

By the Committee on Governmental Oversight and Productivity;
and Senator Saunders

302-2024-02

1 A bill to be entitled
2 An act relating to public employment; amending
3 s. 295.07, F.S.; providing requirements for
4 advertising select exempt positions;
5 eliminating certain positions from exemption
6 from preferential appointment and retention
7 requirements; requiring vacant select exempt
8 positions in the Department of Veterans'
9 Affairs to be filled with qualified veterans;
10 providing an exception; providing an effective
11 date.

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

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15 Section 1. Section 295.07, Florida Statutes, is
16 amended to read:

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295.07 Preference in appointment and retention.--

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(1) The state and political subdivisions in the state
19 shall give preference in appointment and retention in
20 positions of employment to:

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(a) Those disabled veterans:

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1. Who have served on active duty in any branch of the
23 Armed Forces of the United States, have been separated
24 therefrom under honorable conditions, and have established the
25 present existence of a service-connected disability which is
26 compensable under public laws administered by the U.S.
27 Department of Veterans' Affairs, or

28

2. Who are receiving compensation, disability
29 retirement benefits, or pension by reason of public laws
30 administered by the U.S. Department of Veterans' Affairs and
31 the Department of Defense.

1 (b) The spouse of any person who has a total
2 disability, permanent in nature, resulting from a
3 service-connected disability and who, because of this
4 disability, cannot qualify for employment, and the spouse of
5 any person missing in action, captured in line of duty by a
6 hostile force, or forcibly detained or interned in line of
7 duty by a foreign government or power.

8 (c) A veteran of any war as defined in s. 1.01(14).

9 (d) The unremarried widow or widower of a veteran who
10 died of a service-connected disability.

11 (2) The Department of Veterans' Affairs shall adopt
12 rules to ensure that veterans are given special consideration
13 in the employing agency's selection and retention processes.
14 The rules must include the award of point values as
15 articulated in s. 295.08, if applicable, or, where point
16 values are not relevant, must include procedures to ensure
17 that veterans are given special consideration at each step of
18 the employment selection process, unless the sponsoring
19 governmental entity is a party to a collective bargaining
20 agreement, in which case the collective bargaining agreement
21 must comply within 90 days following ratification of a
22 successor collective bargaining agreement or extension of any
23 existing collective bargaining agreement.

24 (3) Preference in employment and retention may be
25 given only to eligible persons who are described in subsection
26 (1) and who are residents of this state.

27 (4) All select exempt positions shall be advertised in
28 the Florida Administrative Weekly and through the State of
29 Florida Internet-based job advertisement site.~~The following~~
30 ~~positions are exempt from this section.~~

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1 ~~(a) Those positions that are exempt from the state~~
2 ~~Career Service System under s. 110.205(2); however, all~~
3 ~~positions under the University Support Personnel System of the~~
4 ~~State University System as well as all Career Service System~~
5 ~~positions under the Florida Community College System and the~~
6 ~~School for the Deaf and the Blind are included.~~

7 ~~(b) Positions in political subdivisions of the state~~
8 ~~which are filled by officers elected by popular vote or~~
9 ~~persons appointed to fill vacancies in such offices and the~~
10 ~~personal secretary of each such officer, members of boards and~~
11 ~~commissions, persons employed on a temporary basis without~~
12 ~~benefits, heads of departments, positions that require~~
13 ~~licensure as a physician, licensure as an osteopathic~~
14 ~~physician, licensure as a chiropractic physician, and~~
15 ~~positions that require that the employee be a member of The~~
16 ~~Florida Bar are exempt from this section.~~

17 (5) The executive director of the Department of
18 Veterans' Affairs shall fill any vacant select exempt position
19 in the department with a qualified veteran as defined in
20 subsection (1). However, if a qualified veteran does not apply
21 for the position by the closing date, the executive director
22 may offer the position to a nonveteran applicant.

23 Section 2. This act shall take effect July 1, 2002.

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25 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
26 COMMITTEE SUBSTITUTE FOR
27 Senate Bill 416

28 The Committee Substitute directs advertising of vacant
29 selected exempt positions electronically and through the
30 Florida Administrative Weekly. It also permits hiring of a
31 nonveteran when there are no qualified veteran applicants.