for lawful purposes:

258 (a) Members of the Militia, National Guard, Florida State  
259 Defense Force, Army, Navy, Air Force, Marine Corps, Space Force,  
260 Coast Guard, organized reserves, and other armed forces of the  
261 state and of the United States, when on duty, when training or  
262 preparing themselves for military duty, or while subject to  
263 recall or mobilization;

264 (b) Citizens of this state subject to duty in the Armed  
265 Forces under s. 2, Art. X of the State Constitution, under  
266 chapters 250 and 251, and under federal laws, when on duty or  
267 when training or preparing themselves for military duty;

268 (c) Persons carrying out or training for emergency  
269 management duties under chapter 252;

270 (d) Sheriffs, marshals, prison or jail wardens, police  
271 officers, Florida highway patrol officers, game wardens, revenue



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272 officers, forest officials, special officers appointed under the  
273 provisions of chapter 354, and other peace and law enforcement  
274 officers and their deputies and assistants and full-time paid  
275 peace officers of other states and of the Federal Government who  
276 are carrying out official duties while in this state;

277 (e) Officers or employees of the state or United States  
278 duly authorized to carry a concealed weapon;

279 (f) Guards or messengers of common carriers, express  
280 companies, armored car carriers, mail carriers, banks, and other  
281 financial institutions, while actually employed in and about the  
282 shipment, transportation, or delivery of any money, treasure,  
283 bullion, bonds, or other thing of value within this state;

284 (g) Regularly enrolled members of any organization duly  
285 authorized to purchase or receive weapons from the United States  
286 or from this state, or regularly enrolled members of clubs  
287 organized for target, skeet, or trap shooting, while at or going  
288 to or from shooting practice; or regularly enrolled members of  
289 clubs organized for modern or antique firearms collecting, while  
290 such members are at or going to or from their collectors' gun  
291 shows, conventions, or exhibits;

292 (h) A person engaged in fishing, camping, or lawful hunting  
293 or going to or returning from a fishing, camping, or lawful  
294 hunting expedition;

295 (i) A person engaged in the business of manufacturing,  
296 repairing, or dealing in firearms, or the agent or  
297 representative of any such person while engaged in the lawful  
298 course of such business;

299 (j) A person firing weapons for testing or target practice  
300 under safe conditions and in a safe place not prohibited by law



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301 or going to or from such place;

302 (k) A person firing weapons in a safe and secure indoor  
303 range for testing and target practice;

304 (l) A person traveling by private conveyance when the  
305 weapon is securely encased or in a public conveyance when the  
306 weapon is securely encased and not in the person's manual  
307 possession;

308 (m) A person while carrying a pistol unloaded and in a  
309 secure wrapper, concealed or otherwise, from the place of  
310 purchase to his or her home or place of business or to a place  
311 of repair or back to his or her home or place of business;

312 (n) A person possessing arms at his or her home or place of  
313 business;

314 (o) Investigators employed by the several public defenders  
315 of the state, while actually carrying out official duties,  
316 provided such investigators:

317 1. Are employed full time;

318 2. Meet the official training standards for firearms  
319 established by the Criminal Justice Standards and Training  
320 Commission as provided in s. 943.12(5) and the requirements of  
321 ss. 493.6108(1)(a) and 943.13(1)-(4); and

322 3. Are individually designated by an affidavit of consent  
323 signed by the employing public defender and filed with the clerk  
324 of the circuit court in the county in which the employing public  
325 defender resides.

326 (p) Investigators employed by the capital collateral  
327 regional counsel, while actually carrying out official duties,  
328 provided such investigators:

329 1. Are employed full time;



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330           2. Meet the official training standards for firearms as  
331 established by the Criminal Justice Standards and Training  
332 Commission as provided in s. 943.12(1) and the requirements of  
333 ss. 493.6108(1)(a) and 943.13(1)-(4); and

334           3. Are individually designated by an affidavit of consent  
335 signed by the capital collateral regional counsel and filed with  
336 the clerk of the circuit court in the county in which the  
337 investigator is headquartered.

338           (q)1. A tactical medical professional who is actively  
339 operating in direct support of a tactical operation by a law  
340 enforcement agency provided that:

341           a. The tactical medical professional is lawfully able to  
342 possess firearms and has an active concealed weapons permit  
343 issued pursuant to s. 790.06.

344           b. The tactical medical professional is appointed to a law  
345 enforcement tactical team of a law enforcement agency by the  
346 head of the law enforcement agency.

347           c. The law enforcement agency has an established policy  
348 providing for the appointment, training, and deployment of the  
349 tactical medical professional.

350           d. The tactical medical professional successfully completes  
351 a firearms safety training and tactical training as established  
352 or designated by the appointing law enforcement agency.

353           e. The law enforcement agency provides and the tactical  
354 medical professional participates in annual firearm training and  
355 tactical training.

356           2. While actively operating in direct support of a tactical  
357 operation by a law enforcement agency, a tactical medical  
358 professional:



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359           a. May carry a firearm in the same manner as a law  
360 enforcement officer, as defined in s. 943.10 and,  
361 notwithstanding any other law, at any place a tactical law  
362 enforcement operation occurs.

363           b. Has no duty to retreat and is justified in the use of  
364 any force which he or she reasonably believes is necessary to  
365 defend himself or herself or another from bodily harm.

366           c. Has the same immunities and privileges as a law  
367 enforcement officer, as defined in s. 943.10, in a civil or  
368 criminal action arising out of a tactical law enforcement  
369 operation when acting within the scope of his or her official  
370 duties.

371           3. This paragraph may not be construed to authorize a  
372 tactical medical professional to carry, transport, or store any  
373 firearm or ammunition on any fire apparatus or EMS vehicle.

374           4. The appointing law enforcement agency shall issue any  
375 firearm or ammunition that the tactical medical professional  
376 carries in accordance with this paragraph.

377           5. For the purposes of this paragraph, the term "tactical  
378 medical professional" means a paramedic, as defined in s.  
379 401.23, a physician, as defined in s. 458.305, or an osteopathic  
380 physician, as defined in s. 459.003, who is appointed to provide  
381 direct support to a tactical law enforcement unit by providing  
382 medical services at high-risk incidents, including, but not  
383 limited to, hostage incidents, narcotics raids, hazardous  
384 surveillance, sniper incidents, armed suicidal persons,  
385 barricaded suspects, high-risk felony warrant service, fugitives  
386 refusing to surrender, and active shooter incidents.

387           Section 21. Paragraph (a) of subsection (1) of section



388 817.312, Florida Statutes, is amended to read:

389 817.312 Unlawful use of uniforms, medals, or insignia.—

390 (1) (a) A person may not:

391 1. Misrepresent himself or herself as a member or veteran  
392 of the United States Air Force, United States Army, United  
393 States Coast Guard, United States Marine Corps, United States  
394 Navy, United States Space Force, or National Guard; or

395 2. Wear the uniform of or any medal or insignia authorized  
396 for use by members or veterans of the United States Air Force,  
397 United States Army, United States Coast Guard, United States  
398 Marine Corps, United States Navy, or the National Guard which he  
399 or she is not authorized to wear

400  
401 while soliciting for charitable contributions or for the purpose  
402 of material gain, including, but not limited to, obtaining  
403 employment or public office resulting in receiving compensation.

