

By Representatives Kendrick, Goodlette, Stansel and Bean

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
8 for per diem and travel expenses; providing an
9 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. Paragraph (e) of subsection (4) of section
14 30.09, Florida Statutes, is amended to read:

15 30.09 Qualification of deputies; special deputies.--

16 (4) EXCEPTIONS.--This section does not apply to the
17 appointment of special deputy sheriffs appointed by the
18 sheriff:

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

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

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

7 Section 2. Subsection (2) of section 30.49, Florida
8 Statutes, is amended, and subsection (12) is added to said
9 section, to read:

10 30.49 Budgets.--

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

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

30 (b) Within the appropriate fund and functional
31 category, ~~The budget and expenditures shall be~~ itemized in

1 accordance with the uniform chart of accounts prescribed by
2 the Department of Banking and Finance, as follows ~~divided into~~
3 ~~the following categories:~~

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

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

12 3. Capital outlay.

13 4. Debt service.

14 5. Nonoperating disbursements and contingency
15 reserves.

16 (c) The sheriff may administratively move funding
17 between itemized expenditures and functional categories,
18 except that the total of the individual funds may not be
19 changed unless a budget amendment is approved by the board of
20 county commissioners.

21 (d) The sheriff shall submit to the board of county
22 commissioners for consideration and inclusion in the county
23 budget, as deemed appropriate by the county, requests for
24 construction, repair, or capital improvement of county
25 buildings operated or occupied by the sheriff.

26 (12) A sheriff may develop and implement policies
27 regarding reimbursement for travel expenses consistent with
28 the provisions of s. 112.061, county policy as permitted by
29 state law, or federal mileage and per diem rates, or any
30 combination thereof.

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

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HOUSE SUMMARY

Provides an exception from bonding requirements for special deputies appointed by a sheriff in the event of an act of local terrorism or a national terrorism alert. Revises provisions relating to submission of budgets by sheriffs. Provides for per diem and travel expenses.