

1                   A bill to be entitled  
2           An act relating to the United States Armed Forces;  
3           amending s. 61.703, F.S.; revising the definition of  
4           the term "uniformed service" to include the United  
5           States Space Force; amending s. 92.51, F.S.; revising  
6           the Armed Forces officers authorized to take or  
7           administer specified oaths, affidavits, or  
8           acknowledgements to include United States Space Force  
9           officers; amending s. 97.021, F.S.; revising the  
10          definition of the term "uniformed services" to include  
11          the United States Space Force; amending s. 115.01,  
12          F.S.; revising the military service branches for which  
13          any county or state official who is called to active  
14          service may receive a leave of absence; amending s.  
15          163.3175, F.S.; updating military base names; amending  
16          s. 210.04, F.S.; adding post exchanges operated by the  
17          United States Space Force to those that are exempt  
18          from paying tax on cigarettes sold; amending s.  
19          250.01, F.S.; revising the definition of the term  
20          "armed forces" to include the United States Space  
21          Force; amending s. 250.43, F.S.; revising the armed  
22          forces uniforms that are protected from imitation to  
23          include uniforms of the United States Space Force;  
24          amending s. 250.52, F.S.; prohibiting persons from  
25          soliciting or persuading another not to enlist with

26 | the United States Space Force when the country is at  
27 | war or there are indications of a pending war;  
28 | amending s. 295.061, F.S.; revising the definition of  
29 | the term "United States Armed Forces" to include the  
30 | United States Space Force; amending s. 296.02, F.S.;  
31 | revising the definition of the term "peacetime  
32 | service" to include service in the United States Space  
33 | Force; amending s. 331.304, F.S.; renaming specified  
34 | former Air Force bases as Space Force bases; amending  
35 | s. 461.002, F.S.; providing an exception to graduate  
36 | podiatric physicians practicing in the United States  
37 | Space Force; amending s. 466.002, F.S.; providing an  
38 | exemption to graduate dentists or dental surgeons  
39 | practicing in the United States Space Force; amending  
40 | s. 496.415, F.S.; prohibiting a person from  
41 | representing or claiming to be a member of the United  
42 | States Space Force in connection with any solicitation  
43 | or charitable or sponsor sales promotion; amending s.  
44 | 540.08, F.S.; revising the definition of the term  
45 | "member of the armed forces" to include members of the  
46 | United States Space Force; amending s. 695.031, F.S.;  
47 | including members of the United States Space Force and  
48 | the United States Air Force as servicemembers who may  
49 | acknowledge certain instruments; amending s. 718.113,  
50 | F.S.; including the official flag that represents the

51 United States Space Force as a flag that may be  
52 displayed by a condominium owner; amending s. 720.304,  
53 F.S.; including the official flag that represents the  
54 United States Space Force as a flag that may be  
55 displayed by a homeowner; amending s. 790.25, F.S.;  
56 authorizing members of the United States Space Force  
57 to own, possess, and lawfully use firearms and other  
58 weapons, ammunition, and supplies when on duty, when  
59 training or preparing themselves for military duty, or  
60 while subject to recall or mobilization; amending s.  
61 817.312, F.S.; prohibiting a person from unlawfully  
62 using the uniforms, medals, or insignia of the United  
63 States Space Force; amending s. 1000.36, F.S.;  
64 revising the definition of the term "uniformed  
65 services" to include the United States Space Force;  
66 amending s. 1003.051, F.S.; revising the definition of  
67 the term "military student" to include a student who  
68 is a dependent of a current or former member of the  
69 United States Space Force; reenacting ss. 373.324(7),  
70 409.1664(1)(c), 520.14(1), 627.7283(5), 689.27(1)(d),  
71 790.015(5)(a), 790.06(4)(f) and (11)(b),  
72 790.062(1)(a), 790.065(13), 790.0655(2)(d), and  
73 948.21(1), (2), and (3), F.S., which reference the  
74 definition of the term "servicemember," to incorporate  
75 the amendment made to s. 250.01, F.S., in references

76 thereto; providing effective dates.

77  
78 Be It Enacted by the Legislature of the State of Florida:

79  
80 Section 1. Paragraph (a) of subsection (20) of section  
81 61.703, Florida Statutes, is amended to read:

82 61.703 Definitions.—As used in this part:

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

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

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

89 92.51 Oaths, affidavits, and acknowledgments; taken or  
90 administered by commissioned officer of United States Armed  
91 Forces.—

92 (1) Oaths, affidavits, and acknowledgments required or  
93 authorized by the laws of this state may be taken or  
94 administered within or without the United States by or before  
95 any commissioned officer in active service of the Armed Forces  
96 of the United States with the rank of second lieutenant or  
97 higher in the Army, Air Force, Space Force, or Marine Corps or  
98 ensign or higher in the Navy or Coast Guard when the person  
99 required or authorized to make and execute the oath, affidavit,  
100 or acknowledgment is a member of the Armed Forces of the United

101 States, the spouse of such member or a person whose duties  
 102 require the person's presence with the Armed Forces of the  
 103 United States.

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

106 97.021 Definitions.—For the purposes of this code, except  
 107 where the context clearly indicates otherwise, the term:

108 (42) "Uniformed services" means the Army, Navy, Air Force,  
 109 Marine Corps, Space Force, and Coast Guard, the commissioned  
 110 corps of the Public Health Service, and the commissioned corps  
 111 of the National Oceanic and Atmospheric Administration.

112 Section 4. Section 115.01, Florida Statutes, is amended to  
 113 read:

114 115.01 Leave of absence for military service.—Any county  
 115 or state official of the state, subject to the provisions and  
 116 conditions hereinafter set forth, may be granted leave of  
 117 absence from his or her office, to serve in the volunteer forces  
 118 of the United States, or in the National Guard of any state, or  
 119 in the regular Army, ~~or Navy, Air Force, Marine Corps, or Space~~  
 120 Force of the United States, when the same shall be called into  
 121 active service of the United States during war between the  
 122 United States and a foreign government.

123 Section 5. Paragraph (n) of subsection (2) of section  
 124 163.3175, Florida Statutes, is amended to read:

125 163.3175 Legislative findings on compatibility of

126 development with military installations; exchange of information  
 127 between local governments and military installations.—

128 (2) Certain major military installations, due to their  
 129 mission and activities, have a greater potential for  
 130 experiencing compatibility and coordination issues than others.  
 131 Consequently, this section and the provisions in s.  
 132 163.3177(6)(a), relating to compatibility of land development  
 133 with military installations, apply to specific affected local  
 134 governments in proximity to and in association with specific  
 135 military installations, as follows:

136 (n) Patrick Space ~~Air~~ Force Base and Cape Canaveral Space  
 137 ~~Air~~ Force Station, associated with Brevard County and Satellite  
 138 Beach.

139 Section 6. Paragraph (a) of subsection (4) of section  
 140 210.04, Florida Statutes, is amended to read:

141 210.04 Construction; exemptions; collection.—

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

143 (a) Upon cigarettes sold at post exchanges, ship service  
 144 stores, ship stores, slop chests, or base exchanges to members  
 145 of the Armed Services of the United States when such post  
 146 exchanges, ship service stores, or base exchanges are operated  
 147 under regulations of the Army, Navy, ~~or~~ Air Force, or Space  
 148 Force of the United States on military, naval, space force, or  
 149 air force reservations in this state or when such ship stores or  
 150 slop chests are operated under the regulations of the United

151 States Navy on ships of the United States Navy; however, it is  
 152 unlawful for anyone, including members of the Armed Services of  
 153 the United States, to purchase such tax-exempt cigarettes for  
 154 purposes of resale. Any person who resells, or offers for  
 155 resale, tax-exempt cigarettes purchased at post exchanges, ship  
 156 service stores, ship stores, slop chests, or base exchanges  
 157 commits ~~is guilty of~~ a violation of the cigarette tax law,  
 158 punishable as provided in s. 210.18(1).

