

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 771 w/CS Columbia County
SPONSOR(S): Stansel
TIED BILLS:

IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Local Affairs (Sub)</u>	<u>9 Y, 0 N</u>	<u>Grayson</u>	<u>Cutchins</u>
2) <u>Local Government & Veterans' Affairs</u>	<u>19 Y, 0 N w/CS</u>	<u>Grayson</u>	<u>Cutchins</u>
3) <u>State Administration</u>	<u></u>	<u></u>	<u></u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

This bill creates a career service system, including certain rights and procedures regarding the transition period following the election or appointment of a new Sheriff; the creation of a Career Service Appeals Board; and an appeals process for employees of the Columbia County Sheriff's Office.

This bill does not impact the state budget according to the Economic Impact Statement.

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

STORAGE NAME: h0771b.lgv.doc
DATE: March 25, 2004

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|---|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" 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 checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" 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:

B. EFFECT OF PROPOSED CHANGES:

This bill creates a career service system and appeals process for employees of the Columbia County Sheriff's Office.

The bill provides for application of a career service system to all full-time certified and noncertified persons in the employ of the Columbia County Sheriff's Office, except the Sheriff, Special Deputy Sheriffs appointed under s. 30.09(4), F.S., to employees paid for under a grant, to nondisciplinary terminations resulting from layoffs, to Sheriff Reservists, or to part-time Deputy Sheriffs. The bill also does not apply to persons already covered by ch. 30, F.S., who claim their termination was the result of lawful off-duty political activity.

Career status is acquired after 1 calendar year of service following initial hire or rehire. Once career status is achieved, termination may only occur for just cause following notice and an opportunity to be heard. However, provision is made for immediate duty relief in situations where delay could result in damage or injury and where notice and reasons for the termination are provided within 24 hours of such action.

The bill provides for the initiation under certain circumstances of an internal investigation which may lead to termination.

The bill provides a procedure for transition following the election or appointment of a new Sheriff and for the rights of eligible employees under such circumstances.

The bill provides a procedure for the handling of complaints against employees.

The bill provides for the creation, membership, and duties of a five member Career Service Appeal Board and a disciplinary appeals procedure.

The bill includes a prohibition against circumvention of the intent of the bill.

The bill provides for severability.

The bill provides an effective date of upon becoming law.

C. SECTION DIRECTORY:

Section 1. Provides for the applicability of the act; for career status for various employees of the Columbia County Sheriff's Office; transition of career status employees; and for administration.

Section 2. Provides for procedures regarding complaints against employees.

Section 3. Provides for procedures relating to disciplinary appeals.

Section 4. Provides for the creation, membership and duties of a career service appeals board.

Section 5. Provides for inclusion of various employees upon enactment, and for prohibition of actions to circumvent the act.

Section 6. Provides for certain exclusions from the act.

Section 7. Provides for severability.

Section 8. Provides for an effective date of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

December 26, 2003

WHERE?

The Lake City Reporter, a newspaper published in Lake City, Columbia County.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

The Subcommittee on Local Affairs at its March 11, 2004, meeting favorably recommended one amendment. The strike all amendment makes language and other changes throughout the bill to address issues raised in two public hearings held since the bill was originally drafted.

On March 16, 2004, the Committee on Local Government & Veterans' Affairs adopted one strike all amendment that makes language and other changes throughout the bill to address issues raised in two public hearings held since the bill was originally drafted.