

1 A bill to be entitled

2 An act relating to county funding of additional

3 court personnel; amending s. 29.0081, F.S.;

4 specifying that the county be considered the

5 employer; providing that employees funded by

6 the county under this section and other county

7 employees may be aggregated for purposes of a

8 flexible benefits plan; prescribing supervisory

9 duties of the judicial circuit; revising the

10 status of positions funded under the section;

11 providing an effective date.

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

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15 Section 1. Section 29.0081, Florida Statutes, is

16 amended to read:

17 29.0081 County funding of additional court

18 personnel.--

19 (1) A county and the chief judge of a judicial circuit

20 that includes that county may enter into an agreement under

21 which the county funds personnel positions to assist in the

22 operation of the circuit.

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

24 (a) Funding for the positions is provided on at least

25 a court fiscal-year basis.

26 (b) The personnel whose employment is funded under the

27 agreement ~~are employees of the judicial circuit and~~ are hired,

28 supervised, managed, and fired by personnel of the judicial

29 circuit. The county shall be considered the employer for

30 purposes of s. 440.10 and chapter 443. Employees funded by the

31 county under this section and other county employees may be

1 aggregated for purposes of a flexible benefits plan pursuant
2 to s. 125 of the Internal Revenue Code of 1986. The judicial
3 circuit shall supervise the personnel whose employment is
4 funded under the agreement; be responsible for compliance with
5 all requirements of federal and state employment laws,
6 including, but not limited to, Title VII of the Civil Rights
7 Act of 1964, Title I of the Americans with Disabilities Act,
8 42 U.S.C. s. 1983, the Family Medical Leave Act, the Fair
9 Labor Standards Act, chapters 447 and 760, and ss. 112.3187,
10 440.105, and 440.205; and fully indemnify the county from any
11 liability under such laws, as authorized by s. 768.28(19), to
12 the extent such liability is the result of the acts or
13 omissions of the judicial circuit or its agents or employees.

14 (c) The positions terminate upon the expiration of, or
15 substantial breach of, the agreement or upon the expiration of
16 county funding for the positions.

17 (3) Positions funded under this section shall ~~be~~
18 ~~full time equivalent positions of the judicial circuit but~~
19 ~~shall~~ not count against any formula or similar process used by
20 the Office of the State Courts Administrator to determine
21 personnel needs or levels of a judicial circuit.

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

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