404 Section 22. Contingent upon SB 430 or similar legislation  
405 extending the repeal date of the Interstate Compact on  
406 Educational Opportunity for Military Children taking effect,  
407 section 1000.36, Florida Statutes, is amended to read:

408 1000.36 Interstate Compact on Educational Opportunity for  
409 Military Children.—The Governor is authorized and directed to  
410 execute the Interstate Compact on Educational Opportunity for  
411 Military Children on behalf of this state with any other state  
412 or states legally joining therein in the form substantially as  
413 follows:

414  
415 Interstate Compact on Educational  
416 Opportunity for Military Children



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ARTICLE I

PURPOSE.—It is the purpose of this compact to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents by:

A. Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from the previous school district or variations in entrance or age requirements.

B. Facilitating the student placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content, or assessment.

C. Facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities.

D. Facilitating the on-time graduation of children of military families.

E. Providing for the adoption and enforcement of administrative rules implementing this compact.

F. Providing for the uniform collection and sharing of information between and among member states, schools, and military families under this compact.

G. Promoting coordination between this compact and other compacts affecting military children.

H. Promoting flexibility and cooperation between the





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446 educational system, parents, and the student in order to achieve  
447 educational success for the student.

448

449

ARTICLE II

450

451 DEFINITIONS.—As used in this compact, unless the context  
452 clearly requires a different construction, the term:

453 A. "Active duty" means the full-time duty status in the  
454 active uniformed service of the United States, including members  
455 of the National Guard and Reserve on active duty orders pursuant  
456 to 10 U.S.C. ss. 1209 and 1211.

457 B. "Children of military families" means school-aged  
458 children, enrolled in kindergarten through 12th grade, in the  
459 household of an active-duty member.

460 C. "Compact commissioner" means the voting representative  
461 of each compacting state appointed under Article VIII of this  
462 compact.

463 D. "Deployment" means the period 1 month before the service  
464 members' departure from their home station on military orders  
465 through 6 months after return to their home station.

466 E. "Educational records" or "education records" means those  
467 official records, files, and data directly related to a student  
468 and maintained by the school or local education agency,  
469 including, but not limited to, records encompassing all the  
470 material kept in the student's cumulative folder such as general  
471 identifying data, records of attendance and of academic work  
472 completed, records of achievement and results of evaluative  
473 tests, health data, disciplinary status, test protocols, and  
474 individualized education programs.



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475 F. "Extracurricular activities" means a voluntary activity  
476 sponsored by the school or local education agency or an  
477 organization sanctioned by the local education agency.  
478 Extracurricular activities include, but are not limited to,  
479 preparation for and involvement in public performances,  
480 contests, athletic competitions, demonstrations, displays, and  
481 club activities.

482 G. "Interstate Commission on Educational Opportunity for  
483 Military Children" means the commission that is created under  
484 Article IX of this compact, which is generally referred to as  
485 the Interstate Commission.

486 H. "Local education agency" means a public authority  
487 legally constituted by the state as an administrative agency to  
488 provide control of, and direction for, kindergarten through 12th  
489 grade public educational institutions.

490 I. "Member state" means a state that has enacted this  
491 compact.

492 J. "Military installation" means a base, camp, post,  
493 station, yard, center, homeport facility for any ship, or other  
494 activity under the jurisdiction of the Department of Defense,  
495 including any leased facility, which is located within any of  
496 the several states, the District of Columbia, the Commonwealth  
497 of Puerto Rico, the United States Virgin Islands, Guam, American  
498 Samoa, the Northern Mariana Islands, and any other United States  
499 Territory. The term does not include any facility used primarily  
500 for civil works, rivers and harbors projects, or flood control  
501 projects.

502 K. "Nonmember state" means a state that has not enacted  
503 this compact.



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504 L. "Receiving state" means the state to which a child of a  
505 military family is sent, brought, or caused to be sent or  
506 brought.

507 M. "Rule" means a written statement by the Interstate  
508 Commission adopted under Article XII of this compact which is of  
509 general applicability, implements, interprets, or prescribes a  
510 policy or provision of the compact, or an organizational,  
511 procedural, or practice requirement of the Interstate  
512 Commission, and has the force and effect of statutory law in a  
513 member state, and includes the amendment, repeal, or suspension  
514 of an existing rule.

515 N. "Sending state" means the state from which a child of a  
516 military family is sent, brought, or caused to be sent or  
517 brought.

518 O. "State" means a state of the United States, the District  
519 of Columbia, the Commonwealth of Puerto Rico, the United States  
520 Virgin Islands, Guam, American Samoa, the Northern Mariana  
521 Islands, and any other United States Territory.

522 P. "Student" means the child of a military family for whom  
523 the local education agency receives public funding and who is  
524 formally enrolled in kindergarten through 12th grade.

525 Q. "Transition" means:

526 1. The formal and physical process of transferring from  
527 school to school; or

528 2. The period of time in which a student moves from one  
529 school in the sending state to another school in the receiving  
530 state.

531 R. "Uniformed services" means the Army, Navy, Air Force,  
532 Space Force, Marine Corps, Coast Guard as well as the



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533 Commissioned Corps of the National Oceanic and Atmospheric  
534 Administration, and Public Health Services.

535 S. "Veteran" means a person who served in the uniformed  
536 services and who was discharged or released therefrom under  
537 conditions other than dishonorable.

538

539 ARTICLE III

540

541 APPLICABILITY.—

542 A. Except as otherwise provided in Section C, this compact  
543 applies to the children of:

544 1. Active duty members of the uniformed services, including  
545 members of the National Guard and Reserve on active-duty orders  
546 pursuant to 10 U.S.C. ss. 1209 and 1211;

547 2. Members or veterans of the uniformed services who are  
548 severely injured and medically discharged or retired for a  
549 period of 1 year after medical discharge or retirement; and

550 3. Members of the uniformed services who die on active duty  
551 or as a result of injuries sustained on active duty for a period  
552 of 1 year after death.

553 B. This interstate compact applies to local education  
554 agencies.

555 C. This compact does not apply to the children of:

556 1. Inactive members of the National Guard and military  
557 reserves;

558 2. Members of the uniformed services now retired, except as  
559 provided in Section A;

560 3. Veterans of the uniformed services, except as provided  
561 in Section A; and



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562           4. Other United States Department of Defense personnel and  
563 other federal agency civilian and contract employees not defined  
564 as active-duty members of the uniformed services.

565

566

ARTICLE IV

567

568           EDUCATIONAL RECORDS AND ENROLLMENT.—

569           A. If a child's official education records cannot be  
570 released to the parents for the purpose of transfer, the  
571 custodian of the records in the sending state shall prepare and  
572 furnish to the parent a complete set of unofficial educational  
573 records containing uniform information as determined by the  
574 Interstate Commission. Upon receipt of the unofficial education  
575 records by a school in the receiving state, that school shall  
576 enroll and appropriately place the student based on the  
577 information provided in the unofficial records pending  
578 validation by the official records, as quickly as possible.

579           B. Simultaneous with the enrollment and conditional  
580 placement of the student, the school in the receiving state  
581 shall request the student's official education record from the  
582 school in the sending state. Upon receipt of the request, the  
583 school in the sending state shall process and furnish the  
584 official education records to the school in the receiving state  
585 within 10 days or within such time as is reasonably determined  
586 under the rules adopted by the Interstate Commission.

587           C. Compact states must give 30 days from the date of  
588 enrollment or within such time as is reasonably determined under  
589 the rules adopted by the Interstate Commission for students to  
590 obtain any immunization required by the receiving state. For a



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591 series of immunizations, initial vaccinations must be obtained  
592 within 30 days or within such time as is reasonably determined  
593 under the rules promulgated by the Interstate Commission.

