

CHAPTER 2023-167

Committee Substitute for Committee Substitute for House Bill No. 1285

An act relating to the Florida State Guard; amending s. 120.80, F.S.; providing that certain functions of the Florida State Guard are not rules as defined by ch. 120, F.S.; amending s. 250.44, F.S.; prohibiting certain actions regarding clothing, arms, military outfits, and property of the Florida State Guard; requiring certain information to be reported to the director of the Division of the State Guard within the Department of Military Affairs; providing a penalty; amending s. 251.001, F.S.; providing a short title; providing the scope of chapter 251, F.S.; revising provisions relating to the creation and authorization of the Florida State Guard; providing the authorized maximum number of volunteer personnel of the Florida State Guard; creating the Division of the State Guard within the Department of Military Affairs; providing that the head of the division is a director appointed by and serving at the pleasure of the Governor; providing eligibility requirements for the director; providing that the division is a separate budget entity; requiring the department to provide administrative support to the division; providing division responsibilities; authorizing the director to establish a services structure for certain purposes; revising and providing definitions; removing provisions establishing authority of the department and the Adjutant General with respect to the Florida State Guard; providing additional duties of the division and director; revising qualifications for applicants to the Florida State Guard; requiring the director to organize and establish a specialized unit within the Florida State Guard; providing criteria and authority for members of the specialized unit; revising the criteria for activation of the Florida State Guard; requiring the division to reimburse members for per diem and travel expenses; authorizing other compensation subject to appropriation; requiring the director to adopt rules; conforming provisions to changes made by the act; repealing ss. 251.01, 251.02, 251.03, 251.04, 251.05, 251.06, 251.07, 251.08, 251.09, 251.10, 251.11, 251.12, 251.13, 251.14, 251.15, 251.16, and 251.17, F.S., relating to the Florida State Defense Force; amending s. 790.25, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Subsection (20) is added to section 120.80, Florida Statutes, to read:

120.80 Exceptions and special requirements; agencies.—

(20) FLORIDA STATE GUARD.—Notwithstanding s. 120.52(16), the enlistment, organization, administration, equipment, maintenance, training, and discipline of the Florida State Guard are not rules as defined by this chapter.

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Section 6. This act shall take effect July 1, 2023.

Approved by the Governor May 26, 2023.

Filed in Office Secretary of State May 26, 2023.