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

161 250.01 Definitions.—As used in this chapter, the term:

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

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

166 250.43 Wearing of uniform and insignia of rank; penalty.—

167 (2) Every person other than an officer or enlisted person  
 168 of the Florida National Guard, naval militia, or marine corps of  
 169 this state, any other state, Puerto Rico, or the District of  
 170 Columbia, or of the United States Army, Navy, Marine Corps, ~~or~~  
 171 Air Force, or Space Force, who wears the uniform of the United  
 172 States Army, Navy, Marine Corps, Air Force, Space Force,  
 173 National Guard, Naval Militia, or Marine Corps or any part of  
 174 such uniform, or a uniform or part of uniform similar thereto,  
 175 or in imitation thereof, within the bounds of the state, except

176 in cases where the wearing of such uniform is permitted by the  
177 laws of the United States and the regulations of the Secretary  
178 of Defense, commits a misdemeanor of the first degree,  
179 punishable as provided in s. 775.082 or s. 775.083. This section  
180 does not prohibit persons in the theatrical profession from  
181 wearing such uniforms while actually engaged in such profession,  
182 in any playhouse or theater, in a production in no way  
183 reflecting upon such uniform; does not prohibit the uniform rank  
184 of civic societies parading or traveling in a body or assembling  
185 in a lodge room; and does not apply to cadets of any military  
186 school or to Boy Scouts or Girl Scouts.

187 Section 9. Section 250.52, Florida Statutes, is amended to  
188 read:

189 250.52 Unlawful to persuade citizens not to enlist;  
190 penalty.—Whenever the United States is at war, or our foreign  
191 relations tend to indicate an impending war or state of war, a  
192 person may not solicit or persuade a citizen of the United  
193 States not to enlist or serve in the Army, Air Force, Space  
194 Force, Marine Corps, Coast Guard, or Navy, or in any reserve  
195 component thereof, or in the Florida National Guard, or publicly  
196 attempt to dissuade any such citizen from enlisting. This  
197 section does not apply to the soliciting or persuading done by  
198 any person related by affinity or consanguinity to the person  
199 solicited or persuaded or whose advice is requested by the  
200 person solicited or persuaded. Any person who violates this

201 section commits a misdemeanor of the first degree, punishable as  
 202 provided in s. 775.082 or s. 775.083.

203 Section 10. Paragraph (b) of subsection (1) of section  
 204 295.061, Florida Statutes, is amended to read:

205 295.061 Active duty servicemembers; death benefits.—

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

207 (b) "United States Armed Forces" means the United States  
 208 Army, Navy, Air Force, Marine Corps, Space Force, and Coast  
 209 Guard.

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

212 296.02 Definitions.—For the purposes of this part, except  
 213 where the context clearly indicates otherwise:

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

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

219 331.304 Spaceport territory.—The following property shall  
 220 constitute spaceport territory:

221 (1) Certain real property located in Brevard County that  
 222 is included within the 1998 boundaries of Patrick Space Force  
 223 Base, formerly Patrick Air Force Base; Cape Canaveral Space  
 224 Force Station, formerly Cape Canaveral Air Force Station;~~7~~ or  
 225 John F. Kennedy Space Center. The territory consisting of areas

226 | within the John F. Kennedy Space Center and the Cape Canaveral  
 227 | Space Air Force Station may be referred to as the "Cape  
 228 | Canaveral Spaceport."

229 |         Section 13. Subsection (3) of section 461.002, Florida  
 230 | Statutes, is amended to read:

231 |             461.002 Exceptions.—

232 |             (3) This chapter does ~~shall~~ not apply to the practice of  
 233 | podiatric medicine by graduate podiatric physicians in the  
 234 | United States Army, Air Force, Space Force, Marines, Navy,  
 235 | Public Health Service, Coast Guard, or United States Department  
 236 | of Veterans Affairs in the discharge of their official duties.

237 |         Section 14. Subsection (3) of section 466.002, Florida  
 238 | Statutes, is amended to read:

239 |             466.002 Persons exempt from operation of chapter.—Nothing  
 240 | in this chapter shall apply to the following practices, acts,  
 241 | and operations:

242 |             (3) The practice of dentistry in the discharge of their  
 243 | official duties by graduate dentists or dental surgeons in the  
 244 | United States Army, Air Force, Space Force, Marines, Navy,  
 245 | Public Health Service, Coast Guard, or United States Department  
 246 | of Veterans Affairs.

247 |         Section 15. Subsection (6) of section 496.415, Florida  
 248 | Statutes, is amended to read:

249 |             496.415 Prohibited acts.—It is unlawful for any person in  
 250 | connection with the planning, conduct, or execution of any

251 solicitation or charitable or sponsor sales promotion to:

252 (6) Falsely state that he or she is a member of or  
 253 represents a charitable organization or sponsor, or falsely  
 254 state or represent that he or she is a member of or represents  
 255 the United States Air Force, United States Army, United States  
 256 Coast Guard, United States Marine Corps, United States Navy, or  
 257 United States Space Force, the National Guard, or a law  
 258 enforcement or emergency service organization.

259 Section 16. Subsection (3) of section 540.08, Florida  
 260 Statutes, is amended to read:

261 540.08 Unauthorized publication of name or likeness.—

262 (3) If a person uses the name, portrait, photograph, or  
 263 other likeness of a member of the armed forces without obtaining  
 264 the consent required in subsection (1) and such use is not  
 265 subject to any exception listed in this section, a court may  
 266 impose a civil penalty of up to \$1,000 per violation in addition  
 267 to the civil remedies contained in subsection (2). Each  
 268 commercial transaction constitutes a violation under this  
 269 section. As used in this section, the term "member of the armed  
 270 forces" means an officer or enlisted member of the Army, Navy,  
 271 Air Force, Marine Corps, Space Force, or Coast Guard of the  
 272 United States, the Florida National Guard, and the United States  
 273 Reserve Forces, including any officer or enlisted member who  
 274 died as a result of injuries sustained in the line of duty.

275 Section 17. Subsection (1) of section 695.031, Florida

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2022

276 Statutes, is amended to read:

277         695.031 Affidavits and acknowledgments by members of armed  
278 forces and their spouses.—

279         (1) In addition to the manner, form, and proof of  
280 acknowledgment of instruments as now provided by law, any person  
281 serving in or with the Armed Forces of the United States,  
282 including the Army, Navy, Air Force, Marine Corps, Space Force,  
283 Coast Guard, or any component or any arm or service of any  
284 thereof, including any female auxiliary of any thereof, and any  
285 person whose duties require his or her presence with the Armed  
286 Forces of the United States, as herein designated, or otherwise  
287 designated by law or military or naval command, may acknowledge  
288 any instrument, wherever located, either within or without the  
289 state, or without the United States, before any commissioned  
290 officer in active service of the Armed Forces of the United  
291 States, as herein designated, or otherwise designated by law, or  
292 military or naval command, or order, with the rank of second  
293 lieutenant or higher in the Army, Air Force, Space Force, or  
294 Marine Corps, or of any component or any arm or service of any  
295 ~~either~~ thereof, including any female auxiliary of any thereof,  
296 or ensign or higher in the Navy or United States Coast Guard, or  
297 of any component or any arm or service of either thereof,  
298 including any female auxiliary of any thereof.

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

301           718.113 Maintenance; limitation upon improvement; display  
 302 of flag; hurricane shutters and protection; display of religious  
 303 decorations.—

304           (4) Any unit owner may display one portable, removable  
 305 United States flag in a respectful way and, on Armed Forces Day,  
 306 Memorial Day, Flag Day, Independence Day, and Veterans Day, may  
 307 display in a respectful way portable, removable official flags,  
 308 not larger than 4 1/2 feet by 6 feet, that represent the United  
 309 States Army, Navy, Air Force, Marine Corps, Space Force, or  
 310 Coast Guard, regardless of any declaration rules or requirements  
 311 dealing with flags or decorations.