594 D. Students shall be allowed to continue their enrollment  
595 at grade level in the receiving state commensurate with their  
596 grade level, including kindergarten, from a local education  
597 agency in the sending state at the time of transition,  
598 regardless of age. A student who has satisfactorily completed  
599 the prerequisite grade level in the local education agency in  
600 the sending state is eligible for enrollment in the next highest  
601 grade level in the receiving state, regardless of age. A student  
602 transferring after the start of the school year in the receiving  
603 state shall enter the school in the receiving state on their  
604 validated level from an accredited school in the sending state.

605  
606 ARTICLE V

607  
608 PLACEMENT AND ATTENDANCE.—

609 A. If a student transfers before or during the school year,  
610 the receiving state school shall initially honor placement of  
611 the student in educational courses based on the student's  
612 enrollment in the sending state school or educational  
613 assessments conducted at the school in the sending state if the  
614 courses are offered. Course placement includes, but is not  
615 limited to, Honors, International Baccalaureate, Advanced  
616 Placement, vocational, technical, and career pathways courses.  
617 Continuing the student's academic program from the previous  
618 school and promoting placement in academically and career  
619 challenging courses should be paramount when considering



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620 placement. A school in the receiving state is not precluded from  
621 performing subsequent evaluations to ensure appropriate  
622 placement and continued enrollment of the student in the  
623 courses.

624 B. The receiving state school must initially honor  
625 placement of the student in educational programs based on  
626 current educational assessments conducted at the school in the  
627 sending state or participation or placement in like programs in  
628 the sending state. Such programs include, but are not limited  
629 to:

- 630 1. Gifted and talented programs; and
- 631 2. English as a second language (ESL).

632

633 A school in the receiving state is not precluded from performing  
634 subsequent evaluations to ensure appropriate placement and  
635 continued enrollment of the student in the courses.

636 C. A receiving state must initially provide comparable  
637 services to a student with disabilities based on his or her  
638 current individualized education program (IEP) in compliance  
639 with the requirements of the Individuals with Disabilities  
640 Education Act (IDEA), 20 U.S.C. s. 1400, et seq. A receiving  
641 state must make reasonable accommodations and modifications to  
642 address the needs of incoming students with disabilities,  
643 subject to an existing section 504 or title II plan, to provide  
644 the student with equal access to education, in compliance with  
645 the provisions of Section 504 of the Rehabilitation Act, 29  
646 U.S.C.A. s. 794, and with title II of the Americans with  
647 Disabilities Act, 42 U.S.C. ss. 12131-12165. A school in the  
648 receiving state is not precluded from performing subsequent



649 evaluations to ensure appropriate placement and continued  
650 enrollment of the student in the courses.

651 D. Local education agency administrative officials may  
652 waive course or program prerequisites, or other preconditions  
653 for placement in courses or programs offered under the  
654 jurisdiction of the local education agency.

655 E. A student whose parent or legal guardian is an active-  
656 duty member of the uniformed services and has been called to  
657 duty for, is on leave from, or immediately returned from  
658 deployment to, a combat zone or combat support posting shall be  
659 granted additional excused absences at the discretion of the  
660 local education agency superintendent to visit with his or her  
661 parent or legal guardian relative to such leave or deployment of  
662 the parent or guardian.

663  
664 ARTICLE VI

665  
666 ELIGIBILITY.—

667 A. When considering the eligibility of a child for  
668 enrolling in a school:

669 1. A special power of attorney relative to the guardianship  
670 of a child of a military family and executed under applicable  
671 law is sufficient for the purposes of enrolling the child in  
672 school and for all other actions requiring parental  
673 participation and consent.

674 2. A local education agency is prohibited from charging  
675 local tuition to a transitioning military child placed in the  
676 care of a noncustodial parent or other person standing in loco  
677 parentis who lives in a school's jurisdiction different from





678 that of the custodial parent.

679 3. A transitioning military child, placed in the care of a  
680 noncustodial parent or other person standing in loco parentis  
681 who lives in a school's jurisdiction different from that of the  
682 custodial parent, may continue to attend the school in which he  
683 or she was enrolled while residing with the custodial parent.

684 B. State and local education agencies must facilitate the  
685 opportunity for transitioning military children's inclusion in  
686 extracurricular activities, regardless of application deadlines,  
687 to the extent they are otherwise qualified.

688

689

#### ARTICLE VII

690

691 GRADUATION.—In order to facilitate the on-time graduation  
692 of children of military families, states and local education  
693 agencies shall incorporate the following procedures:

694 A. Local education agency administrative officials shall  
695 waive specific courses required for graduation if similar  
696 coursework has been satisfactorily completed in another local  
697 education agency or shall provide reasonable justification for  
698 denial. If a waiver is not granted to a student who would  
699 qualify to graduate from the sending school, the local education  
700 agency must provide an alternative means of acquiring required  
701 coursework so that graduation may occur on time.

702 B. States shall accept exit or end-of-course exams required  
703 for graduation from the sending state; national norm-referenced  
704 achievement tests; or alternative testing, in lieu of testing  
705 requirements for graduation in the receiving state. If these  
706 alternatives cannot be accommodated by the receiving state for a



707 student transferring in his or her senior year, then the  
708 provisions of Article VII, Section C shall apply.

709 C. If a military student transfers at the beginning of or  
710 during his or her senior year and is not eligible to graduate  
711 from the receiving local education agency after all alternatives  
712 have been considered, the sending and receiving local education  
713 agencies must ensure the receipt of a diploma from the sending  
714 local education agency, if the student meets the graduation  
715 requirements of the sending local education agency. If one of  
716 the states in question is not a member of this compact, the  
717 member state shall use its best efforts to facilitate the on-  
718 time graduation of the student in accordance with Sections A and  
719 B of this Article.

720  
721 ARTICLE VIII  
722

723 STATE COORDINATION.—Each member state shall, through the  
724 creation of a state council or use of an existing body or board,  
725 provide for the coordination among its agencies of government,  
726 local education agencies, and military installations concerning  
727 the state's participation in, and compliance with, this compact  
728 and Interstate Commission activities.

729 A. Each member state may determine the membership of its  
730 own state council, but the membership must include at least: the  
731 state superintendent of education, the superintendent of a  
732 school district that has a high concentration of military  
733 children, a representative from a military installation, one  
734 representative each from the legislative and executive branches  
735 of government, and other offices and stakeholder groups the



736 state council deems appropriate. A member state that does not  
737 have a school district deemed to contain a high concentration of  
738 military children may appoint a superintendent from another  
739 school district to represent local education agencies on the  
740 state council.

741 B. The state council of each member state shall appoint or  
742 designate a military family education liaison to assist military  
743 families and the state in facilitating the implementation of  
744 this compact.

745 C. The compact commissioner responsible for the  
746 administration and management of the state's participation in  
747 the compact shall be appointed by the Governor or as otherwise  
748 determined by each member state.

749 D. The compact commissioner and the military family  
750 education liaison shall be ex officio members of the state  
751 council, unless either is already a full voting member of the  
752 state council.

753

754 ARTICLE IX

755

756 INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY FOR  
757 MILITARY CHILDREN.—The member states hereby create the  
758 "Interstate Commission on Educational Opportunity for Military  
759 Children." The activities of the Interstate Commission are the  
760 formation of public policy and are a discretionary state  
761 function. The Interstate Commission shall:

762 A. Be a body corporate and joint agency of the member  
763 states and shall have all the responsibilities, powers, and  
764 duties set forth herein, and such additional powers as may be



765 conferred upon it by a subsequent concurrent action of the  
766 respective legislatures of the member states in accordance with  
767 the terms of this compact.

