

## 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

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) State Administration	5 Y, 0 N w/CS	Bond	Everhart
2) Public Safety & Crime Prevention	17 Y, 0 N w/CS	Cole	De La Paz
3) Agriculture & Environment Approp. (Sub)			
4) Appropriations			
5)			

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### 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.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

**STORAGE NAME:** h1185c.ps.doc  
**DATE:** April 15, 2004

## 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, 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.

On April 15, 2004, the Committee on Public Safety & Crime Prevention adopted one strike-all amendment that made the language in the original bill consistent with other sections of law regarding background checks.