312           Section 19. Paragraph (a) of subsection (2) of section  
 313 720.304, Florida Statutes, is amended to read:

314           720.304 Right of owners to peaceably assemble; display of  
 315 flag; SLAPP suits prohibited.—

316           (2)(a) Any homeowner may display one portable, removable  
 317 United States flag or official flag of the State of Florida in a  
 318 respectful manner, and one portable, removable official flag, in  
 319 a respectful manner, not larger than 4 1/2 feet by 6 feet, which  
 320 represents the United States Army, Navy, Air Force, Marine  
 321 Corps, Space Force, or Coast Guard, or a POW-MIA flag,  
 322 regardless of any covenants, restrictions, bylaws, rules, or  
 323 requirements of the association.

324           Section 20. Paragraph (a) of subsection (3) of section  
 325 790.25, Florida Statutes, is amended to read:

326 790.25 Lawful ownership, possession, and use of firearms  
 327 and other weapons.—

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

333 (a) Members of the Militia, National Guard, Florida State  
 334 Defense Force, Army, Navy, Air Force, Marine Corps, Space Force,  
 335 Coast Guard, organized reserves, and other armed forces of the  
 336 state and of the United States, when on duty, when training or  
 337 preparing themselves for military duty, or while subject to  
 338 recall or mobilization;

339 Section 21. Paragraph (a) of subsection (1) of section  
 340 817.312, Florida Statutes, is amended to read:

341 817.312 Unlawful use of uniforms, medals, or insignia.—

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

343 1. Misrepresent himself or herself as a member or veteran  
 344 of the United States Air Force, United States Army, United  
 345 States Coast Guard, United States Marine Corps, United States  
 346 Navy, United States Space Force, or National Guard; or

347 2. Wear the uniform of or any medal or insignia authorized  
 348 for use by members or veterans of the United States Air Force,  
 349 United States Army, United States Coast Guard, United States  
 350 Marine Corps, United States Navy, or the National Guard which he

351 or she is not authorized to wear  
 352  
 353 while soliciting for charitable contributions or for the purpose  
 354 of material gain, including, but not limited to, obtaining  
 355 employment or public office resulting in receiving compensation.

356 Section 22. Contingent upon HB 153 or similar legislation  
 357 extending the repeal date of the Interstate Compact on  
 358 Educational Opportunity for Military Children taking effect,  
 359 section 1000.36, Florida Statutes, is amended to read:

360 1000.36 Interstate Compact on Educational Opportunity for  
 361 Military Children.—The Governor is authorized and directed to  
 362 execute the Interstate Compact on Educational Opportunity for  
 363 Military Children on behalf of this state with any other state  
 364 or states legally joining therein in the form substantially as  
 365 follows:

366 Interstate Compact on Educational  
 367 Opportunity for Military Children

368 ARTICLE I

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

373 A. Facilitating the timely enrollment of children of  
 374 military families and ensuring that they are not placed at a  
 375 disadvantage due to difficulty in the transfer of education

376 records from the previous school district or variations in  
377 entrance or age requirements.

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

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

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

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

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

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

394 H. Promoting flexibility and cooperation between the  
395 educational system, parents, and the student in order to achieve  
396 educational success for the student.

397 ARTICLE II

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

400 A. "Active duty" means the full-time duty status in the

401 active uniformed service of the United States, including members  
402 of the National Guard and Reserve on active duty orders pursuant  
403 to 10 U.S.C. ss. 1209 and 1211.

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

407 C. "Compact commissioner" means the voting representative  
408 of each compacting state appointed under Article VIII of this  
409 compact.

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

413 E. "Educational records" or "education records" means  
414 those official records, files, and data directly related to a  
415 student and maintained by the school or local education agency,  
416 including, but not limited to, records encompassing all the  
417 material kept in the student's cumulative folder such as general  
418 identifying data, records of attendance and of academic work  
419 completed, records of achievement and results of evaluative  
420 tests, health data, disciplinary status, test protocols, and  
421 individualized education programs.

422 F. "Extracurricular activities" means a voluntary activity  
423 sponsored by the school or local education agency or an  
424 organization sanctioned by the local education agency.  
425 Extracurricular activities include, but are not limited to,

426 preparation for and involvement in public performances,  
427 contests, athletic competitions, demonstrations, displays, and  
428 club activities.

429 G. "Interstate Commission on Educational Opportunity for  
430 Military Children" means the commission that is created under  
431 Article IX of this compact, which is generally referred to as  
432 the Interstate Commission.

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

437 I. "Member state" means a state that has enacted this  
438 compact.

439 J. "Military installation" means a base, camp, post,  
440 station, yard, center, homeport facility for any ship, or other  
441 activity under the jurisdiction of the Department of Defense,  
442 including any leased facility, which is located within any of  
443 the several states, the District of Columbia, the Commonwealth  
444 of Puerto Rico, the United States Virgin Islands, Guam, American  
445 Samoa, the Northern Mariana Islands, and any other United States  
446 Territory. The term does not include any facility used primarily  
447 for civil works, rivers and harbors projects, or flood control  
448 projects.

449 K. "Nonmember state" means a state that has not enacted  
450 this compact.

451 L. "Receiving state" means the state to which a child of a  
 452 military family is sent, brought, or caused to be sent or  
 453 brought.

454 M. "Rule" means a written statement by the Interstate  
 455 Commission adopted under Article XII of this compact which is of  
 456 general applicability, implements, interprets, or prescribes a  
 457 policy or provision of the compact, or an organizational,  
 458 procedural, or practice requirement of the Interstate  
 459 Commission, and has the force and effect of statutory law in a  
 460 member state, and includes the amendment, repeal, or suspension  
 461 of an existing rule.

462 N. "Sending state" means the state from which a child of a  
 463 military family is sent, brought, or caused to be sent or  
 464 brought.

465 O. "State" means a state of the United States, the  
 466 District of Columbia, the Commonwealth of Puerto Rico, the  
 467 United States Virgin Islands, Guam, American Samoa, the Northern  
 468 Mariana Islands, and any other United States Territory.

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

472 Q. "Transition" means:

473 1. The formal and physical process of transferring from  
 474 school to school; or

475 2. The period of time in which a student moves from one





526 | school in the sending state shall process and furnish the  
527 | official education records to the school in the receiving state  
528 | within 10 days or within such time as is reasonably determined  
529 | under the rules adopted by the Interstate Commission.

530 |       C. Compact states must give 30 days from the date of  
531 | enrollment or within such time as is reasonably determined under  
532 | the rules adopted by the Interstate Commission for students to  
533 | obtain any immunization required by the receiving state. For a  
534 | series of immunizations, initial vaccinations must be obtained  
535 | within 30 days or within such time as is reasonably determined  
536 | under the rules promulgated by the Interstate Commission.

537 |       D. Students shall be allowed to continue their enrollment  
538 | at grade level in the receiving state commensurate with their  
539 | grade level, including kindergarten, from a local education  
540 | agency in the sending state at the time of transition,  
541 | regardless of age. A student who has satisfactorily completed  
542 | the prerequisite grade level in the local education agency in  
543 | the sending state is eligible for enrollment in the next highest  
544 | grade level in the receiving state, regardless of age. A student  
545 | transferring after the start of the school year in the receiving  
546 | state shall enter the school in the receiving state on their  
547 | validated level from an accredited school in the sending state.

548 |                   ARTICLE V

549 |           PLACEMENT AND ATTENDANCE.—

550 |       A. If a student transfers before or during the school

551 year, the receiving state school shall initially honor placement  
552 of the student in educational courses based on the student's  
553 enrollment in the sending state school or educational  
554 assessments conducted at the school in the sending state if the  
555 courses are offered. Course placement includes, but is not  
556 limited to, Honors, International Baccalaureate, Advanced  
557 Placement, vocational, technical, and career pathways courses.  
558 Continuing the student's academic program from the previous  
559 school and promoting placement in academically and career  
560 challenging courses should be paramount when considering  
561 placement. A school in the receiving state is not precluded from  
562 performing subsequent evaluations to ensure appropriate  
563 placement and continued enrollment of the student in the  
564 courses.