768 B. Consist of one Interstate Commission voting  
769 representative from each member state who shall be that state's  
770 compact commissioner.

771 1. Each member state represented at a meeting of the  
772 Interstate Commission is entitled to one vote.

773 2. A majority of the total member states shall constitute a  
774 quorum for the transaction of business, unless a larger quorum  
775 is required by the bylaws of the Interstate Commission.

776 3. A representative shall not delegate a vote to another  
777 member state. In the event the compact commissioner is unable to  
778 attend a meeting of the Interstate Commission, the Governor or  
779 state council may delegate voting authority to another person  
780 from their state for a specified meeting.

781 4. The bylaws may provide for meetings of the Interstate  
782 Commission to be conducted by telecommunication or electronic  
783 communication.

784 C. Consist of ex officio, nonvoting representatives who are  
785 members of interested organizations. The ex officio members, as  
786 defined in the bylaws, may include, but not be limited to,  
787 members of the representative organizations of military family  
788 advocates, local education agency officials, parent and teacher  
789 groups, the United States Department of Defense, the Education  
790 Commission of the States, the Interstate Agreement on the  
791 Qualification of Educational Personnel, and other interstate  
792 compacts affecting the education of children of military  
793 members.



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794           D. Meet at least once each calendar year. The chairperson  
795 may call additional meetings and, upon the request of a simple  
796 majority of the member states, shall call additional meetings.

797           E. Establish an executive committee, whose members shall  
798 include the officers of the Interstate Commission and such other  
799 members of the Interstate Commission as determined by the  
800 bylaws. Members of the executive committee shall serve a 1-year  
801 term. Members of the executive committee are entitled to one  
802 vote each. The executive committee shall have the power to act  
803 on behalf of the Interstate Commission, with the exception of  
804 rulemaking, during periods when the Interstate Commission is not  
805 in session. The executive committee shall oversee the day-to-day  
806 activities of the administration of the compact, including  
807 enforcement and compliance with the compact, its bylaws and  
808 rules, and other such duties as deemed necessary. The United  
809 States Department of Defense shall serve as an ex officio,  
810 nonvoting member of the executive committee.

811           F. The Interstate Commission shall collect standardized  
812 data concerning the educational transition of the children of  
813 military families under this compact as directed through its  
814 rules which shall specify the data to be collected, the means of  
815 collection and data exchange, and reporting requirements. The  
816 methods of data collection, exchange, and reporting shall,  
817 insofar as is reasonably possible, conform to current technology  
818 and coordinate its information functions with the appropriate  
819 custodian of records as identified in the bylaws and rules.

820           G. The Interstate Commission shall create a procedure that  
821 permits military officials, education officials, and parents to  
822 inform the Interstate Commission if and when there are alleged



823 violations of the compact or its rules or when issues subject to  
824 the jurisdiction of the compact or its rules are not addressed  
825 by the state or local education agency. This section does not  
826 create a private right of action against the Interstate  
827 Commission or any member state.

828

829 ARTICLE X

830

831 POWERS AND DUTIES OF THE INTERSTATE COMMISSION.—The  
832 Interstate Commission has the power to:

833 A. Provide for dispute resolution among member states.

834 B. Adopt rules and take all necessary actions to effect the  
835 goals, purposes, and obligations as enumerated in this compact.  
836 The rules have the force and effect of statutory law and are  
837 binding in the compact states to the extent and in the manner  
838 provided in this compact.

839 C. Issue, upon request of a member state, advisory opinions  
840 concerning the meaning or interpretation of the interstate  
841 compact, its bylaws, rules, and actions.

842 D. Enforce compliance with the compact provisions, the  
843 rules adopted by the Interstate Commission, and the bylaws,  
844 using all necessary and proper means, including, but not limited  
845 to, the use of judicial process.

846 E. Establish and maintain offices that shall be located  
847 within one or more of the member states.

848 F. Purchase and maintain insurance and bonds.

849 G. Borrow, accept, hire, or contract for services of  
850 personnel.

851 H. Establish and appoint committees, including, but not



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852 limited to, an executive committee as required by Article IX,  
853 Section E, which shall have the power to act on behalf of the  
854 Interstate Commission in carrying out its powers and duties  
855 hereunder.

856 I. Elect or appoint such officers, attorneys, employees,  
857 agents, or consultants, and to fix their compensation, define  
858 their duties, and determine their qualifications; and to  
859 establish the Interstate Commission's personnel policies and  
860 programs relating to conflicts of interest, rates of  
861 compensation, and qualifications of personnel.

862 J. Accept any and all donations and grants of money,  
863 equipment, supplies, materials, and services, and to receive,  
864 utilize, and dispose of it.

865 K. Lease, purchase, accept contributions or donations of,  
866 or otherwise to own, hold, improve, or use any property, real,  
867 personal, or mixed.

868 L. Sell, convey, mortgage, pledge, lease, exchange,  
869 abandon, or otherwise dispose of any property, real, personal,  
870 or mixed.

871 M. Establish a budget and make expenditures.

872 N. Adopt a seal and bylaws governing the management and  
873 operation of the Interstate Commission.

874 O. Report annually to the legislatures, governors,  
875 judiciary, and state councils of the member states concerning  
876 the activities of the Interstate Commission during the preceding  
877 year. Such reports shall also include any recommendations that  
878 may have been adopted by the Interstate Commission.

879 P. Coordinate education, training, and public awareness  
880 regarding the compact, its implementation, and operation for



881 officials and parents involved in such activity.

882 Q. Establish uniform standards for the reporting,  
883 collecting, and exchanging of data.

884 R. Maintain corporate books and records in accordance with  
885 the bylaws.

886 S. Perform such functions as may be necessary or  
887 appropriate to achieve the purposes of this compact.

888 T. Provide for the uniform collection and sharing of  
889 information between and among member states, schools, and  
890 military families under this compact.

891

892 ARTICLE XI

893

894 ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION.—

895 A. The Interstate Commission shall, by a majority of the  
896 members present and voting, within 12 months after the first  
897 Interstate Commission meeting, adopt bylaws to govern its  
898 conduct as may be necessary or appropriate to carry out the  
899 purposes of the compact, including, but not limited to:

900 1. Establishing the fiscal year of the Interstate  
901 Commission;

902 2. Establishing an executive committee and such other  
903 committees as may be necessary;

904 3. Providing for the establishment of committees and for  
905 governing any general or specific delegation of authority or  
906 function of the Interstate Commission;

907 4. Providing reasonable procedures for calling and  
908 conducting meetings of the Interstate Commission and ensuring  
909 reasonable notice of each such meeting;





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910           5. Establishing the titles and responsibilities of the  
911 officers and staff of the Interstate Commission;

912           6. Providing a mechanism for concluding the operations of  
913 the Interstate Commission and the return of surplus funds that  
914 may exist upon the termination of the compact after the payment  
915 and reserving of all of its debts and obligations.

916           7. Providing "start up" rules for initial administration of  
917 the compact.

918           B. The Interstate Commission shall, by a majority of the  
919 members, elect annually from among its members a chairperson, a  
920 vice chairperson, and a treasurer, each of whom shall have such  
921 authority and duties as may be specified in the bylaws. The  
922 chairperson or, in the chairperson's absence or disability, the  
923 vice chairperson shall preside at all meetings of the Interstate  
924 Commission. The officers so elected shall serve without  
925 compensation or remuneration from the Interstate Commission;  
926 provided that, subject to the availability of budgeted funds,  
927 the officers shall be reimbursed for ordinary and necessary  
928 costs and expenses incurred by them in the performance of their  
929 responsibilities as officers of the Interstate Commission.

