

PCS for HB 21

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to the Dozier School for Boys and
 3 Okeechobee School Victim Compensation Program;
 4 creating s. 16.63, F.S.; establishing the Dozier
 5 School for Boys and Okeechobee School Victim
 6 Compensation Program within the Department of Legal
 7 Affairs; specifying the purpose of the program;
 8 requiring the department to provide specified notice
 9 of the program; requiring the department to accept and
 10 process applications for the payment of compensation
 11 claims under the program; specifying application
 12 procedures and requirements; requiring the department
 13 to issue application approvals or denials under
 14 specified conditions; requiring notice of application
 15 approval or denial; requiring the department to pay a
 16 specified compensation amount to approved applicants;
 17 limiting the compensation an applicant may receive
 18 related to the claim; providing an effective date.;
 19 providing an effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 23 Section 1. Section 16.63, Florida Statutes, is created to
 24 read:

25 16.63 Dozier School for Boys and Okeechobee School Victim
 26 Compensation Program.-

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27 (1) The Dozier School for Boys and Okeechobee School
 28 Victim Compensation Program is established within the Department
 29 of Legal Affairs. The purpose of the program is to compensate
 30 living persons who were confined to the Dozier School for Boys
 31 or the Okeechobee School at any time between 1940 and 1975 and
 32 who were subjected to mental, physical, or sexual abuse
 33 perpetrated by school personnel while they were so confined.

34 (2) The Department of Legal Affairs shall accept, review,
 35 and approve or deny applications for the payment of compensation
 36 claims under this section. Notice of the availability of such
 37 compensation must be given and any relevant forms made available
 38 for download on a page of the department's official website
 39 accessible through a direct link on the website's homepage,
 40 which link and page must be titled "The Dozier School for Boys
 41 and Okeechobee School Victim Compensation Program."

42 (3) An application for compensation under this section
 43 must be made by a living person who was confined to the Dozier
 44 School for Boys or the Okeechobee School between 1940 and 1975;
 45 the personal representative or estate of a decedent may not file
 46 an application for or receive compensation under this section.
 47 Such application must be made on a form approved by the
 48 department and include:

49 (a) The applicant's name, date of birth, mailing address,
 50 phone number, and, if available, electronic mail address.

51 (b) The name of the school in which the applicant was
 52 confined and the approximate dates of the applicant's

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53 confinement.

54 (c) Reasonable proof submitted as attachments establishing
 55 that the applicant was both:

56 1. Confined to the Dozier School for Boys or the
 57 Okeechobee School between 1940 and 1975, which proof may include
 58 school records submitted with a notarized certificate of
 59 authenticity signed by the records custodian or certified court
 60 records.

61 2. A victim of mental, physical, or sexual abuse
 62 perpetrated by school personnel during the applicant's
 63 confinement, which proof may include a notarized statement
 64 signed by the applicant attesting to the abuse the applicant
 65 suffered.

66 (d) A signed statement from the applicant acknowledging
 67 that, by accepting compensation under this section, the
 68 applicant waives any right to further compensation related to
 69 the applicant's confinement at the Dozier School for Boys or the
 70 Okeechobee School or any abuse suffered during such confinement.

71
 72 An application for compensation under this section must be
 73 signed by the applicant under oath. A false statement in such
 74 application, including in any attachment or exhibit submitted
 75 therewith, is subject to the penalty of perjury under s.
 76 837.012.

77 (4) Applications for compensation under this section must
 78 be submitted no later than December 31, 2024.

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79 (5) Upon completed review of an application submitted
 80 under this section, the department shall either:

81 (a) Subject to appropriation, approve a one-time payment
 82 to an applicant whose application meets the criteria specified
 83 in this section. Each approved applicant shall receive an equal
 84 share of the funds appropriated for this purpose.

85 (b) Deny the payment of compensation under this section to
 86 an applicant whose application does not meet the criteria
 87 specified in this section.

88
 89 Written notice of such approval or denial must be sent by
 90 certified mail, return receipt requested, to the mailing address
 91 provided by the applicant on the application form. An applicant
 92 whose application is rejected for providing insufficient
 93 information may submit a new application as provided in
 94 subsection (4).

95 (6) A person compensated under this section is ineligible
 96 for any further compensation related to the person's confinement
 97 at the Dozier School for Boys or the Okeechobee School or any
 98 abuse suffered during such confinement.

99 (7) The department shall adopt by rule procedures and
 100 forms necessary to administer this section.

101 Section 2. Pursuant to rules adopted by the State Board of
 102 Education, the Commissioner of Education may award a standard
 103 high school diploma to a person compensated pursuant to section
 104 1 who has not completed high school graduation requirements.

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Section 3. This act shall take effect July 1, 2024.