565 B. The receiving state school must initially honor  
566 placement of the student in educational programs based on  
567 current educational assessments conducted at the school in the  
568 sending state or participation or placement in like programs in  
569 the sending state. Such programs include, but are not limited  
570 to:

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

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

576 C. A receiving state must initially provide comparable  
577 services to a student with disabilities based on his or her  
578 current individualized education program (IEP) in compliance  
579 with the requirements of the Individuals with Disabilities  
580 Education Act (IDEA), 20 U.S.C. s. 1400, et seq. A receiving  
581 state must make reasonable accommodations and modifications to  
582 address the needs of incoming students with disabilities,  
583 subject to an existing section 504 or title II plan, to provide  
584 the student with equal access to education, in compliance with  
585 the provisions of Section 504 of the Rehabilitation Act, 29  
586 U.S.C.A. s. 794, and with title II of the Americans with  
587 Disabilities Act, 42 U.S.C. ss. 12131-12165. A school in the  
588 receiving state is not precluded from performing subsequent  
589 evaluations to ensure appropriate placement and continued  
590 enrollment of the student in the courses.

591 D. Local education agency administrative officials may  
592 waive course or program prerequisites, or other preconditions  
593 for placement in courses or programs offered under the  
594 jurisdiction of the local education agency.

595 E. A student whose parent or legal guardian is an active-  
596 duty member of the uniformed services and has been called to  
597 duty for, is on leave from, or immediately returned from  
598 deployment to, a combat zone or combat support posting shall be  
599 granted additional excused absences at the discretion of the  
600 local education agency superintendent to visit with his or her

601 parent or legal guardian relative to such leave or deployment of  
602 the parent or guardian.

603 ARTICLE VI

604 ELIGIBILITY.—

605 A. When considering the eligibility of a child for  
606 enrolling in a school:

607 1. A special power of attorney relative to the  
608 guardianship of a child of a military family and executed under  
609 applicable law is sufficient for the purposes of enrolling the  
610 child in school and for all other actions requiring parental  
611 participation and consent.

612 2. A local education agency is prohibited from charging  
613 local tuition to a transitioning military child placed in the  
614 care of a noncustodial parent or other person standing in loco  
615 parentis who lives in a school's jurisdiction different from  
616 that of the custodial parent.

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

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

## ARTICLE VII

626  
627 GRADUATION.—In order to facilitate the on-time graduation  
628 of children of military families, states and local education  
629 agencies shall incorporate the following procedures:

630 A. Local education agency administrative officials shall  
631 waive specific courses required for graduation if similar  
632 coursework has been satisfactorily completed in another local  
633 education agency or shall provide reasonable justification for  
634 denial. If a waiver is not granted to a student who would  
635 qualify to graduate from the sending school, the local education  
636 agency must provide an alternative means of acquiring required  
637 coursework so that graduation may occur on time.

638 B. States shall accept exit or end-of-course exams  
639 required for graduation from the sending state; national norm-  
640 referenced achievement tests; or alternative testing, in lieu of  
641 testing requirements for graduation in the receiving state. If  
642 these alternatives cannot be accommodated by the receiving state  
643 for a student transferring in his or her senior year, then the  
644 provisions of Article VII, Section C shall apply.

645 C. If a military student transfers at the beginning of or  
646 during his or her senior year and is not eligible to graduate  
647 from the receiving local education agency after all alternatives  
648 have been considered, the sending and receiving local education  
649 agencies must ensure the receipt of a diploma from the sending  
650 local education agency, if the student meets the graduation

651 requirements of the sending local education agency. If one of  
652 the states in question is not a member of this compact, the  
653 member state shall use its best efforts to facilitate the on-  
654 time graduation of the student in accordance with Sections A and  
655 B of this Article.

656 ARTICLE VIII

657 STATE COORDINATION.—Each member state shall, through the  
658 creation of a state council or use of an existing body or board,  
659 provide for the coordination among its agencies of government,  
660 local education agencies, and military installations concerning  
661 the state's participation in, and compliance with, this compact  
662 and Interstate Commission activities.

663 A. Each member state may determine the membership of its  
664 own state council, but the membership must include at least: the  
665 state superintendent of education, the superintendent of a  
666 school district that has a high concentration of military  
667 children, a representative from a military installation, one  
668 representative each from the legislative and executive branches  
669 of government, and other offices and stakeholder groups the  
670 state council deems appropriate. A member state that does not  
671 have a school district deemed to contain a high concentration of  
672 military children may appoint a superintendent from another  
673 school district to represent local education agencies on the  
674 state council.

675 B. The state council of each member state shall appoint or

676 designate a military family education liaison to assist military  
677 families and the state in facilitating the implementation of  
678 this compact.

679 C. The compact commissioner responsible for the  
680 administration and management of the state's participation in  
681 the compact shall be appointed by the Governor or as otherwise  
682 determined by each member state.

683 D. The compact commissioner and the military family  
684 education liaison shall be ex officio members of the state  
685 council, unless either is already a full voting member of the  
686 state council.

#### 687 ARTICLE IX

688 INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY FOR  
689 MILITARY CHILDREN.—The member states hereby create the  
690 "Interstate Commission on Educational Opportunity for Military  
691 Children." The activities of the Interstate Commission are the  
692 formation of public policy and are a discretionary state  
693 function. The Interstate Commission shall:

694 A. Be a body corporate and joint agency of the member  
695 states and shall have all the responsibilities, powers, and  
696 duties set forth herein, and such additional powers as may be  
697 conferred upon it by a subsequent concurrent action of the  
698 respective legislatures of the member states in accordance with  
699 the terms of this compact.

700 B. Consist of one Interstate Commission voting

701 representative from each member state who shall be that state's  
702 compact commissioner.

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

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

708 3. A representative shall not delegate a vote to another  
709 member state. In the event the compact commissioner is unable to  
710 attend a meeting of the Interstate Commission, the Governor or  
711 state council may delegate voting authority to another person  
712 from their state for a specified meeting.

713 4. The bylaws may provide for meetings of the Interstate  
714 Commission to be conducted by telecommunication or electronic  
715 communication.

716 C. Consist of ex officio, nonvoting representatives who  
717 are members of interested organizations. The ex officio members,  
718 as defined in the bylaws, may include, but not be limited to,  
719 members of the representative organizations of military family  
720 advocates, local education agency officials, parent and teacher  
721 groups, the United States Department of Defense, the Education  
722 Commission of the States, the Interstate Agreement on the  
723 Qualification of Educational Personnel, and other interstate  
724 compacts affecting the education of children of military  
725 members.

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

729 E. Establish an executive committee, whose members shall  
 730 include the officers of the Interstate Commission and such other  
 731 members of the Interstate Commission as determined by the  
 732 bylaws. Members of the executive committee shall serve a 1-year  
 733 term. Members of the executive committee are entitled to one  
 734 vote each. The executive committee shall have the power to act  
 735 on behalf of the Interstate Commission, with the exception of  
 736 rulemaking, during periods when the Interstate Commission is not  
 737 in session. The executive committee shall oversee the day-to-day  
 738 activities of the administration of the compact, including  
 739 enforcement and compliance with the compact, its bylaws and  
 740 rules, and other such duties as deemed necessary. The United  
 741 States Department of Defense shall serve as an ex officio,  
 742 nonvoting member of the executive committee.

743 F. The Interstate Commission shall collect standardized  
 744 data concerning the educational transition of the children of  
 745 military families under this compact as directed through its  
 746 rules which shall specify the data to be collected, the means of  
 747 collection and data exchange, and reporting requirements. The  
 748 methods of data collection, exchange, and reporting shall,  
 749 insofar as is reasonably possible, conform to current technology  
 750 and coordinate its information functions with the appropriate

751 | custodian of records as identified in the bylaws and rules.