930           C. The executive committee has the authority and duties as  
931 may be set forth in the bylaws, including, but not limited to:

932           1. Managing the affairs of the Interstate Commission in a  
933 manner consistent with the bylaws and purposes of the Interstate  
934 Commission;

935           2. Overseeing an organizational structure within, and  
936 appropriate procedures for, the Interstate Commission to provide  
937 for the adoption of rules, operating procedures, and  
938 administrative and technical support functions; and



939           3. Planning, implementing, and coordinating communications  
940 and activities with other state, federal, and local government  
941 organizations in order to advance the goals of the Interstate  
942 Commission.

943           D. The executive committee may, subject to the approval of  
944 the Interstate Commission, appoint or retain an executive  
945 director for such period, upon such terms and conditions and for  
946 such compensation, as the Interstate Commission may deem  
947 appropriate. The executive director shall serve as secretary to  
948 the Interstate Commission but is not a member of the Interstate  
949 Commission. The executive director shall hire and supervise such  
950 other persons as may be authorized by the Interstate Commission.

951           E. The Interstate Commission's executive director and its  
952 employees are immune from suit and liability, either personally  
953 or in their official capacity, for a claim for damage to or loss  
954 of property or personal injury or other civil liability caused  
955 or arising out of, or relating to, an actual or alleged act,  
956 error, or omission that occurred, or that such person had a  
957 reasonable basis for believing occurred, within the scope of  
958 Interstate Commission employment, duties, or responsibilities,  
959 provided that the person is not protected from suit or liability  
960 for damage, loss, injury, or liability caused by the intentional  
961 or willful and wanton misconduct of the person.

962           1. The liability of the Interstate Commission's executive  
963 director and employees or Interstate Commission representatives,  
964 acting within the scope of the person's employment or duties,  
965 for acts, errors, or omissions occurring within the person's  
966 state may not exceed the limits of liability set forth under the  
967 constitution and laws of that state for state officials,



968 employees, and agents. The Interstate Commission is considered  
969 to be an instrumentality of the states for the purposes of any  
970 such action. This subsection does not protect the person from  
971 suit or liability for damage, loss, injury, or liability caused  
972 by the intentional or willful and wanton misconduct of the  
973 person.

974         2. The Interstate Commission shall defend the executive  
975 director and its employees and, subject to the approval of the  
976 Attorney General or other appropriate legal counsel of the  
977 member state represented by an Interstate Commission  
978 representative, shall defend an Interstate Commission  
979 representative in any civil action seeking to impose liability  
980 arising out of an actual or alleged act, error, or omission that  
981 occurred within the scope of Interstate Commission employment,  
982 duties, or responsibilities, or that the defendant had a  
983 reasonable basis for believing occurred within the scope of  
984 Interstate Commission employment, duties, or responsibilities,  
985 provided that the actual or alleged act, error, or omission did  
986 not result from intentional or willful and wanton misconduct on  
987 the part of the person.

988         3. To the extent not covered by the state involved, a  
989 member state, the Interstate Commission, and the representatives  
990 or employees of the Interstate Commission shall be held harmless  
991 in the amount of a settlement or judgment, including attorney's  
992 fees and costs, obtained against a person arising out of an  
993 actual or alleged act, error, or omission that occurred within  
994 the scope of Interstate Commission employment, duties, or  
995 responsibilities, or that the person had a reasonable basis for  
996 believing occurred within the scope of Interstate Commission



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997 employment, duties, or responsibilities, provided that the  
998 actual or alleged act, error, or omission did not result from  
999 intentional or willful and wanton misconduct on the part of the  
1000 person.

1002 ARTICLE XII

1003  
1004 RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION.—The  
1005 Interstate Commission shall adopt rules to effectively and  
1006 efficiently implement this act to achieve the purposes of this  
1007 compact.

1008 A. If the Interstate Commission exercises its rulemaking  
1009 authority in a manner that is beyond the scope of the purposes  
1010 of this act, or the powers granted hereunder, the action  
1011 undertaken by the Interstate Commission is invalid and has no  
1012 force or effect.

1013 B. Rules must be adopted pursuant to a rulemaking process  
1014 that substantially conforms to the "Model State Administrative  
1015 Procedure Act," of 1981 Act, Uniform Laws Annotated, Vol. 15, p.  
1016 1 (2000) as amended, as may be appropriate to the operations of  
1017 the Interstate Commission.

1018 C. No later than 30 days after a rule is adopted, a person  
1019 may file a petition for judicial review of the rule. The filing  
1020 of the petition does not stay or otherwise prevent the rule from  
1021 becoming effective unless a court finds that the petitioner has  
1022 a substantial likelihood of success on the merits of the  
1023 petition. The court shall give deference to the actions of the  
1024 Interstate Commission consistent with applicable law and shall  
1025 not find the rule to be unlawful if the rule represents a



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1026 reasonable exercise of the Interstate Commission's authority.

1027 D. If a majority of the legislatures of the compacting  
1028 states rejects a rule by enactment of a statute or resolution in  
1029 the same manner used to adopt the compact, then the rule is  
1030 invalid and has no further force and effect in any compacting  
1031 state.

1032

1033 ARTICLE XIII

1034

1035 OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION.—

1036 A. The executive, legislative, and judicial branches of  
1037 state government in each member state shall enforce this compact  
1038 and shall take all actions necessary and appropriate to  
1039 effectuate the compact's purposes and intent. The provisions of  
1040 this compact and the rules adopted under it have the force and  
1041 effect of statutory law.

1042 B. All courts shall take judicial notice of the compact and  
1043 its adopted rules in any judicial or administrative proceeding  
1044 in a member state pertaining to the subject matter of this  
1045 compact which may affect the powers, responsibilities, or  
1046 actions of the Interstate Commission.

1047 C. The Interstate Commission is entitled to receive all  
1048 service of process in any such proceeding, and has standing to  
1049 intervene in the proceeding for all purposes. Failure to provide  
1050 service of process to the Interstate Commission renders a  
1051 judgment or order void as to the Interstate Commission, this  
1052 compact, or its adopted rules.

1053 D. If the Interstate Commission determines that a member  
1054 state has defaulted in the performance of its obligations or



1055 responsibilities under this compact, or the bylaws or the  
1056 adopted rules, the Interstate Commission shall:

1057       1. Provide written notice to the defaulting state and other  
1058 member states of the nature of the default, the means of curing  
1059 the default, and any action taken by the Interstate Commission.  
1060 The Interstate Commission must specify the conditions by which  
1061 the defaulting state must cure its default.

1062       2. Provide remedial training and specific technical  
1063 assistance regarding the default.

1064       3. If the defaulting state fails to cure the default,  
1065 terminate the defaulting state from the compact upon an  
1066 affirmative vote of a majority of the member states and all  
1067 rights, privileges, and benefits conferred by this compact shall  
1068 be terminated from the effective date of termination. A cure of  
1069 the default does not relieve the offending state of obligations  
1070 or liabilities incurred during the period of the default.

1071       E. Suspension or termination of membership in the compact  
1072 may not be imposed on a member until all other means of securing  
1073 compliance have been exhausted. Notice of the intent to suspend  
1074 or terminate membership must be given by the Interstate  
1075 Commission to the Governor, the majority and minority leaders of  
1076 the defaulting state's legislature, and each of the member  
1077 states.

