

Committee on Judiciary

CS/HB 131 — Security in Trial Court Facilities

by Judiciary Committee and Rep. McClain (SB 118 by Senator Gruters)

The bill addresses the decision-making authority and responsibilities of the chief judge of a circuit court and the county sheriff in providing court security. In a recent opinion by the Second District Court of Appeal, the court resolved the competing claims of authority and responsibility at issue in the case by holding that a chief circuit judge may require a sheriff in the circuit, because the sheriff is an officer of the court, to comply with the judge's order requiring the sheriff to provide security at court facilities.

The bill reiterates that sheriffs are officers of the court, and requires each sheriff to coordinate with his or her local chief judge and county commissioners in developing a court security plan. However, the bill provides that sheriffs retain authority to implement and provide law enforcement services associated with the plan. Finally, the bill provides that the chief judge retains decision-making authority to carry out his or her administrative functions concerning the protection of due process rights and the scheduling and conduct of trials and other judicial proceedings.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 39-0; House 118-0