752 |       G. The Interstate Commission shall create a procedure that  
753 | permits military officials, education officials, and parents to  
754 | inform the Interstate Commission if and when there are alleged  
755 | violations of the compact or its rules or when issues subject to  
756 | the jurisdiction of the compact or its rules are not addressed  
757 | by the state or local education agency. This section does not  
758 | create a private right of action against the Interstate  
759 | Commission or any member state.

760 |                                   ARTICLE X

761 |       POWERS AND DUTIES OF THE INTERSTATE COMMISSION.—The  
762 | Interstate Commission has the power to:

763 |       A. Provide for dispute resolution among member states.

764 |       B. Adopt rules and take all necessary actions to effect  
765 | the goals, purposes, and obligations as enumerated in this  
766 | compact. The rules have the force and effect of statutory law  
767 | and are binding in the compact states to the extent and in the  
768 | manner provided in this compact.

769 |       C. Issue, upon request of a member state, advisory  
770 | opinions concerning the meaning or interpretation of the  
771 | interstate compact, its bylaws, rules, and actions.

772 |       D. Enforce compliance with the compact provisions, the  
773 | rules adopted by the Interstate Commission, and the bylaws,  
774 | using all necessary and proper means, including, but not limited  
775 | to, the use of judicial process.

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

778 F. Purchase and maintain insurance and bonds.

779 G. Borrow, accept, hire, or contract for services of  
780 personnel.

781 H. Establish and appoint committees, including, but not  
782 limited to, an executive committee as required by Article IX,  
783 Section E, which shall have the power to act on behalf of the  
784 Interstate Commission in carrying out its powers and duties  
785 hereunder.

786 I. Elect or appoint such officers, attorneys, employees,  
787 agents, or consultants, and to fix their compensation, define  
788 their duties, and determine their qualifications; and to  
789 establish the Interstate Commission's personnel policies and  
790 programs relating to conflicts of interest, rates of  
791 compensation, and qualifications of personnel.

792 J. Accept any and all donations and grants of money,  
793 equipment, supplies, materials, and services, and to receive,  
794 utilize, and dispose of it.

795 K. Lease, purchase, accept contributions or donations of,  
796 or otherwise to own, hold, improve, or use any property, real,  
797 personal, or mixed.

798 L. Sell, convey, mortgage, pledge, lease, exchange,  
799 abandon, or otherwise dispose of any property, real, personal,  
800 or mixed.

801 M. Establish a budget and make expenditures.

802 N. Adopt a seal and bylaws governing the management and  
803 operation of the Interstate Commission.

804 O. Report annually to the legislatures, governors,  
805 judiciary, and state councils of the member states concerning  
806 the activities of the Interstate Commission during the preceding  
807 year. Such reports shall also include any recommendations that  
808 may have been adopted by the Interstate Commission.

809 P. Coordinate education, training, and public awareness  
810 regarding the compact, its implementation, and operation for  
811 officials and parents involved in such activity.

812 Q. Establish uniform standards for the reporting,  
813 collecting, and exchanging of data.

814 R. Maintain corporate books and records in accordance with  
815 the bylaws.

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

818 T. Provide for the uniform collection and sharing of  
819 information between and among member states, schools, and  
820 military families under this compact.

821 ARTICLE XI

822 ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION.—

823 A. The Interstate Commission shall, by a majority of the  
824 members present and voting, within 12 months after the first  
825 Interstate Commission meeting, adopt bylaws to govern its

826 | conduct as may be necessary or appropriate to carry out the  
827 | purposes of the compact, including, but not limited to:  
828 |       1. Establishing the fiscal year of the Interstate  
829 | Commission;  
830 |       2. Establishing an executive committee and such other  
831 | committees as may be necessary;  
832 |       3. Providing for the establishment of committees and for  
833 | governing any general or specific delegation of authority or  
834 | function of the Interstate Commission;  
835 |       4. Providing reasonable procedures for calling and  
836 | conducting meetings of the Interstate Commission and ensuring  
837 | reasonable notice of each such meeting;  
838 |       5. Establishing the titles and responsibilities of the  
839 | officers and staff of the Interstate Commission;  
840 |       6. Providing a mechanism for concluding the operations of  
841 | the Interstate Commission and the return of surplus funds that  
842 | may exist upon the termination of the compact after the payment  
843 | and reserving of all of its debts and obligations.  
844 |       7. Providing "start up" rules for initial administration  
845 | of the compact.  
846 |       B. The Interstate Commission shall, by a majority of the  
847 | members, elect annually from among its members a chairperson, a  
848 | vice chairperson, and a treasurer, each of whom shall have such  
849 | authority and duties as may be specified in the bylaws. The  
850 | chairperson or, in the chairperson's absence or disability, the

851 vice chairperson shall preside at all meetings of the Interstate  
852 Commission. The officers so elected shall serve without  
853 compensation or remuneration from the Interstate Commission;  
854 provided that, subject to the availability of budgeted funds,  
855 the officers shall be reimbursed for ordinary and necessary  
856 costs and expenses incurred by them in the performance of their  
857 responsibilities as officers of the Interstate Commission.

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

860 1. Managing the affairs of the Interstate Commission in a  
861 manner consistent with the bylaws and purposes of the Interstate  
862 Commission;

863 2. Overseeing an organizational structure within, and  
864 appropriate procedures for, the Interstate Commission to provide  
865 for the adoption of rules, operating procedures, and  
866 administrative and technical support functions; and

867 3. Planning, implementing, and coordinating communications  
868 and activities with other state, federal, and local government  
869 organizations in order to advance the goals of the Interstate  
870 Commission.

871 D. The executive committee may, subject to the approval of  
872 the Interstate Commission, appoint or retain an executive  
873 director for such period, upon such terms and conditions and for  
874 such compensation, as the Interstate Commission may deem  
875 appropriate. The executive director shall serve as secretary to

876 the Interstate Commission but is not a member of the Interstate  
877 Commission. The executive director shall hire and supervise such  
878 other persons as may be authorized by the Interstate Commission.

879 E. The Interstate Commission's executive director and its  
880 employees are immune from suit and liability, either personally  
881 or in their official capacity, for a claim for damage to or loss  
882 of property or personal injury or other civil liability caused  
883 or arising out of, or relating to, an actual or alleged act,  
884 error, or omission that occurred, or that such person had a  
885 reasonable basis for believing occurred, within the scope of  
886 Interstate Commission employment, duties, or responsibilities,  
887 provided that the person is not protected from suit or liability  
888 for damage, loss, injury, or liability caused by the intentional  
889 or willful and wanton misconduct of the person.

890 1. The liability of the Interstate Commission's executive  
891 director and employees or Interstate Commission representatives,  
892 acting within the scope of the person's employment or duties,  
893 for acts, errors, or omissions occurring within the person's  
894 state may not exceed the limits of liability set forth under the  
895 constitution and laws of that state for state officials,  
896 employees, and agents. The Interstate Commission is considered  
897 to be an instrumentality of the states for the purposes of any  
898 such action. This subsection does not protect the person from  
899 suit or liability for damage, loss, injury, or liability caused  
900 by the intentional or willful and wanton misconduct of the

901 person.

902       2. The Interstate Commission shall defend the executive  
903 director and its employees and, subject to the approval of the  
904 Attorney General or other appropriate legal counsel of the  
905 member state represented by an Interstate Commission  
906 representative, shall defend an Interstate Commission  
907 representative in any civil action seeking to impose liability  
908 arising out of an actual or alleged act, error, or omission that  
909 occurred within the scope of Interstate Commission employment,  
910 duties, or responsibilities, or that the defendant had a  
911 reasonable basis for believing occurred within the scope of  
912 Interstate Commission employment, duties, or responsibilities,  
913 provided that the actual or alleged act, error, or omission did  
914 not result from intentional or willful and wanton misconduct on  
915 the part of the person.

