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CS/HB 1085

2008 Legislature

1                                   A bill to be entitled  
2           An act relating to the Pinellas County Sheriff's Civil  
3           Service System; amending chapter 89-404, Laws of Florida,  
4           as amended; deleting intent relating to collective  
5           bargaining; limiting application; revising the definition  
6           of "personnel"; revising positions covered in the  
7           Classified and Unclassified Services; providing effect of  
8           participating in the Florida Retirement System's Senior  
9           Management Service Class; providing for Certified  
10          Executive Staff; providing additional causes for member  
11          suspension or dismissal; providing duties of the Civil  
12          Service Board regarding appeals; providing authority of  
13          the Division of Administrative Hearings under certain  
14          circumstances; revising provisions relating to the  
15          timeframe for filing a notice of appeal and for disposing  
16          of appeals and making findings of fact and stating a  
17          conclusion; removing a provision relating to certified  
18          personnel status as appointed officers; providing an  
19          effective date.

20  
21 Be It Enacted by the Legislature of the State of Florida:

22  
23           Section 1. Chapter 89-404, Laws of Florida, as amended by  
24           chapter 90-395, Laws of Florida, is amended to read:

25           Section 1. Intent.--It is the intent of this act to create  
26           a civil service system for members of the Classified Service, as  
27           defined herein, within the service of the Sheriff of Pinellas  
28           County, for the purposes of ensuring fairness and consistency in

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29 ~~discipline and dismissal. It is also the intent of this act to~~  
 30 ~~maintain the existing legal limitations on the right of~~  
 31 ~~collective bargaining and other rights under part II of chapter~~  
 32 ~~447, Florida Statutes, and to not grant such rights to any~~  
 33 ~~deputy, member, or personnel of the Office of the Pinellas~~  
 34 ~~County Sheriff who, prior to the effective date of this act, did~~  
 35 ~~not possess such rights pursuant to law.~~

36 Section 2. Personnel of Pinellas County Sheriff;  
 37 applicability of the act; authority of the Sheriff.--

38 (1) The provisions of this act shall apply to all  
 39 certified, noncertified, and Certified Executive Staff persons  
 40 within the Office of the Pinellas County Sheriff, except as  
 41 otherwise provided herein. The provisions of this act shall not  
 42 apply to the Sheriff, special deputy sheriffs appointed pursuant  
 43 to s. 30.09(4), Florida Statutes, contract personnel, the  
 44 general counsel, the associate general counsel, the director of  
 45 human resources, the director of support services, the director  
 46 of fiscal affairs, the public information coordinator, the  
 47 director of labor relations, the jail medical director, the  
 48 grants administrator, the sheriff's executive secretary, any  
 49 person who is eligible to participate in the Florida Retirement  
 50 System's Senior Management Service Class legal advisors,  
 51 ~~chaplains,~~ or individuals appointed as part-time deputy  
 52 sheriffs, as defined by the Criminal Justice Standards and  
 53 Training Commission, unless any such part-time deputy sheriff is  
 54 also a full-time member in the Office of the Sheriff.

55 (2) For the purposes of this act, the term "personnel"  
 56 shall refer to all persons working for the Pinellas County

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57 Sheriff's Office; ~~provided that nothing stated herein shall be~~  
58 ~~construed as changing the status of certified personnel from~~  
59 ~~appointed officers to members covered by the provisions of~~  
60 ~~chapter 447, Florida Statutes.~~

61 (3) The Sheriff shall have the authority to adopt such  
62 rules and regulations as are necessary for the implementation  
63 and administration of this act. However, nothing in this act  
64 shall be construed as affecting the budgetmaking powers of the  
65 Board of County Commissioners of Pinellas County.

