

By the Committee on Judiciary; and Senator Fasano

590-1993-07

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A bill to be entitled

An act relating to county funding of additional court personnel; amending s. 29.0081, F.S.; specifying that the county be considered the employer; providing that employees funded by the county under this section and other county employees may be aggregated for purposes of a flexible benefits plan; providing an effective date.

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

Section 1. Section 29.0081, Florida Statutes, is amended to read:

29.0081 County funding of additional court personnel.--

(1) A county and the chief judge of a judicial circuit that includes that county may enter into an agreement under which the county funds personnel positions to assist in the operation of the circuit.

(2) The agreement shall, at a minimum, provide that:

(a) Funding for the positions is provided on at least a court fiscal-year basis.

(b) The personnel whose employment is funded under the agreement ~~are employees of the judicial circuit and~~ are hired, supervised, managed, and fired by personnel of the judicial circuit. The county shall be considered the employer for purposes of s. 440.10 and chapter 443. Employees funded by the county under this section and other county employees may be aggregated for purposes of a flexible benefits plan pursuant to s. 125 of the Internal Revenue Code of 1986.

1 (c) The positions terminate upon the expiration of, or
2 substantial breach of, the agreement or upon the expiration of
3 county funding for the positions. of, the agreement or upon
4 the expiration of county funding for the positions.

5 (3) Positions funded under this section shall be
6 full-time equivalent positions of the judicial circuit but
7 shall not count against any formula or similar process used by
8 the Office of the State Courts Administrator to determine
9 personnel needs or levels of a judicial circuit.

10 (4) Nothing in this section obligates the state to
11 fund any personnel positions.

12 Section 2. This act shall take effect July 1, 2007.

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14 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
15 COMMITTEE SUBSTITUTE FOR
16 Senate Bill 448

- 17 -- Deletes language from existing law that conflicts with
18 the purpose of the bill to clarify that the county is
19 considered the employer of county-funded personnel who
assist in the operation of the circuit court
(county-funded employees).
- 20 -- Deletes a provision that would have amended s. 29.0081,
21 F.S., to require counties to provide a certain level of
benefits to county-funded employees.
- 22 -- Changes a reference from s. 443.036(19), F.S., to ch.
23 443, F.S., to reflect the applicability of the full
24 "Unemployment Compensation Law" versus a single
25 provision.
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