916       3. To the extent not covered by the state involved, a  
917 member state, the Interstate Commission, and the representatives  
918 or employees of the Interstate Commission shall be held harmless  
919 in the amount of a settlement or judgment, including attorney's  
920 fees and costs, obtained against a person arising out of an  
921 actual or alleged act, error, or omission that occurred within  
922 the scope of Interstate Commission employment, duties, or  
923 responsibilities, or that the person had a reasonable basis for  
924 believing occurred within the scope of Interstate Commission  
925 employment, duties, or responsibilities, provided that the

926 actual or alleged act, error, or omission did not result from  
 927 intentional or willful and wanton misconduct on the part of the  
 928 person.

929 ARTICLE XII

930 RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION.—The  
 931 Interstate Commission shall adopt rules to effectively and  
 932 efficiently implement this act to achieve the purposes of this  
 933 compact.

934 A. If the Interstate Commission exercises its rulemaking  
 935 authority in a manner that is beyond the scope of the purposes  
 936 of this act, or the powers granted hereunder, the action  
 937 undertaken by the Interstate Commission is invalid and has no  
 938 force or effect.

939 B. Rules must be adopted pursuant to a rulemaking process  
 940 that substantially conforms to the "Model State Administrative  
 941 Procedure Act," of 1981 Act, Uniform Laws Annotated, Vol. 15, p.  
 942 1 (2000) as amended, as may be appropriate to the operations of  
 943 the Interstate Commission.

944 C. No later than 30 days after a rule is adopted, a person  
 945 may file a petition for judicial review of the rule. The filing  
 946 of the petition does not stay or otherwise prevent the rule from  
 947 becoming effective unless a court finds that the petitioner has  
 948 a substantial likelihood of success on the merits of the  
 949 petition. The court shall give deference to the actions of the  
 950 Interstate Commission consistent with applicable law and shall

951 not find the rule to be unlawful if the rule represents a  
952 reasonable exercise of the Interstate Commission's authority.

953 D. If a majority of the legislatures of the compacting  
954 states rejects a rule by enactment of a statute or resolution in  
955 the same manner used to adopt the compact, then the rule is  
956 invalid and has no further force and effect in any compacting  
957 state.

958 ARTICLE XIII

959 OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION.—

960 A. The executive, legislative, and judicial branches of  
961 state government in each member state shall enforce this compact  
962 and shall take all actions necessary and appropriate to  
963 effectuate the compact's purposes and intent. The provisions of  
964 this compact and the rules adopted under it have the force and  
965 effect of statutory law.

966 B. All courts shall take judicial notice of the compact  
967 and its adopted rules in any judicial or administrative  
968 proceeding in a member state pertaining to the subject matter of  
969 this compact which may affect the powers, responsibilities, or  
970 actions of the Interstate Commission.

971 C. The Interstate Commission is entitled to receive all  
972 service of process in any such proceeding, and has standing to  
973 intervene in the proceeding for all purposes. Failure to provide  
974 service of process to the Interstate Commission renders a  
975 judgment or order void as to the Interstate Commission, this

976 compact, or its adopted rules.

977 D. If the Interstate Commission determines that a member  
978 state has defaulted in the performance of its obligations or  
979 responsibilities under this compact, or the bylaws or the  
980 adopted rules, the Interstate Commission shall:

981 1. Provide written notice to the defaulting state and  
982 other member states of the nature of the default, the means of  
983 curing the default, and any action taken by the Interstate  
984 Commission. The Interstate Commission must specify the  
985 conditions by which the defaulting state must cure its default.

986 2. Provide remedial training and specific technical  
987 assistance regarding the default.

988 3. If the defaulting state fails to cure the default,  
989 terminate the defaulting state from the compact upon an  
990 affirmative vote of a majority of the member states and all  
991 rights, privileges, and benefits conferred by this compact shall  
992 be terminated from the effective date of termination. A cure of  
993 the default does not relieve the offending state of obligations  
994 or liabilities incurred during the period of the default.

995 E. Suspension or termination of membership in the compact  
996 may not be imposed on a member until all other means of securing  
997 compliance have been exhausted. Notice of the intent to suspend  
998 or terminate membership must be given by the Interstate  
999 Commission to the Governor, the majority and minority leaders of  
1000 the defaulting state's legislature, and each of the member

1001 states.

1002 F. A state that has been suspended or terminated is  
 1003 responsible for all assessments, obligations, and liabilities  
 1004 incurred through the effective date of suspension or  
 1005 termination, including obligations, the performance of which  
 1006 extends beyond the effective date of suspension or termination.

1007 G. The remaining member states of the Interstate  
 1008 Commission do not bear any costs arising from a state that has  
 1009 been found to be in default or that has been suspended or  
 1010 terminated from the compact, unless otherwise mutually agreed  
 1011 upon in writing between the Interstate Commission and the  
 1012 defaulting state.

1013 H. A defaulting state may appeal the action of the  
 1014 Interstate Commission by petitioning the United States District  
 1015 Court for the District of Columbia or the federal district where  
 1016 the Interstate Commission has its principal offices. The  
 1017 prevailing party shall be awarded all costs of such litigation,  
 1018 including reasonable attorney's fees.

1019 I. The Interstate Commission shall attempt, upon the  
 1020 request of a member state, to resolve disputes that are subject  
 1021 to the compact and that may arise among member states and  
 1022 between member and nonmember states. The Interstate Commission  
 1023 shall promulgate a rule providing for both mediation and binding  
 1024 dispute resolution for disputes as appropriate.

1025 1. The Interstate Commission, in the reasonable exercise

1026 of its discretion, shall enforce the provisions and rules of  
1027 this compact.

1028 2. The Interstate Commission may, by majority vote of the  
1029 members, initiate legal action in the United States District  
1030 Court for the District of Columbia or, at the discretion of the  
1031 Interstate Commission, in the federal district where the  
1032 Interstate Commission has its principal offices to enforce  
1033 compliance with the provisions of the compact, or its  
1034 promulgated rules and bylaws, against a member state in default.  
1035 The relief sought may include both injunctive relief and  
1036 damages. In the event judicial enforcement is necessary, the  
1037 prevailing party shall be awarded all costs of such litigation,  
1038 including reasonable attorney's fees.

1039 3. The remedies herein are not the exclusive remedies of  
1040 the Interstate Commission. The Interstate Commission may avail  
1041 itself of any other remedies available under state law or the  
1042 regulation of a profession.

1043 ARTICLE XIV

1044 FINANCING OF THE INTERSTATE COMMISSION.—

1045 A. The Interstate Commission shall pay, or provide for the  
1046 payment of, the reasonable expenses of its establishment,  
1047 organization, and ongoing activities.

1048 B. The Interstate Commission may levy on and collect an  
1049 annual assessment from each member state to cover the cost of  
1050 the operations and activities of the Interstate Commission and

1051 its staff which must be in a total amount sufficient to cover  
1052 the Interstate Commission's annual budget as approved each year.  
1053 The aggregate annual assessment amount shall be allocated based  
1054 upon a formula to be determined by the Interstate Commission,  
1055 which shall adopt a rule binding upon all member states.

1056 C. The Interstate Commission may not incur any obligation  
1057 of any kind before securing the funds adequate to meet the  
1058 obligation and the Interstate Commission may not pledge the  
1059 credit of any of the member states, except by and with the  
1060 permission of the member state.

1061 D. The Interstate Commission shall keep accurate accounts  
1062 of all receipts and disbursements. The receipts and  
1063 disbursements of the Interstate Commission are subject to audit  
1064 and accounting procedures established under its bylaws. However,  
1065 all receipts and disbursements of funds handled by the  
1066 Interstate Commission shall be audited yearly by a certified or  
1067 licensed public accountant, and the report of the audit shall be  
1068 included in and become part of the annual report of the  
1069 Interstate Commission.

