

By the Committee on Criminal Justice; and Senators Posey and  
Crist

307-2179-02

1                                   A bill to be entitled  
2           An act relating to sheriffs; amending s. 30.09,  
3           F.S.; providing an exception from bonding  
4           requirements for special deputies in the event  
5           of certain terrorist acts; amending s. 30.49,  
6           F.S.; revising provisions relating to  
7           submission of budgets by sheriffs; providing an  
8           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. Paragraph (e) of subsection (4) of section  
13   30.09, Florida Statutes, is amended to read:

14           30.09 Qualification of deputies; special deputies.--  
15           (4) EXCEPTIONS.--This section does not apply to the  
16   appointment of special deputy sheriffs appointed by the  
17   sheriff:

18           (e) To aid in preserving law and order, or to give  
19   necessary assistance in the event of any threatened or actual  
20   hurricane, fire, flood, or other natural disaster, or in the  
21   event of any major tragedy such as an act of local terrorism  
22   or a national terrorism alert, an airplane crash, a train or  
23   automobile wreck, or a similar accident.

24  
25   The appointment of a special deputy sheriff in any such  
26   circumstance, except with respect to paragraph (g), may be  
27   made with full powers of arrest when the sheriff considers  
28   such appointment reasonable and necessary in the execution of  
29   the duties of his or her office. Except under circumstances  
30   described in paragraphs (a), (e), (f), and (g), the appointees  
31   must possess at least the minimum requirements established for

1 law enforcement officers by the Criminal Justice Standards and  
2 Training Commission. The appointment of any such special  
3 deputy sheriff must be recorded in a register maintained for  
4 such purpose in the sheriff's office, showing the terms and  
5 circumstances of such appointment.

6 Section 2. Subsection (2) of section 30.49, Florida  
7 Statutes, is amended to read:

8 30.49 Budgets.--

9 (2)(a) The sheriff shall submit with the proposed  
10 budget his or her sworn certificate, stating that the proposed  
11 expenditures are reasonable and necessary for the proper and  
12 efficient operation of the office for the ensuing year. The  
13 ~~Each~~ proposed budget shall show the estimated amounts of all  
14 proposed expenditures for operating and equipping the  
15 sheriff's office and jail, excluding the cost of other than  
16 construction, repair, or capital improvement of county  
17 buildings during such fiscal year. The expenditures shall be  
18 categorized at the appropriate fund level in accordance with  
19 the following functional categories itemized as follows:

- 20 1. General law enforcement ~~Salary of the sheriff.~~
- 21 2. Corrections and detention alternative facilities  
22 ~~Salaries of deputies and assistants.~~
- 23 3. Court services, excluding service of process  
24 ~~Expenses, other than salaries.~~
- 25 4. ~~Equipment.~~
- 26 5. ~~Investigations.~~
- 27 6. ~~Reserve for contingencies.~~

28 (b) Within the appropriate fund and functional  
29 category, The budget and expenditures shall be itemized in  
30 accordance with the uniform chart of accounts prescribed by  
31

1 the Department of Banking and Finance, as follows ~~divided into~~  
2 ~~the following categories:~~

3 1. Personal services ~~Expenditures anticipated to be~~  
4 ~~incurred in the maintenance and operation of local~~  
5 ~~correctional facilities and detention alternative facilities~~  
6 ~~and in the staffing of bailiffs and other personnel in~~  
7 ~~assistance to the court, excluding service of process.~~

8 2. Operating expenses ~~Expenditures anticipated to be~~  
9 ~~incurred in providing other general law enforcement services~~  
10 ~~of the sheriff.~~

11 3. Capital outlay.

12 4. Debt service.

13 5. Nonoperating disbursements and contingency  
14 reserves.

15 (c) The sheriff shall submit to the board of county  
16 commissioners for consideration and inclusion in the county  
17 budget, as deemed appropriate by the county, requests for  
18 construction, repair, or capital improvement of county  
19 buildings operated or occupied by the sheriff.

20 Section 3. This act shall take effect July 1, 2002.

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22 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
23 COMMITTEE SUBSTITUTE FOR  
24 Senate Bill 1190

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26 - The bill provided that it is legislative intent to  
27 revise laws relating to sheriff's budgets.

28 - The CS provides an exemption from the statutory bonding  
29 requirement for special deputy sheriffs mobilized in  
30 response to an act of local terrorism or a national  
31 terrorism alert.

32 - The CS modernizes the format of annual sheriff's budget  
33 proposals prepared for the board of county  
34 commissioners.

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