1078       F. A state that has been suspended or terminated is  
1079 responsible for all assessments, obligations, and liabilities  
1080 incurred through the effective date of suspension or  
1081 termination, including obligations, the performance of which  
1082 extends beyond the effective date of suspension or termination.

1083       G. The remaining member states of the Interstate Commission



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1084 do not bear any costs arising from a state that has been found  
1085 to be in default or that has been suspended or terminated from  
1086 the compact, unless otherwise mutually agreed upon in writing  
1087 between the Interstate Commission and the defaulting state.

1088       H. A defaulting state may appeal the action of the  
1089 Interstate Commission by petitioning the United States District  
1090 Court for the District of Columbia or the federal district where  
1091 the Interstate Commission has its principal offices. The  
1092 prevailing party shall be awarded all costs of such litigation,  
1093 including reasonable attorney's fees.

1094       I. The Interstate Commission shall attempt, upon the  
1095 request of a member state, to resolve disputes that are subject  
1096 to the compact and that may arise among member states and  
1097 between member and nonmember states. The Interstate Commission  
1098 shall promulgate a rule providing for both mediation and binding  
1099 dispute resolution for disputes as appropriate.

1100           1. The Interstate Commission, in the reasonable exercise of  
1101 its discretion, shall enforce the provisions and rules of this  
1102 compact.

1103           2. The Interstate Commission may, by majority vote of the  
1104 members, initiate legal action in the United States District  
1105 Court for the District of Columbia or, at the discretion of the  
1106 Interstate Commission, in the federal district where the  
1107 Interstate Commission has its principal offices to enforce  
1108 compliance with the provisions of the compact, or its  
1109 promulgated rules and bylaws, against a member state in default.  
1110 The relief sought may include both injunctive relief and  
1111 damages. In the event judicial enforcement is necessary, the  
1112 prevailing party shall be awarded all costs of such litigation,







1142 all receipts and disbursements of funds handled by the  
1143 Interstate Commission shall be audited yearly by a certified or  
1144 licensed public accountant, and the report of the audit shall be  
1145 included in and become part of the annual report of the  
1146 Interstate Commission.

1147

1148 ARTICLE XV

1149

1150 MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT.—

1151 A. Any state is eligible to become a member state.

1152 B. The compact shall take effect and be binding upon  
1153 legislative enactment of the compact into law by not less than  
1154 10 of the states. The effective date shall be no earlier than  
1155 December 1, 2007. Thereafter, it shall become effective and  
1156 binding as to any other member state upon enactment of the  
1157 compact into law by that state. The governors of nonmember  
1158 states or their designees shall be invited to participate in the  
1159 activities of the Interstate Commission on a nonvoting basis  
1160 before adoption of the compact by all states.

1161 C. The Interstate Commission may propose amendments to the  
1162 compact for enactment by the member states. An amendment does  
1163 not become effective and binding upon the Interstate Commission  
1164 and the member states until the amendment is enacted into law by  
1165 unanimous consent of the member states.

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1167 ARTICLE XVI

1168

1169 WITHDRAWAL AND DISSOLUTION.—

1170 A. Once in effect, the compact continues in force and



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1171 remains binding upon each and every member state, provided that  
1172 a member state may withdraw from the compact, specifically  
1173 repealing the statute that enacted the compact into law.

1174 1. Withdrawal from the compact occurs when a statute  
1175 repealing its membership is enacted by the state, but does not  
1176 take effect until 1 year after the effective date of the statute  
1177 and until written notice of the withdrawal has been given by the  
1178 withdrawing state to the Governor of each other member state.

1179 2. The withdrawing state must immediately notify the  
1180 chairperson of the Interstate Commission in writing upon the  
1181 introduction of legislation repealing this compact in the  
1182 withdrawing state. The Interstate Commission shall notify the  
1183 other member states of the withdrawing state's intent to  
1184 withdraw within 60 days after its receipt thereof.

1185 3. A withdrawing state is responsible for all assessments,  
1186 obligations, and liabilities incurred through the effective date  
1187 of withdrawal, including obligations, the performance of which  
1188 extend beyond the effective date of withdrawal.

1189 4. Reinstatement following withdrawal of a member state  
1190 shall occur upon the withdrawing state reenacting the compact or  
1191 upon such later date as determined by the Interstate Commission.

1192 B. This compact shall dissolve effective upon the date of  
1193 the withdrawal or default of the member state which reduces the  
1194 membership in the compact to one member state.

1195 C. Upon the dissolution of this compact, the compact  
1196 becomes void and has no further force or effect, and the  
1197 business and affairs of the Interstate Commission shall be  
1198 concluded and surplus funds shall be distributed in accordance  
1199 with the bylaws.



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ARTICLE XVII

SEVERABILITY AND CONSTRUCTION.—

A. The provisions of this compact shall be severable, and if any phrase, clause, sentence, or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

B. The provisions of this compact shall be liberally construed to effectuate its purposes.

C. This compact does not prohibit the applicability of other interstate compacts to which the states are members.

ARTICLE XVIII

BINDING EFFECT OF COMPACT AND OTHER LAWS.—

A. This compact does not prevent the enforcement of any other law of a member state that is not inconsistent with this compact.

B. All member states' laws conflicting with this compact are superseded to the extent of the conflict.

C. All lawful actions of the Interstate Commission, including all rules and bylaws promulgated by the Interstate Commission, are binding upon the member states.

D. All agreements between the Interstate Commission and the member states are binding in accordance with their terms.

E. If any part of this compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict



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1229 with the constitutional provision in question in that member  
1230 state.

1231 Section 23. Subsection (1) of section 1003.051, Florida  
1232 Statutes, is amended to read:

1233 1003.051 Purple Star Campuses.—

1234 (1) As used in this section, the term “military student”  
1235 means a student who is:

1236 (a) Enrolled in a school district, charter school, or any  
1237 school or educational institution participating in an  
1238 educational choice scholarship program established pursuant to  
1239 chapter 1002; and

1240 (b) A dependent of a current member of the United States  
1241 military serving on active duty in, or a former member of, the  
1242 Army, Navy, Air Force, Space Force, Marine Corps, or Coast  
1243 Guard; a reserve component of any branch of the United States  
1244 military; or the Florida National Guard.

1245 Section 24. For the purpose of incorporating the amendment  
1246 made by this act to section 250.01, Florida Statutes, in a  
1247 reference thereto, subsection (7) of section 373.324, Florida  
1248 Statutes, is reenacted to read:

1249 373.324 License renewal.—

1250 (7) Notwithstanding the renewal requirements in subsection  
1251 (3) and s. 250.4815 for members of the Florida National Guard  
1252 and the United States Armed Forces Reserves, any active water  
1253 well contractor license issued under this part to a  
1254 servicemember as defined in s. 250.01 or his or her spouse, both  
1255 of whom reside in Florida, may not become inactive while the  
1256 servicemember is serving on military orders which take him or  
1257 her over 35 miles from his or her residence and shall be



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1258 considered an active license for up to 180 days after the  
1259 servicemember returns to his or her Florida residence. If the  
1260 license renewal requirements are met within the 180-day  
1261 extension period, the servicemember or his or her spouse may not  
1262 be charged any additional costs, such as, but not limited to,  
1263 late fees or delinquency fees, above the normal license fees.  
1264 This subsection does not waive renewal requirements such as  
1265 registering, continuing education, and all associated fees. The  
1266 servicemember must present to the water management district  
1267 issuing the license a copy of his or her official military  
1268 orders or a written verification from the member's commanding  
1269 officer before the end of the 180-day period in order to qualify  
1270 for the extension.