1070 ARTICLE XV

1071 MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT.—

1072 A. Any state is eligible to become a member state.

1073 B. The compact shall take effect and be binding upon  
1074 legislative enactment of the compact into law by not less than  
1075 10 of the states. The effective date shall be no earlier than

1076 December 1, 2007. Thereafter, it shall become effective and  
1077 binding as to any other member state upon enactment of the  
1078 compact into law by that state. The governors of nonmember  
1079 states or their designees shall be invited to participate in the  
1080 activities of the Interstate Commission on a nonvoting basis  
1081 before adoption of the compact by all states.

1082 C. The Interstate Commission may propose amendments to the  
1083 compact for enactment by the member states. An amendment does  
1084 not become effective and binding upon the Interstate Commission  
1085 and the member states until the amendment is enacted into law by  
1086 unanimous consent of the member states.

1087 ARTICLE XVI

1088 WITHDRAWAL AND DISSOLUTION.—

1089 A. Once in effect, the compact continues in force and  
1090 remains binding upon each and every member state, provided that  
1091 a member state may withdraw from the compact, specifically  
1092 repealing the statute that enacted the compact into law.

1093 1. Withdrawal from the compact occurs when a statute  
1094 repealing its membership is enacted by the state, but does not  
1095 take effect until 1 year after the effective date of the statute  
1096 and until written notice of the withdrawal has been given by the  
1097 withdrawing state to the Governor of each other member state.

1098 2. The withdrawing state must immediately notify the  
1099 chairperson of the Interstate Commission in writing upon the  
1100 introduction of legislation repealing this compact in the

1101 withdrawing state. The Interstate Commission shall notify the  
 1102 other member states of the withdrawing state's intent to  
 1103 withdraw within 60 days after its receipt thereof.

1104 3. A withdrawing state is responsible for all assessments,  
 1105 obligations, and liabilities incurred through the effective date  
 1106 of withdrawal, including obligations, the performance of which  
 1107 extend beyond the effective date of withdrawal.

1108 4. Reinstatement following withdrawal of a member state  
 1109 shall occur upon the withdrawing state reenacting the compact or  
 1110 upon such later date as determined by the Interstate Commission.

1111 B. This compact shall dissolve effective upon the date of  
 1112 the withdrawal or default of the member state which reduces the  
 1113 membership in the compact to one member state.

1114 C. Upon the dissolution of this compact, the compact  
 1115 becomes void and has no further force or effect, and the  
 1116 business and affairs of the Interstate Commission shall be  
 1117 concluded and surplus funds shall be distributed in accordance  
 1118 with the bylaws.

1119 ARTICLE XVII

1120 SEVERABILITY AND CONSTRUCTION.—

1121 A. The provisions of this compact shall be severable, and  
 1122 if any phrase, clause, sentence, or provision is deemed  
 1123 unenforceable, the remaining provisions of the compact shall be  
 1124 enforceable.

1125 B. The provisions of this compact shall be liberally

1126 construed to effectuate its purposes.

1127 C. This compact does not prohibit the applicability of  
1128 other interstate compacts to which the states are members.

1129 ARTICLE XVIII

1130 BINDING EFFECT OF COMPACT AND OTHER LAWS.—

1131 A. This compact does not prevent the enforcement of any  
1132 other law of a member state that is not inconsistent with this  
1133 compact.

1134 B. All member states' laws conflicting with this compact  
1135 are superseded to the extent of the conflict.

1136 C. All lawful actions of the Interstate Commission,  
1137 including all rules and bylaws promulgated by the Interstate  
1138 Commission, are binding upon the member states.

1139 D. All agreements between the Interstate Commission and  
1140 the member states are binding in accordance with their terms.

1141 E. If any part of this compact exceeds the constitutional  
1142 limits imposed on the legislature of any member state, the  
1143 provision shall be ineffective to the extent of the conflict  
1144 with the constitutional provision in question in that member  
1145 state.

1146 Section 23. Paragraph (b) of subsection (1) of section  
1147 1003.051, Florida Statutes, is amended to read:

1148 1003.051 Purple Star Campuses.—

1149 (1) As used in this section, the term "military student"  
1150 means a student who is:

1151 (b) A dependent of a current member of the United States  
1152 military serving on active duty in, or a former member of, the  
1153 Army, Navy, Air Force, Space Force, Marine Corps, or Coast  
1154 Guard; a reserve component of any branch of the United States  
1155 military; or the Florida National Guard.

1156 Section 24. For the purpose of incorporating the amendment  
1157 made by this act to section 250.01, Florida Statutes, in a  
1158 reference thereto, subsection (7) of section 373.324, Florida  
1159 Statutes, is reenacted to read:

1160 373.324 License renewal.—

1161 (7) Notwithstanding the renewal requirements in subsection  
1162 (3) and s. 250.4815 for members of the Florida National Guard  
1163 and the United States Armed Forces Reserves, any active water  
1164 well contractor license issued under this part to a  
1165 servicemember as defined in s. 250.01 or his or her spouse, both  
1166 of whom reside in Florida, may not become inactive while the  
1167 servicemember is serving on military orders which take him or  
1168 her over 35 miles from his or her residence and shall be  
1169 considered an active license for up to 180 days after the  
1170 servicemember returns to his or her Florida residence. If the  
1171 license renewal requirements are met within the 180-day  
1172 extension period, the servicemember or his or her spouse may not  
1173 be charged any additional costs, such as, but not limited to,  
1174 late fees or delinquency fees, above the normal license fees.  
1175 This subsection does not waive renewal requirements such as

1176 registering, continuing education, and all associated fees. The  
 1177 servicemember must present to the water management district  
 1178 issuing the license a copy of his or her official military  
 1179 orders or a written verification from the member's commanding  
 1180 officer before the end of the 180-day period in order to qualify  
 1181 for the extension.

1182 Section 25. For the purpose of incorporating the amendment  
 1183 made by this act to section 250.01, Florida Statutes, in a  
 1184 reference thereto, paragraph (c) of subsection (1) of section  
 1185 409.1664, Florida Statutes, is reenacted to read:

1186 409.1664 Adoption benefits for qualifying adoptive  
 1187 employees of state agencies, veterans, and servicemembers.—

1188 (1) As used in this section, the term:

1189 (c) "Servicemember" has the same meaning as in s.  
 1190 250.01(19).

1191 Section 26. For the purpose of incorporating the amendment  
 1192 made by this act to section 250.01, Florida Statutes, in a  
 1193 reference thereto, subsection (1) of section 520.14, Florida  
 1194 Statutes, is reenacted to read:

1195 520.14 Termination of retail installment contract for  
 1196 leasing a motor vehicle by a servicemember.—

1197 (1) Any servicemember, as defined in s. 250.01, may  
 1198 terminate his or her retail installment contract for leasing a  
 1199 motor vehicle by providing the sales finance company with a  
 1200 written notice of termination, effective on the date specified

1201 in the notice, which date shall be at least 30 days after the  
 1202 receipt of the notice by the sales finance company, if any of  
 1203 the following criteria are met:

1204 (a) The servicemember is required, pursuant to a permanent  
 1205 change of station, to move outside the continental United  
 1206 States; or

1207 (b) The servicemember receives temporary duty orders,  
 1208 temporary change of station orders, or active duty orders  
 1209 outside the continental United States, provided such orders are  
 1210 for a period exceeding 60 days.

1211 Section 27. For the purpose of incorporating the amendment  
 1212 made by this act to section 250.01, Florida Statutes, in a  
 1213 reference thereto, subsection (5) of section 627.7283, Florida  
 1214 Statutes, is reenacted to read:

1215 627.7283 Cancellation; return of unearned premium.—

1216 (5) The insurer must refund 100 percent of the unearned  
 1217 premium if the insured is a servicemember, as defined in s.  
 1218 250.01, who cancels because he or she is called to active duty  
 1219 or transferred by the United States Armed Forces to a location  
 1220 where the insurance is not required. The insurer may require a  
 1221 servicemember to submit either a copy of the official military  
 1222 orders or a written verification signed by the servicemember's  
 1223 commanding officer to support the refund authorized under this  
 1224 subsection. If the insurer cancels, the insurer must refund 100  
 1225 percent of the unearned premium. Cancellation is without

1226 prejudice to any claim originating prior to the effective date  
 1227 of the cancellation. For purposes of this section, unearned  
 1228 premiums must be computed on a pro rata basis.

