

By Representative Carlton

1 A bill to be entitled
2 An act relating to restrictions on individuals
3 qualifying for public office; amending s.
4 99.012, F.S.; requiring a person who is a
5 subordinate officer, deputy sheriff, or police
6 officer to resign upon qualifying for public
7 office; providing for the effective date of
8 such resignation; providing an effective date.

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

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12 Section 1. Subsection (5) of section 99.012, Florida
13 Statutes, is amended to read:

14 99.012 Restrictions on individuals qualifying for
15 public office.--

16 (5) A person who is a subordinate officer, deputy
17 sheriff, or police officer must ~~need not~~ resign upon
18 qualifying for public office. If pursuant to this section
19 ~~unless~~ the person is seeking to qualify for a public office
20 which is currently held by an officer who has authority to
21 appoint, employ, promote, or otherwise supervise that person
22 and who has qualified as a candidate for reelection to that
23 office, the resignation must be effective not later than the
24 date the candidate qualifies. Otherwise, the resignation must
25 be effective not later than the date the officer would take
26 office, if elected. However, upon qualifying, the subordinate
27 ~~officer, deputy sheriff, or police officer must take a leave~~
28 ~~of absence without pay during the period in which he or she is~~
29 ~~a candidate for office.~~

30 Section 2. This act shall take effect July 1, 1998.

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HOUSE SUMMARY

Requires a person who is a subordinate officer, deputy sheriff, or police officer to resign upon qualifying for public office. Provides that, if the person is seeking to qualify for a public office which is currently held by an officer who has authority to appoint, employ, promote, or otherwise supervise that person and who has qualified as a candidate for reelection to that office, the resignation must be effective not later than the date the candidate qualifies; otherwise, it must be effective not later than the date the officer would take office, if elected.