1271 Section 25. For the purpose of incorporating the amendment  
1272 made by this act to section 250.01, Florida Statutes, in a  
1273 reference thereto, paragraph (c) of subsection (1) of section  
1274 409.1664, Florida Statutes, is reenacted to read:

1275 409.1664 Adoption benefits for qualifying adoptive  
1276 employees of state agencies, veterans, and servicemembers.—

1277 (1) As used in this section, the term:

1278 (c) "Servicemember" has the same meaning as in s.  
1279 250.01(19).

1280 Section 26. For the purpose of incorporating the amendment  
1281 made by this act to section 250.01, Florida Statutes, in a  
1282 reference thereto, subsection (1) of section 520.14, Florida  
1283 Statutes, is reenacted to read:

1284 520.14 Termination of retail installment contract for  
1285 leasing a motor vehicle by a servicemember.—

1286 (1) Any servicemember, as defined in s. 250.01, may



1287 terminate his or her retail installment contract for leasing a  
1288 motor vehicle by providing the sales finance company with a  
1289 written notice of termination, effective on the date specified  
1290 in the notice, which date shall be at least 30 days after the  
1291 receipt of the notice by the sales finance company, if any of  
1292 the following criteria are met:

1293 (a) The servicemember is required, pursuant to a permanent  
1294 change of station, to move outside the continental United  
1295 States; or

1296 (b) The servicemember receives temporary duty orders,  
1297 temporary change of station orders, or active duty orders  
1298 outside the continental United States, provided such orders are  
1299 for a period exceeding 60 days.

1300 Section 27. For the purpose of incorporating the amendment  
1301 made by this act to section 250.01, Florida Statutes, in a  
1302 reference thereto, subsection (5) of section 627.7283, Florida  
1303 Statutes, is reenacted to read:

1304 627.7283 Cancellation; return of unearned premium.—

1305 (5) The insurer must refund 100 percent of the unearned  
1306 premium if the insured is a servicemember, as defined in s.  
1307 250.01, who cancels because he or she is called to active duty  
1308 or transferred by the United States Armed Forces to a location  
1309 where the insurance is not required. The insurer may require a  
1310 servicemember to submit either a copy of the official military  
1311 orders or a written verification signed by the servicemember's  
1312 commanding officer to support the refund authorized under this  
1313 subsection. If the insurer cancels, the insurer must refund 100  
1314 percent of the unearned premium. Cancellation is without  
1315 prejudice to any claim originating prior to the effective date



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1316 of the cancellation. For purposes of this section, unearned  
1317 premiums must be computed on a pro rata basis.

1318 Section 28. For the purpose of incorporating the amendment  
1319 made by this act to section 250.01, Florida Statutes, in a  
1320 reference thereto, paragraph (d) of subsection (1) of section  
1321 689.27, Florida Statutes, is reenacted to read:

1322 689.27 Termination by servicemember of agreement to  
1323 purchase real property.—

1324 (1) Notwithstanding any other provisions of law and for the  
1325 purposes of this section:

1326 (d) "Servicemember" shall have the same meaning as provided  
1327 in s. 250.01.

1328 Section 29. For the purpose of incorporating the amendment  
1329 made by this act to section 250.01, Florida Statutes, in a  
1330 reference thereto, subsection (5) of section 790.015, Florida  
1331 Statutes, is reenacted to read:

1332 790.015 Nonresidents who are United States citizens and  
1333 hold a concealed weapons license in another state; reciprocity.—

1334 (5) The requirement of paragraph (1)(a) does not apply to a  
1335 person who:

1336 (a) Is a servicemember, as defined in s. 250.01; or

1337 (b) Is a veteran of the United States Armed Forces who was  
1338 discharged under honorable conditions.

1339 Section 30. For the purpose of incorporating the amendment  
1340 made by this act to section 250.01, Florida Statutes, in  
1341 references thereto, subsection (4) and paragraph (b) of  
1342 subsection (11) of section 790.06, Florida Statutes, are  
1343 reenacted to read:

1344 790.06 License to carry concealed weapon or firearm.—



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1345 (4) The application shall be completed, under oath, on a  
1346 form adopted by the Department of Agriculture and Consumer  
1347 Services and shall include:

1348 (a) The name, address, place of birth, date of birth, and  
1349 race of the applicant;

1350 (b) A statement that the applicant is in compliance with  
1351 criteria contained within subsections (2) and (3);

1352 (c) A statement that the applicant has been furnished a  
1353 copy of or a website link to this chapter and is knowledgeable  
1354 of its provisions;

1355 (d) A conspicuous warning that the application is executed  
1356 under oath and that a false answer to any question, or the  
1357 submission of any false document by the applicant, subjects the  
1358 applicant to criminal prosecution under s. 837.06;

1359 (e) A statement that the applicant desires a concealed  
1360 weapon or firearms license as a means of lawful self-defense;  
1361 and

1362 (f) Directions for an applicant who is a servicemember, as  
1363 defined in s. 250.01, or a veteran, as defined in s. 1.01, to  
1364 request expedited processing of his or her application.

1365 (11)

1366 (b) A license issued to a servicemember, as defined in s.  
1367 250.01, is subject to paragraph (a); however, such a license  
1368 does not expire while the servicemember is serving on military  
1369 orders that have taken him or her over 35 miles from his or her  
1370 residence and shall be extended, as provided in this paragraph,  
1371 for up to 180 days after his or her return to such residence. If  
1372 the license renewal requirements in paragraph (a) are met within  
1373 the 180-day extension period, the servicemember may not be





1374 charged any additional costs, such as, but not limited to, late  
1375 fees or delinquency fees, above the normal license fees. The  
1376 servicemember must present to the Department of Agriculture and  
1377 Consumer Services a copy of his or her official military orders  
1378 or a written verification from the member's commanding officer  
1379 before the end of the 180-day period in order to qualify for the  
1380 extension.

1381 Section 31. For the purpose of incorporating the amendment  
1382 made by this act to section 250.01, Florida Statutes, in a  
1383 reference thereto, subsection (1) of section 790.062, Florida  
1384 Statutes, is reenacted to read:

1385 790.062 Members and veterans of United States Armed Forces;  
1386 exceptions from licensure provisions.—

1387 (1) Notwithstanding s. 790.06(2)(b), the Department of  
1388 Agriculture and Consumer Services shall issue a license to carry  
1389 a concealed weapon or firearm under s. 790.06 if the applicant  
1390 is otherwise qualified and:

1391 (a) Is a servicemember, as defined in s. 250.01; or

1392 (b) Is a veteran of the United States Armed Forces who was  
1393 discharged under honorable conditions.

1394 Section 32. For the purpose of incorporating the amendment  
1395 made by this act to section 250.01, Florida Statutes, in a  
1396 reference thereto, subsection (13) of section 790.065, Florida  
1397 Statutes, is reenacted to read:

1398 790.065 Sale and delivery of firearms.—

1399 (13) A person younger than 21 years of age may not purchase  
1400 a firearm. The sale or transfer of a firearm to a person younger  
1401 than 21 years of age may not be made or facilitated by a  
1402 licensed importer, licensed manufacturer, or licensed dealer. A



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1403 person who violates this subsection commits a felony of the  
1404 third degree, punishable as provided in s. 775.082, s. 775.083,  
1405 or s. 775.084. The prohibitions of this subsection do not apply  
1406 to the purchase of a rifle or shotgun by a law enforcement  
1407 officer or correctional officer, as those terms are defined in  
1408 s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a  
1409 servicemember as defined in s. 250.01.