1229 Section 28. For the purpose of incorporating the amendment  
 1230 made by this act to section 250.01, Florida Statutes, in a  
 1231 reference thereto, paragraph (d) of subsection (1) of section  
 1232 689.27, Florida Statutes, is reenacted to read:

1233 689.27 Termination by servicemember of agreement to  
 1234 purchase real property.—

1235 (1) Notwithstanding any other provisions of law and for  
 1236 the purposes of this section:

1237 (d) "Servicemember" shall have the same meaning as  
 1238 provided in s. 250.01.

1239 Section 29. For the purpose of incorporating the amendment  
 1240 made by this act to section 250.01, Florida Statutes, in a  
 1241 reference thereto, paragraph (a) of subsection (5) of section  
 1242 790.015, Florida Statutes, is reenacted to read:

1243 790.015 Nonresidents who are United States citizens and  
 1244 hold a concealed weapons license in another state; reciprocity.—

1245 (5) The requirement of paragraph (1) (a) does not apply to  
 1246 a person who:

1247 (a) Is a servicemember, as defined in s. 250.01; or

1248 Section 30. For the purpose of incorporating the amendment  
 1249 made by this act to section 250.01, Florida Statutes, in  
 1250 references thereto, paragraph (f) of subsection (4) and

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1251 paragraph (b) of subsection (11) of section 790.06, Florida  
1252 Statutes, are reenacted to read:

1253 790.06 License to carry concealed weapon or firearm.—

1254 (4) The application shall be completed, under oath, on a  
1255 form adopted by the Department of Agriculture and Consumer  
1256 Services and shall include:

1257 (f) Directions for an applicant who is a servicemember, as  
1258 defined in s. 250.01, or a veteran, as defined in s. 1.01, to  
1259 request expedited processing of his or her application.

1260 (11)

1261 (b) A license issued to a servicemember, as defined in s.  
1262 250.01, is subject to paragraph (a); however, such a license  
1263 does not expire while the servicemember is serving on military  
1264 orders that have taken him or her over 35 miles from his or her  
1265 residence and shall be extended, as provided in this paragraph,  
1266 for up to 180 days after his or her return to such residence. If  
1267 the license renewal requirements in paragraph (a) are met within  
1268 the 180-day extension period, the servicemember may not be  
1269 charged any additional costs, such as, but not limited to, late  
1270 fees or delinquency fees, above the normal license fees. The  
1271 servicemember must present to the Department of Agriculture and  
1272 Consumer Services a copy of his or her official military orders  
1273 or a written verification from the member's commanding officer  
1274 before the end of the 180-day period in order to qualify for the  
1275 extension.

1276 Section 31. For the purpose of incorporating the amendment  
 1277 made by this act to section 250.01, Florida Statutes, in a  
 1278 reference thereto, paragraph (a) of subsection (1) of section  
 1279 790.062, Florida Statutes, is reenacted to read:

1280 790.062 Members and veterans of United States Armed  
 1281 Forces; exceptions from licensure provisions.—

1282 (1) Notwithstanding s. 790.06(2)(b), the Department of  
 1283 Agriculture and Consumer Services shall issue a license to carry  
 1284 a concealed weapon or firearm under s. 790.06 if the applicant  
 1285 is otherwise qualified and:

1286 (a) Is a servicemember, as defined in s. 250.01; or

1287 Section 32. For the purpose of incorporating the amendment  
 1288 made by this act to section 250.01, Florida Statutes, in a  
 1289 reference thereto, subsection (13) of section 790.065, Florida  
 1290 Statutes, is reenacted to read:

1291 790.065 Sale and delivery of firearms.—

1292 (13) A person younger than 21 years of age may not  
 1293 purchase a firearm. The sale or transfer of a firearm to a  
 1294 person younger than 21 years of age may not be made or  
 1295 facilitated by a licensed importer, licensed manufacturer, or  
 1296 licensed dealer. A person who violates this subsection commits a  
 1297 felony of the third degree, punishable as provided in s.  
 1298 775.082, s. 775.083, or s. 775.084. The prohibitions of this  
 1299 subsection do not apply to the purchase of a rifle or shotgun by  
 1300 a law enforcement officer or correctional officer, as those

1301 terms are defined in s. 943.10(1), (2), (3), (6), (7), (8), or  
1302 (9), or a servicemember as defined in s. 250.01.

1303 Section 33. For the purpose of incorporating the amendment  
1304 made by this act to section 250.01, Florida Statutes, in a  
1305 reference thereto, paragraph (d) of subsection (2) of section  
1306 790.0655, Florida Statutes, is reenacted to read:

1307 790.0655 Purchase and delivery of firearms; mandatory  
1308 waiting period; exceptions; penalties.—

1309 (2) The waiting period does not apply in the following  
1310 circumstances:

1311 (d) When a rifle or shotgun is being purchased by a law  
1312 enforcement officer or correctional officer, as those terms are  
1313 defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a  
1314 servicemember as defined in s. 250.01.

1315 Section 34. For the purpose of incorporating the amendment  
1316 made by this act to section 250.01, Florida Statutes, in  
1317 references thereto, subsections (1), (2), and (3) of section  
1318 948.21, Florida Statutes, are reenacted to read:

1319 948.21 Condition of probation or community control;  
1320 military servicemembers and veterans.—

1321 (1) Effective for a probationer or community controllee  
1322 whose crime is committed on or after July 1, 2012, and who is a  
1323 veteran, as defined in s. 1.01, or servicemember, as defined in  
1324 s. 250.01, who suffers from a military service-related mental  
1325 illness, traumatic brain injury, substance abuse disorder, or

1326 | psychological problem, the court may, in addition to any other  
1327 | conditions imposed, impose a condition requiring the probationer  
1328 | or community controllee to participate in a treatment program  
1329 | capable of treating the probationer's or community controllee's  
1330 | mental illness, traumatic brain injury, substance abuse  
1331 | disorder, or psychological problem.

1332 |       (2) Effective for a probationer or community controllee  
1333 | whose crime is committed on or after July 1, 2016, and who is a  
1334 | veteran, as defined in s. 1.01, including a veteran who is  
1335 | discharged or released under a general discharge, or  
1336 | servicemember, as defined in s. 250.01, who suffers from a  
1337 | military service-related mental illness, traumatic brain injury,  
1338 | substance abuse disorder, or psychological problem, the court  
1339 | may, in addition to any other conditions imposed, impose a  
1340 | condition requiring the probationer or community controllee to  
1341 | participate in a treatment program capable of treating the  
1342 | probationer or community controllee's mental illness, traumatic  
1343 | brain injury, substance abuse disorder, or psychological  
1344 | problem.

1345 |       (3) Effective for a probationer or community controllee  
1346 | whose crime is committed on or after October 1, 2019, and who is  
1347 | a veteran, as defined in s. 1.01; a veteran who is discharged or  
1348 | released under any condition; a servicemember, as defined in s.  
1349 | 250.01; an individual who is a current or former United States  
1350 | Department of Defense contractor; or an individual who is a

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1351 | current or former military member of a foreign allied country,  
1352 | who suffers from a military service-related mental illness,  
1353 | traumatic brain injury, substance abuse disorder, or  
1354 | psychological problem, the court may, in addition to any other  
1355 | conditions imposed, impose a condition requiring the probationer  
1356 | or community controllee to participate in a treatment program  
1357 | capable of treating the probationer or community controllee's  
1358 | mental illness, traumatic brain injury, substance abuse  
1359 | disorder, or psychological problem.

1360 |       Section 35. Except as otherwise expressly provided in this  
1361 | act, this act shall take effect July 1, 2022.