

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1185 w/CS Water Management District Employees, Appointees, and Contractors
SPONSOR(S): Poppell and others
TIED BILLS: None **IDEN./SIM. BILLS:** SB 2616

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>State Administration</u>	<u>5 Y, 0 N w/CS</u>	<u>Bond</u>	<u>Everhart</u>
2) <u>Public Safety & Crime Prevention</u>	<u></u>	<u>Cole</u>	<u>De La Paz</u>
3) <u>Agriculture & Environment Approp. (Sub)</u>	<u></u>	<u></u>	<u></u>
4) <u>Appropriations</u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

The bill with CS provides that a water management district may obtain a criminal history record check on employees, appointees, or contractors of the district. The water management districts believe that this bill with CS is a necessary part of their security efforts to protect the state's water supply.

The bill with CS does not appear to have a fiscal impact on state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|---|--|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

The bill with CS expands the duties, responsibilities, and authority of water management districts.

B. EFFECT OF PROPOSED CHANGES:

Background

The Florida Department of Law Enforcement (FDLE) is the state's central repository for criminal history records. FDLE also maintains a cooperative system with the federal government and the other states regarding criminal history records. Section 943.053, F.S., provides a means by which a compilation of those records as they pertain to a particular individual may be ordered by, and delivered to, a person upon request. A common use of a compiled criminal history record is security and background screening of an individual.

The water management districts state that this bill with CS is a necessary part of their security efforts to protect the state's water supply

Effect of Bill

The bill with CS creates s. 373.6055, F.S., to provide for criminal history record checks for certain water management district employees, appointees, and contractors.

C. SECTION DIRECTORY:

Section 1: Creates s. 373.6055, F.S., regarding criminal history background checks by water management districts.

Section 2: Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None. The bill with CS does not affect local government.

2. Expenditures:

None. The bill with CS does not affect local government.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill with CS does not affect local governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

As written, it is possible that The bill with CS may allow a water management district to demand background screenings of individuals who do not work for the water management district, or a contractor with the water management district.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On March 29, 2004, the Committee on State Administration adopted one amendment removing the unnecessary phrase "Notwithstanding chapter 435". The bill was then reported favorably with a committee substitute.