66 Section 3. Classified and Unclassified Services; Certified  
67 Executive Staff; status of members of the Classified Service,  
68 Unclassified Service, and Certified Executive Staff.--

69 (1) The Classified Service shall consist of full-time  
70 positions held by detention deputy sheriffs ~~corrections~~  
71 ~~officers~~, law enforcement deputy sheriffs, and noncertified  
72 personnel, except those persons not covered by the act as set  
73 forth in section 2(1), who have attained permanent status as  
74 defined herein and who are serving in any position except those  
75 persons serving in the Unclassified Service or as members of the  
76 Sheriff's Certified Executive Staff.

77 (2) (a) The Unclassified Service shall consist of the  
78 following positions: all part-time positions, all full-time  
79 personnel who have not attained permanent status as defined  
80 herein, all volunteer or unpaid ~~nonsalaried~~ positions, school  
81 crossing guards, reserve deputies, ~~and special deputies~~, and  
82 personnel eligible to participate in the Florida Retirement  
83 System's Senior Management Service Class subsequent to  
84 membership in the Classified Service. Members of the

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85 Unclassified Service shall serve at the pleasure of the Sheriff  
86 and may be suspended, demoted, or terminated at any time without  
87 cause and without any right to appeal to the Civil Service  
88 Board.

89 (b) Consistent with the requirements of section  
90 121.055(1)(b), Florida Statutes, all personnel who are members  
91 of the Classified Service who are selected by the Sheriff to  
92 serve in positions whereby they are eligible to serve in the  
93 Florida Retirement System's Senior Management Service Class are  
94 no longer members of the Classified Service and serve without  
95 civil service protection. These personnel may be suspended,  
96 demoted, or terminated at any time without cause and without any  
97 right to appeal to the Civil Service Board.

98 (3) For the purposes of this act, the Sheriff's Certified  
99 Executive Staff shall consist of all certified personnel who  
100 have attained the rank of captain or above, ~~the Public~~  
101 ~~Information Coordinator, the Sheriff's executive secretary and~~  
102 ~~all noncertified personnel whose salary is equal to or greater~~  
103 ~~than the base salary for the rank of law enforcement captain.~~

104 (4) Members of the Sheriff's Certified Executive Staff  
105 shall serve in those positions at the pleasure of the Sheriff.  
106 Except as provided herein, such personnel may be suspended,  
107 demoted, or dismissed at any time without cause and without any  
108 right of appeal to the Civil Service Board. However, persons  
109 serving as members of the Sheriff's Certified Executive Staff  
110 who have, previous to their appointment to the Certified  
111 Executive Staff, attained permanent status in the Classified  
112 Service may be returned to the highest rank ~~or position~~ such

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113 person achieved in the Classified Service without cause and  
114 without any right to appeal such return to Classified Service.

115 Section 4. Permanent status; effect of rehire; extension  
116 of probation; status upon election or appointment of new  
117 Sheriff.--

118 (1) After ~~classified~~ personnel of the Sheriff, to whom the  
119 provisions of this act apply, have served in any ~~such~~ position  
120 for a period of 1 calendar year without break in service, such  
121 personnel shall have attained permanent status in the Office of  
122 the Sheriff, unless such personnel are placed on an extended  
123 probation or are eligible to participate in the Florida  
124 Retirement System's Senior Management Service Class.

125 (2) When Classified Service personnel are terminated,  
126 resign, or are otherwise separated from service, and are rehired  
127 at a later date, they shall be required to complete 1 calendar  
128 year of service, without break in service, following such rehire  
129 before attaining permanent status in the Office of the Sheriff.

130 (3) Personnel in the Classified Service who are required  
131 to serve a probationary period attendant to a promotion shall  
132 retain permanent status in the Office of the Sheriff, but may be  
133 demoted to their prior rank during such probationary period for  
134 any reason and without the right of appeal as provided in this  
135 act.

136 (4) When, in the sole discretion of the Sheriff, an  
137 extension of a probationary period for newly hired or newly  
138 promoted personnel is warranted, such probationary period may be  
139 extended for a period up to 6 additional months. In the case of  
140 newly hired personnel, the affected personnel shall be required

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141 to satisfactorily complete the extended probationary period  
142 before attaining permanent status in the Office of the Pinellas  
143 County Sheriff.

