

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1397 Hillsborough County Civil Service Board
SPONSOR(S): Ambler and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 2928

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Committee on Urban & Local Affairs	8 Y, 0 N	Fudge	Kruse
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

This bill amends the classified service of the Hillsborough County Civil Service Board by exempting a new classification called "information technology professional."

This bill is effective July 1, 2007.

Pursuant to House Rule 5.5(b), a local bill that provides an exemption from general law may not be placed on the Special Order Calendar in any section reserved for the expedited consideration of local bills. The provisions of House Rule 5.5(b) appear to apply to this bill.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

This bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Current Situation

The Hillsborough Home Rule Charter took effect May 1985 and provides that:

Special laws enacted by the Florida Legislature may be effective in Hillsborough County without the approval by County electors relating to civil service.¹

The Hillsborough County Civil Service Act (Act) was initially created by special act in 1951 and amended by subsequent special acts. The Act was codified in ch. 2000-445, L.O.F. The Act provides for two classes of employees. "Classified employees" means any employee whose position is subject to the rights contained in the Act and in rules adopted by the board. "Exempt employees", also called "unclassified employees", are subject to rights provided by their appointing authority. The exempt classification can provide greater flexibility in the hiring and retention of highly marketable professionals.

Effect of Proposed Changes

This bill creates and defines the position of "information technology professional." Any information technology professional position designated by an appointing authority after July 1, 2007 is exempt from the classified service. Any information technology position in the classified service as of January 1, 2007, would remain in the classified service, unless that position is vacant on July 1, 2007, or the incumbent in any such position concurs with the transfer to the exempt service.

C. SECTION DIRECTORY:

Section 1: Provides new subsection (19) to section 5 of ch. 2000-445, L.O.F., and defines "information technology professional."

Section 2: Adds new paragraph (e) to subsection 2 of section 6 of ch. 2000-445, L.O.F., by including "information technology professional" in the exempt service.

Section 3: Provides an effective date of July 1, 2007.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 26, 2007.

WHERE? In *La Gaceta* a weekly newspaper published in Hillsborough County.

¹ See s. 2.01, Hillsborough County Charter.

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:

Possible Exemptions from General Law

The bill includes the following provision which appears to be an exemption from general law:

Information technology professional" means a position designated by an appointing authority after July 1, 2007, for which a qualified applicant would have demonstrable and creditable experience in the development or management of computer, telecommunication, or data-sharing systems and generally including graduation from an accredited college or university in an appropriately related field or recognized industry standard certification and excluding, notwithstanding any other provision of law, any information technology position in the classified service as of January 1, 2007, except and unless that position is vacant at the time a designation is made or an incumbent in any such position concurs with a transfer to the exempt service as a designated information technology professional.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES