

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

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

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

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

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

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

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

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

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

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

51 subsection if such employee was employed by a charter school or  
52 the Florida Virtual School when he or she adopted a child within  
53 the child welfare system pursuant to chapter 63 on or after July  
54 1, 2015.

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

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

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

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

76 (4) This section does not preclude a qualifying adoptive  
77 employee from receiving adoption assistance for which he or she  
78 may qualify under s. 409.166 or any other statute that provides  
79 financial incentives for the adoption of children.

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

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

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

97 (8) Each state agency shall develop a uniform procedure  
98 for informing employees about this benefit and for assisting the  
99 department in making eligibility determinations and processing  
100 applications. Any procedure adopted by a state agency is valid

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101 and enforceable if the procedure does not conflict with the  
102 express terms of this section.

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

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