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CS/HB 749

2017 Legislature

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2 An act relating to adoption benefits; amending s.
3 409.1664, F.S.; revising the definition of the term
4 "qualifying adoptive employee" to include employees of
5 charter schools and the Florida Virtual School for the
6 purpose of extending state employee adoption benefits
7 to such employees; providing for retroactive
8 application; requiring such employees to apply to
9 their school directors to obtain certain monetary
10 benefits; requiring the Chief Financial Officer to
11 transfer funds to charter schools and the Florida
12 Virtual School to enable payments to such employees;
13 providing an effective date.

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

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17 Section 1. Paragraph (b) of subsection (1) and subsections
18 (2), (3), (5), and (7) of section 409.1664, Florida Statutes,
19 are amended to read:

20 409.1664 Adoption benefits for qualifying adoptive
21 employees of state agencies.—

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

23 (b) "Qualifying adoptive employee" means a full-time or
24 part-time employee of a state agency, a charter school
25 established under s. 1002.33, or the Florida Virtual School

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26 | established under s. 1002.37 who is paid from regular salary
27 | appropriations, or otherwise meets his or her ~~the state agency~~
28 | employer's definition of a regular rather than temporary
29 | employee, and who adopts a child within the child welfare system
30 | pursuant to chapter 63 on or after July 1, 2015. The term
31 | includes instructional personnel, as defined in s. 1012.01, who
32 | are employed by the Florida School for the Deaf and the Blind.

33 | (2) A qualifying adoptive employee who adopts a child
34 | within the child welfare system who has special needs described
35 | in s. 409.166(2)(a)2. is eligible to receive a lump-sum monetary
36 | benefit in the amount of \$10,000 per such child, subject to
37 | applicable taxes. A qualifying adoptive employee who adopts a
38 | child within the child welfare system who does not have special
39 | needs described in s. 409.166(2)(a)2. is eligible to receive a
40 | lump-sum monetary benefit in the amount of \$5,000 per such
41 | child, subject to applicable taxes. A qualifying adoptive
42 | employee of a charter school or the Florida Virtual School may
43 | retroactively apply for the monetary benefit provided in this
44 | subsection if such employee was employed by a charter school or
45 | the Florida Virtual School when he or she adopted a child within
46 | the child welfare system pursuant to chapter 63 on or after July
47 | 1, 2015.

48 | (a) Benefits paid to a qualifying adoptive employee who is
49 | a part-time employee must be prorated based on the qualifying
50 | adoptive employee's full-time equivalency at the time of

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51 | applying for the benefits.

52 | (b) Monetary benefits awarded under this subsection are
53 | limited to one award per adopted child within the child welfare
54 | system.

55 | (c) The payment of a lump-sum monetary benefit for
56 | adopting a child within the child welfare system under this
57 | section is subject to a specific appropriation to the department
58 | for such purpose.

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

69 | (5) Parental leave for a qualifying adoptive employee must
70 | be provided in accordance with the personnel policies and
71 | procedures of his or her ~~the employee's state agency~~ employer.

72 | (7) The Chief Financial Officer shall disburse a monetary
73 | benefit to a qualifying adoptive employee upon the department's
74 | submission of a payroll requisition. The Chief Financial Officer
75 | shall transfer funds from the department to a state university,

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76 | a Florida College System institution, a school district unit, a
77 | charter school, the Florida Virtual School, or a water
78 | management district, as appropriate, to enable payment to the
79 | qualifying adoptive employee through the payroll systems as long
80 | as funds are available for such purpose.

81 | Section 2. This act shall take effect July 1, 2017.