1410 Section 33. For the purpose of incorporating the amendment  
1411 made by this act to section 250.01, Florida Statutes, in a  
1412 reference thereto, paragraph (d) of subsection (2) of section  
1413 790.0655, Florida Statutes, is reenacted to read:

1414 790.0655 Purchase and delivery of firearms; mandatory  
1415 waiting period; exceptions; penalties.—

1416 (2) The waiting period does not apply in the following  
1417 circumstances:

1418 (d) When a rifle or shotgun is being purchased by a law  
1419 enforcement officer or correctional officer, as those terms are  
1420 defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a  
1421 servicemember as defined in s. 250.01.

1422 Section 34. For the purpose of incorporating the amendment  
1423 made by this act to section 250.01, Florida Statutes, in  
1424 references thereto, subsections (1), (2), and (3) of section  
1425 948.21, Florida Statutes, are reenacted to read:

1426 948.21 Condition of probation or community control;  
1427 military servicemembers and veterans.—

1428 (1) Effective for a probationer or community controllee  
1429 whose crime is committed on or after July 1, 2012, and who is a  
1430 veteran, as defined in s. 1.01, or servicemember, as defined in  
1431 s. 250.01, who suffers from a military service-related mental



1432 illness, traumatic brain injury, substance abuse disorder, or  
1433 psychological problem, the court may, in addition to any other  
1434 conditions imposed, impose a condition requiring the probationer  
1435 or community controllee to participate in a treatment program  
1436 capable of treating the probationer's or community controllee's  
1437 mental illness, traumatic brain injury, substance abuse  
1438 disorder, or psychological problem.

1439 (2) Effective for a probationer or community controllee  
1440 whose crime is committed on or after July 1, 2016, and who is a  
1441 veteran, as defined in s. 1.01, including a veteran who is  
1442 discharged or released under a general discharge, or  
1443 servicemember, as defined in s. 250.01, who suffers from a  
1444 military service-related mental illness, traumatic brain injury,  
1445 substance abuse disorder, or psychological problem, the court  
1446 may, in addition to any other conditions imposed, impose a  
1447 condition requiring the probationer or community controllee to  
1448 participate in a treatment program capable of treating the  
1449 probationer or community controllee's mental illness, traumatic  
1450 brain injury, substance abuse disorder, or psychological  
1451 problem.

1452 (3) Effective for a probationer or community controllee  
1453 whose crime is committed on or after October 1, 2019, and who is  
1454 a veteran, as defined in s. 1.01; a veteran who is discharged or  
1455 released under any condition; a servicemember, as defined in s.  
1456 250.01; an individual who is a current or former United States  
1457 Department of Defense contractor; or an individual who is a  
1458 current or former military member of a foreign allied country,  
1459 who suffers from a military service-related mental illness,  
1460 traumatic brain injury, substance abuse disorder, or



1461 psychological problem, the court may, in addition to any other  
1462 conditions imposed, impose a condition requiring the probationer  
1463 or community controllee to participate in a treatment program  
1464 capable of treating the probationer or community controllee's  
1465 mental illness, traumatic brain injury, substance abuse  
1466 disorder, or psychological problem.

1467 Section 35. Except as otherwise expressly provided in this  
1468 act, this act shall take effect July 1, 2022.

1469  
1470 ===== T I T L E A M E N D M E N T =====

1471 And the title is amended as follows:

1472 Delete everything before the enacting clause  
1473 and insert:

1474 A bill to be entitled  
1475 An act relating to the United States Space Force;  
1476 amending s. 61.703, F.S.; revising the definition of  
1477 the term "uniformed service" to include the United  
1478 States Space Force; amending s. 92.51, F.S.; revising  
1479 the Armed Forces officers authorized to take or  
1480 administer specified oaths, affidavits, or  
1481 acknowledgements to include United States Space Force  
1482 officers; amending s. 97.021, F.S.; revising the  
1483 definition of the term "uniformed services" to include  
1484 the United States Space Force; amending s. 115.01,  
1485 F.S.; revising the military service branches for which  
1486 any county or state official who is called to active  
1487 service may receive a leave of absence; amending s.  
1488 163.3175, F.S.; updating military base names; amending  
1489 s. 210.04, F.S.; adding post exchanges operated by the



1490 United States Space Force to those that are exempt  
1491 from paying tax on cigarettes sold; amending s.  
1492 250.01, F.S.; revising the definition of the term  
1493 "armed forces" to include the United States Space  
1494 Force; amending s. 250.43, F.S.; revising the armed  
1495 forces uniforms that are protected from imitation to  
1496 include uniforms of the United States Space Force;  
1497 amending s. 250.52, F.S.; prohibiting persons from  
1498 soliciting or persuading another not to enlist with  
1499 the United States Space Force when the country is at  
1500 war or there are indications of a pending war;  
1501 amending s. 295.061, F.S.; revising the definition of  
1502 the term "United States Armed Forces" to include the  
1503 United States Space Force; amending s. 296.02, F.S.;  
1504 revising the definition of the term "peacetime  
1505 service" to include service in the United States Space  
1506 Force; amending s. 331.304, F.S.; revising the names  
1507 of specified former Air Force bases to reflect they  
1508 are Space Force bases; amending s. 461.002, F.S.;  
1509 providing an exception to graduate podiatric  
1510 physicians practicing in the United States Space  
1511 Force; amending s. 466.002, F.S.; providing an  
1512 exemption to graduate dentists or dental surgeons  
1513 practicing in the United States Space Force; amending  
1514 s. 496.415, F.S.; prohibiting a person from  
1515 representing or claiming to be a member of the United  
1516 States Space Force in connection with any solicitation  
1517 or charitable or sponsor sales promotion; amending s.  
1518 540.08, F.S.; revising the definition of the term



1519 "member of the armed forces" to include members of the  
1520 United States Space Force; amending s. 695.031, F.S.;  
1521 including members of the United States Space Force and  
1522 the United States Air Force as servicemembers who may  
1523 acknowledge certain instruments; amending s. 718.113,  
1524 F.S.; including the official flag that represents the  
1525 United States Space Force as a flag that may be  
1526 displayed by a condominium owner; amending s. 720.304,  
1527 F.S.; including the official flag that represents the  
1528 United States Space Force as a flag that may be  
1529 displayed by a homeowner; amending s. 790.25, F.S.;  
1530 authorizing members of the United States Space Force  
1531 to own, possess, and lawfully use firearms and other  
1532 weapons, ammunition, and supplies when on duty, when  
1533 training or preparing themselves for military duty, or  
1534 while subject to recall or mobilization; amending s.  
1535 817.312, F.S.; prohibiting a person from unlawfully  
1536 using the uniforms, medals, or insignia of the United  
1537 States Space Force; amending s. 1000.36, F.S.;  
1538 revising the definition of the term "uniformed  
1539 services" to include the United States Space Force;  
1540 amending s. 1003.051, F.S.; revising the definition of  
1541 the term "military student" to include a student who  
1542 is a dependent of a current or former member of the  
1543 United States Space Force; reenacting ss. 373.324(7),  
1544 409.1664(1)(c), 520.14(1), 627.7283(5), 689.27(1)(d),  
1545 790.015(5), 790.06(4) and (11)(b), 790.062(1),  
1546 790.065(13), 790.0655(2)(d), and 948.21(1), (2), and  
1547 (3), F.S., which reference the definition of the term



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1548 "servicemember," to incorporate the amendment made to  
1549 s. 250.01, F.S., in references thereto; providing  
1550 effective dates.