

ENROLLED
 HB 1613

2007 Legislature

1 A bill to be entitled
 2 An act relating to the Walton County Sheriff's Office;
 3 providing the Walton County Sheriff's Office Career
 4 Service Employees' Act; providing applicability; providing
 5 for permanent status; providing for suspension, demotion,
 6 and dismissal; providing authority of the sheriff;
 7 providing for transition to new sheriff; providing
 8 authority of sheriff to adopt rules and regulations;
 9 providing beginning date of employees; providing for
 10 reimbursement of class C travel; providing for
 11 severability; providing an effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

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 15 Section 1. Walton County Sheriff's Office Career Service
 16 Employees' Act.--

17 (1) APPLICABILITY.--The transition provisions of this act
 18 shall apply to all full-time sworn and civilian employees in the
 19 employ of the Walton County Sheriff's Office. Those who hold the
 20 positions of Lieutenant and above as well as the financial
 21 officers and the secretary to the Sheriff shall be excluded from
 22 the provisions of this act. The provisions of this act shall not
 23 apply to the Sheriff or the Sheriff's Reserve and Auxiliary and
 24 the individuals appointed as part-time Deputy Sheriffs as
 25 defined by the Criminal Justice Standards and Training
 26 Commission, unless such person is also employed full-time by the
 27 Walton County Sheriff's Office. As used in this act, the terms
 28 "employee," "employ," and "employment" shall refer to all

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29 persons, whether employed or appointed, to whom the act applies.
30 It is not, however, the intent of this act to grant the right to
31 collective bargaining to the persons in the employ of the Walton
32 County Sheriff's Office who do not otherwise have that right
33 pursuant to law.

34 (2) PERMANENT STATUS; CAUSE FOR SUSPENSION, DEMOTION, OR
35 DISMISSAL.--

36 (a) After an employee of the Sheriff to whom the
37 provisions of this act apply has served in such employment for a
38 period of 1 calendar year, such employee shall have attained
39 permanent status with the Walton County Sheriff's Office;
40 provided that if such an employee is terminated and rehired at a
41 later date, said employee shall be required to complete 1
42 calendar year of service from the date of rehire before being
43 granted permanent status, regardless of the reason for
44 termination.

45 (b) Any employee who has achieved permanent status is not
46 exempt from the disciplinary provisions as defined in the Walton
47 County Sheriff's Office Policy and Procedure Manual. Causes for
48 suspension, demotion, or dismissal will follow the established
49 procedures outlined in the Walton County Sheriff's Office Policy
50 and Procedure Manual. It is not a demotion under this act or the
51 Walton County Sheriff's Office policy to be reassigned from
52 special duties or from one shift or zone assignment to another
53 or to be transferred from one division to another for the
54 betterment of the department, even if a reduction in pay
55 results.

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56 (c) The Sheriff shall hold the authority to promote,
 57 demote, transfer, and determine disciplinary measures, including
 58 dismissal.

59 (3) TRANSITION OF CAREER SERVICE EMPLOYEES.--When a newly
 60 elected or appointed Sheriff assumes office, the new Sheriff
 61 shall continue the employment of all currently employed
 62 permanent personnel with the exceptions of those positions
 63 defined in subsection (1), unless there is just cause for
 64 dismissal as outlined in the Walton County Sheriff's Office
 65 Policy and Procedures Manual.

66 (4) ADMINISTRATION.--The Sheriff shall have the authority
 67 to adopt such rules and regulations as are necessary for the
 68 implementation and administration of this act; however, nothing
 69 in this act shall be construed as affecting the budget-making
 70 powers of the Board of County Commissioners of Walton County.

71 Section 2. (1) All sworn and civilian persons in the
 72 employ of the Walton County Sheriff's Office on the effective
 73 date of this act who have served for a period of 1 calendar year
 74 or more as of such date shall be permanent employees subject to
 75 the provisions of this act. All other employees shall become
 76 permanent employees subject to the provisions of this act upon
 77 reaching their 1 calendar year service anniversary date.
 78 Promotions, probationary service periods, demotions, transfers,
 79 and suspensions will not and do not affect the determination of
 80 the original career service beginning date (anniversary date) of
 81 employment for Walton County Sheriff's Office employees. The
 82 beginning date (anniversary date) of employment for sworn
 83 officers is and will be the date the Sheriff swears the officers

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84 in as law enforcement officers. The beginning of service for
85 civilian employees will be the beginning date (anniversary date)
86 as indicated by personnel and payroll records.

87 (2) Any provisions of this act shall not add to or detract
88 from the constitutional authority of the Sheriff.

89 Section 3. Notwithstanding the provisions of section
90 112.061(6)(b), Florida Statutes, the Walton County Board of
91 County Commissioners may reimburse the Chief of Administration
92 for the Walton County Sheriff's Office for Class C travel on a
93 per diem basis or on a subsistence allowable basis.

94 Section 4. The provisions of this act shall be severable
95 and if any provision shall be held unconstitutional, the
96 decision of the court regarding that provision shall not affect
97 the validity of the remaining provisions. It is hereby declared
98 to be the intent of the Legislature that the remaining
99 provisions of the act would have been adopted had such
100 unconstitutional provisions not been included therein.

101 Section 5. This act shall take effect upon becoming a law.