

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 336

INTRODUCER: Senator Arrington

SUBJECT: Educational Dollars for Duty Program

DATE: March 11, 2025

REVISED: _____

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

I. Summary:

SB 336 creates the Educational Dollars for Duty Program Expansion Act by transferring the Florida National Guard (FNG) Educational Dollars for Duty (EDD) program to a newly created section of statute and expanding the program to include spouses and children of active members of the FNG.

Spouses and children of active members of the FNG would be eligible for financial assistance of up to 50 percent of tuition. The Department of Military Affairs (DMA) will be required to oversee the implementation and enforcement of the Educational Dollars for Duty Program Expansion Act in addition to establishing procedures for verifying eligibility and distributing funds.

The bill sets aside \$500,000 of funds appropriated for the EDD program each fiscal year to provide tuition assistance for spouses and children of active members of the FNG, reducing appropriated funds available for active members of the FNG under the EDD program.

Funding for the EDD program is subject to appropriation.

The bill takes effect July 1, 2025.

II. Present Situation:

National Guard and the National Guard Bureau

The National Defense Act of 1916¹ established the National Guard Bureau as a separate unit of the militia division of the federal government.² In 1948, the United States Secretary of Defense issued an order designating the National Guard Bureau as a joint bureau of the Departments of the Army and Air Force.³ Today, the National Guard Bureau oversees each of the 54 National Guards in U.S. states and territories.⁴

The National Guard is unique among militia in that it serves the country in both the local community and overseas. The dual mission of a National Guard member means that each member serves through both the National Guard of the state and through the U.S. Army or the U.S. Air Force.⁵ The collective membership of each National Guard is designated as its force structure. The force structure of each National Guard is allocated by the National Guard Bureau.⁶

Florida National Guard

The FNG dates back to 1565, when Spanish founders of St. Augustine organized a company of citizen-soldiers to protect the local community.⁷ A member of the FNG serves either in the state Army National Guard or in the state Air National Guard, considered a reserve component of each of those armed forces.⁸ Overseeing the FNG as a federally-recognized officer, the adjutant general is appointed by the Governor and subject to Senate confirmation.⁹ The adjutant general, responsible for training and operations of the FNG, must have served in the FNG for the preceding 5 years and attained the rank of colonel or higher.¹⁰ Ranked above adjutant general is the Governor, who serves as commander-in-chief of all militia in the state.¹¹

The force structure of the FNG is comprised of more than 12,000 members.¹²

Educational Dollars for Duty Program

Under current law, the Adjutant General is responsible for developing the EDD program,¹³ established in 2009,¹⁴ providing an educational benefit exclusively for members of the FNG. The EDD program provides tuition and fee financial assistance to an eligible FNG member enrolled

¹ National Defense Act of 1916, Pub. L. 64-85 (June 3, 1916).

² National Archives, *Guide to Federal Records, Records of the National Guard Bureau (NGB)*, available at <https://www.archives.gov/research/guide-fed-records/groups/168.html> (last visited March 5, 2025).

³ *Id.* Section 250.01(13), F.S.

⁴ Air Force, *Air National Guard*, available at <https://www.af.mil/About-Us/Fact-Sheets/Display/Article/104546/air-national-guard/> (last visited March 5, 2025).

⁵ *Id.*

⁶ 10 U.S.C. s. 10503(1).

⁷ Dep't of Military Affairs, *Home*, available at <https://dma.myflorida.com/> (last visited March 5, 2025).

⁸ Section 250.01(3), (7), and (13), F.S.

⁹ Section 250.10(1), F.S.

¹⁰ *Id.*

¹¹ Section 250.06(1), F.S.

¹² Florida National Guard, *About*, available at <https://fl.ng.mil/About/> (last visited March 5, 2025).

¹³ Section 250.10(7), F.S.

¹⁴ Ch. 2009-123, s. 1, Laws of Fla.

in an authorized course of study at an accredited public or private postsecondary institution or technical center.¹⁵ Preference and priority is given to a person previously deployed on federal military orders while serving in the FNG.¹⁶

The Adjutant General must adopt rules for the overall policy, guidance, administration, implementation, and proper use of the EDD program.¹⁷

The EDD program application requirements include, but are not limited to, requirements that the applicant:

- Be 17 years of age or older.
- Be presently domiciled in the state.
- Be an active drilling member and in good standing in the FNG at the beginning of and throughout the entire academic term for which benefits are received.
- Maintain continuous satisfactory participation in the FNG for the school term for which benefits are received.
- Upon enrollment in the program, complete a memorandum of agreement with the FNG.¹⁸

The EDD program defines those members of the FNG who are ineligible to participate and those courses of study which are not authorized for the EDD program.

- Ineligible members include, but are not limited to, a member, commissioned officer, warrant officer, or enlisted person who has obtained a master's degree using the EDD program.
- Inactive members of the FNG and members of the Individual Ready Reserve are not eligible to participate in the EDD program.
- Courses not authorized include noncredit courses, courses that do not meet degree requirements, courses that do not meet requirements for completion of career training, or other courses as determined by EDD program definitions.
- The EDD program may not pay repeat course fees.¹⁹

Administered by the DMA, funding for the EDD program is subject to legislative appropriation.²⁰ In Fiscal Year 2023-2024, the Legislature appropriated \$5,167,900 for the EDD program.²¹ When appropriated, the DMA may pay the full cost of tuition and fees for current National Guard members who take courses at a public postsecondary institution or technical program. If, however, the eligible member is enrolled at a private postsecondary institution or technical program, payment may not exceed the rate of the highest in-state tuition and fees at a public postsecondary education institution or public vocational-technical program.²²

The DMA may reimburse a member of the FNG for student textbook and instructional material costs in accordance with limits set each fiscal year based on funding availability and regardless

¹⁵ Section 250.10(7), F.S.

¹⁶ Section 250.10(8)(a), F.S.

¹⁷ Section 250.10(7)(d), F.S.

¹⁸ Section 250.10(7)(a), F.S.

¹⁹ Section 250.10(7)(b), F.S.

²⁰ Section 250.10(8), F.S.

²¹ Ch. 2023-239 Laws of Fla., Specific Appropriation 3066, Section 6, General Government, General Appropriations Act.

²² Section 250.10(8), F.S.

of the source of tuition funding, but only after tuition and fees for all eligible FNG members are paid for that fiscal year.²³

Penalties for noncompliance with EDD program requirements include, but are not limited to, the following:

- If a member of the FNG receives payment of tuition and fees for an academic term and fails to maintain satisfactory participation in the FNG during that academic term, the member shall reimburse the DMA for all tuition charges and student fees for the academic term for which the member received payment.
- If a member of the FNG leaves the FNG during the period specified in the member's enlistment or reenlistment contract, the member shall reimburse the DMA for all tuition charges and student fees for which the member received payments, regardless of whether the obligation to reimburse the DMA was incurred before, on, or after July 1, 2009, unless the Adjutant General finds that there are justifiable extenuating circumstances.
- If the service of a member of the FNG is terminated or the member is placed on scholastic probation while receiving payments, the member shall reimburse the DMA for all tuition charges and student fees for the academic term for which the member received payment.
- If a member of the FNG defaults on any reimbursement made under this paragraph, the DMA may charge the member the maximum interest rate authorized by law.²⁴

During the 2023-2024 fiscal year, the program provided educational assistance to 1,524 FNG members.²⁵

Educational Dollars for Duty Program Funding

Funding for the EDD program is subject to appropriation.²⁶ As indicated by the funds appropriated the last 2 fiscal years, with the 2024-2025 fiscal year to be determined, the entirety of the funds appropriated in each fiscal year were used to provide educational assistance to FNG members under the EDD program.

Fiscal Year	Funds Appropriated	Funds Reverted
2022-2023	\$5,167,900 ²⁷	\$0 ²⁸
2023-2024	\$5,167,900 ²⁹	\$0 ³⁰
2024-2025	\$5,167,900 ³¹	TBD

²³ Section 250.10(8)(b), F.S.

²⁴ Section 250.10(8)(c), F.S.

²⁵ Email from Glen O'Brien, Educational Dollars for Duty Program Director, Florida Department of Military Affairs, to Tim Proctor, Staff Director, Senate Committee on Military and Veterans Affairs, Space, and Domestic Security (March 5, 2025) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

²⁶ Section 250.10(8), F.S.

²⁷ Chapter 2022-156 Laws of Fla., Specific Appropriation 2998.

²⁸ Email from Sarah Nortelus, Staff Director, Senate Appropriations Committee on Transportation, Tourism, and Economic Development, to Tim Proctor, Staff Director, Senate Committee on Military and Veterans Affairs, Space, and Domestic Security (February 4, 2025) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

²⁹ Chapter 2023-239 Laws of Fla., Specific Appropriation 3066.

³⁰ Email from Sarah Nortelus, *supra* note 28.

³¹ Chapter 2024-231 Laws of Fla., Specific Appropriation 3055.

III. Effect of Proposed Changes:

The bill creates the Educational Dollars for Duty Program Expansion Act by transferring the FNG EDD program to a newly created section of statute and expanding the program to include spouses and children of active members of the FNG.

Spouses and children of active members of the FNG would be eligible for financial assistance of up to 50 percent of tuition. The DMA will be required to oversee the implementation and enforcement of the Educational Dollars for Duty Program Expansion Act in addition to establishing procedures for verifying eligibility and distributing funds.

The bill sets aside \$500,000 of funds appropriated for the EDD program each fiscal year to provide tuition assistance for spouses and children of active members of the FNG, reducing appropriated funds available for active members of the FNG under the EDD program.

The bill takes effect July 1, 2025.

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

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

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

None.

B. Private Sector Impact:

Spouses and children of active members of the FNG may be eligible for financial assistance of up to 50 percent of tuition. It is unknown how many individuals will be eligible for or utilize the financial assistance.

C. Government Sector Impact:

Funding for the EDD program is subject to appropriation. From the funds appropriated for the EDD program each fiscal year, the bill sets aside \$500,000 to provide tuition assistance for spouses and children of active members of the FNG, reducing the appropriated funds available for active members of the FNG under the EDD program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 250.10 of the Florida Statutes.
This bill creates section 250.101 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

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

None.

B. Amendments:

None.