

By Representative Fasano

1 A bill to be entitled
2 An act relating to collective bargaining;
3 amending s. 30.53, F.S.; providing for local
4 option, either by designation by the sheriff or
5 by referendum of the citizens of the county,
6 for the designation of certain deputy sheriffs
7 as "public employees" for collective bargaining
8 purposes; providing for the application of the
9 act; providing an effective date.

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

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13 Section 1. Section 30.53, Florida Statutes, is amended
14 to read:

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30.53 Independence of constitutional officials.--

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(1) Except as provided in subsection (2), the

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independence of the sheriffs shall be preserved concerning the
18 purchase of supplies and equipment, selection of personnel,
19 and the hiring, firing, and setting of salaries of such
20 personnel; provided that nothing herein contained shall
21 restrict the establishment or operation of any civil service
22 system or civil service board created pursuant to s. 14, Art.
23 III, of the Constitution of Florida, provided, further that
24 nothing contained in ss. 30.48-30.53 shall be construed to
25 alter, modify or change in any manner any civil service system
26 or board, state or local, now in existence or hereafter
27 established.

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(2)(a) Notwithstanding any other provision of law to

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the contrary, by local option a sheriff may designate full

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time deputy sheriffs below the rank of major to be "public

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employees," as defined in part II of chapter 447, who shall

1 thereafter be entitled to all rights, privileges, and
2 obligations granted by law, including the right to organize
3 and collectively bargain pursuant to part II of chapter 447.
4 Alternatively, by local option, notwithstanding any other
5 provision of law to the contrary, in counties with a
6 population of 100,000 or more, full-time deputy sheriffs below
7 the rank of major shall be designated as "public employees,"
8 as defined in part II of chapter 447, who shall thereafter be
9 entitled to all rights, privileges, and obligations granted by
10 law, including the right to organize and collectively bargain
11 pursuant to part II of chapter 447, if a majority of those
12 voting in a countywide referendum vote affirmatively to grant
13 such status to the deputy sheriffs. Once granted by act of the
14 sheriff or referendum of the people, such status as public
15 employees and right to engage in collective bargaining shall
16 be irrevocable.

17 (b) Nothing in this section shall be construed to
18 limit or otherwise alter the existing status of deputies as
19 public employees and their right to engage in collective
20 bargaining in the following counties: Broward, Miami-Dade,
21 Escambia, and Volusia; nor shall anything in this section be
22 construed to limit the right of deputies to secure public
23 employee status and collective bargaining rights through a
24 general or special act of the Legislature.

25 Section 2. This act shall take effect July 1, 1999.

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28 HOUSE SUMMARY

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30 Provides for the designation, by the county sheriff or by
31 referendum of the citizens of the county, of deputy
sheriffs as "public employees" for collective bargaining
purposes. See bill for details.