144 Section 5. Effect of election or appointment of new  
145 Sheriff on status of personnel.--

146 (1) When a newly elected or appointed Sheriff assumes  
147 office, the new Sheriff shall continue the members of the  
148 Classified Service at their existing rank and/or salary level  
149 unless cause for demotion or dismissal, as provided herein,  
150 exists.

151 (2) When a newly elected or appointed Sheriff assumes  
152 office, persons then serving as members of the Sheriff's  
153 Certified Executive Staff who, previous to their appointment to  
154 the Certified Executive Staff, had attained permanent status in  
155 the Classified Service, shall not be suspended without pay for  
156 more than 1 working day or dismissed unless cause as provided  
157 herein exists. However, such personnel may be demoted to the  
158 highest rank achieved in the Classified Service without cause  
159 and without any right to appeal.

160 Section 6. Members of Classified Service; certain members  
161 of the Certified Executive Staff; suspension, demotion, or  
162 dismissal only for cause.--

163 (1) Members of the Classified Service may only be  
164 suspended, for a period in excess of 1 working day, reduced in  
165 rank or base pay, or dismissed from service for cause. Members  
166 of the Certified Executive Staff who have, previous to their  
167 appointment to the Certified Executive Staff, achieved permanent  
168 status in the Classified Service may only be dismissed or

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169 | suspended for a period in excess of 1 working day or demoted to  
 170 | a rank or rate of base pay less than the highest rank or base  
 171 | pay the member attained while in the Classified Service for  
 172 | cause. Prior to such action described above, the member shall be  
 173 | furnished with written notice of the proposed action and an  
 174 | explanation of the reasons for the action, and offered an  
 175 | opportunity to respond to the reasons for the action. ~~However,~~  
 176 | ~~nothing stated herein shall be construed as changing the status~~  
 177 | ~~of deputy sheriffs from appointed officers to employees covered~~  
 178 | ~~by the provisions of chapter 447, Florida Statutes.~~

179 |       (2) In situations where the delay occasioned by furnishing  
 180 | members of the Classified Service ~~personnel~~ such written notice  
 181 | and opportunity to respond could result in damage or injury,  
 182 | personnel may be suspended or dismissed for cause immediately  
 183 | and provided such written notice and opportunity to respond  
 184 | within 24 hours.

185 |       (3) Written notice of disciplinary action to a ~~department~~  
 186 | member shall be deemed to be effective upon hand delivery, or  
 187 | upon mailing to the member's last known address.

188 |       (4) Cause for suspension, dismissal, or demotion shall  
 189 | include, but not be limited to: negligence, inefficiency, or  
 190 | inadequate job performance; inability to perform assigned  
 191 | duties, incompetence, dishonesty, insubordination, violation of  
 192 | the provisions of law or the rules, regulations, and operating  
 193 | procedures of the Office of the Sheriff, conduct unbecoming a  
 194 | public servant, misconduct, or proof and/or admission of use of  
 195 | illegal drugs. Cause for suspension or dismissal shall also  
 196 | include a member's acceptance into a pretrial diversion or

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197 intervention program, the adjudication of guilt by a court of  
 198 competent jurisdiction, a plea of guilty or of nolo contendere,  
 199 or a verdict of guilty where adjudication of guilt is withheld  
 200 and the accused is placed on probation, with respect to any  
 201 felony or misdemeanor. The filing of felony or misdemeanor  
 202 charges against Sheriff's Office personnel may also constitute  
 203 cause for suspension. Subsequent dropping of charges shall  
 204 result in automatic reinstatement, except where charges were  
 205 dropped because of completion of a pretrial intervention or  
 206 diversion program, provided that independent departmental  
 207 charges are not pending.

208 (5) The listing of causes for suspension, demotion, or  
 209 dismissal in this section is not intended to be exclusive. The  
 210 Sheriff may, by departmental rule, add to this listing of causes  
 211 for suspension, dismissal, or demotion.

212 Section 7. Creation and qualifications of the Civil  
 213 Service Board.--

214 (1) The Sheriff of Pinellas County is hereby authorized to  
 215 create a Civil Service Board which shall be composed of five  
 216 members which shall be determined as follows:

217 (a) Two members of the Civil Service Board shall be  
 218 appointed by the Sheriff after being elected in an election  
 219 among the members of the Classified Service. The Sheriff shall  
 220 appoint the two persons receiving the highest number of votes in  
 221 such election.

222 (b) Two members shall be appointed by the Sheriff.

223 (c) The fifth member shall be selected by the majority of  
 224 the other four Board members within 15 days of their



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225 | appointments. In the event that the selection process of the  
226 | fifth member results in an impasse, within 15 days, the fifth  
227 | member shall be appointed by the Chief Judge of the Sixth  
228 | Judicial Circuit.

229 |         (d) The five members of the Board shall then select a  
230 | sixth or alternate member who shall serve upon the inability of  
231 | any other member to serve.

232 |         (e) The fifth member shall be chairperson of the Civil  
233 | Service Board, unless the Board elects otherwise.

234 |         (f) Four members of the Civil Service Board shall  
235 | constitute a quorum.

236 |         (2) Membership qualifications and term:

237 |         (a) All members of the Civil Service Board shall be at  
238 | least 21 years of age, of good moral character, of good  
239 | reputation in the community, citizens of the United States,  
240 | permanent residents of Florida, and permanent residents of  
241 | Pinellas County for at least 2 years prior to the date of their  
242 | appointment.

243 |         (b) No member of the Board may be:

244 |             1. A member of any national, state, or county committee of  
245 | a political party;

246 |             2. A candidate for or incumbent of any elected public  
247 | office;

248 |             3. A member of the Pinellas County Sheriff's Office, or  
249 | the spouse, parent, grandparent, child, grandchild, brother,  
250 | sister, aunt, uncle, niece, or nephew, by consanguinity or  
251 | affinity of a member; or

252 |             4. Positioned as to have a conflict of interest in the

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253 terms of his or her related business, duties, or  
254 responsibilities in connection with the Civil Service Board.

255 (c) The members of the Board shall serve a term of 1 year  
256 from the date of their election or appointment as the case may  
257 be.

258 (d) Members of the Board will receive no salary, but will  
259 be paid a stipend as determined by the Sheriff to offset  
260 expenses incurred in performing the duties of the Civil Service  
261 Board.

262 Section 8. Duties and authority of the Civil Service  
263 Board.--

264 (1) The Civil Service Board shall have the following  
265 authority and duties:

266 (a) To adopt and amend reasonable rules and regulations  
267 for its hearing procedures.

268 (b) To hear all appeals of the members of the Classified  
269 Service arising from personnel actions brought under the  
270 Sheriff's rules, procedures, or policies which result in  
271 dismissal, suspension for more than 1 working day without pay,  
272 demotion, or reduction in base pay for disciplinary or job  
273 performance reasons.

274 (c) To hear appeals of members of the Certified Executive  
275 Staff who have, previous to their appointment to the Certified  
276 Executive Staff, achieved permanent status in the Classified  
277 Service, arising from personnel actions brought under the  
278 Sheriff's rules, procedures, or policies which result in  
279 dismissal or suspension for more than 1 working day or demotion  
280 to base pay less than the highest rank or base pay the member

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281 attained while in the Classified Service.

282 (d) To contract with the Division of Administrative  
283 Hearings to have hearings conducted pursuant to chapter 120,  
284 Florida Statutes, as provided in section 11(8).

285 (2) Other than those appeals specified herein ~~in~~  
286 ~~subsection (1)~~, the Civil Service Board shall not have authority  
287 to hear appeals.

288 (3) The authority of the Civil Service Board, and the  
289 authority of the Division of Administrative Hearings acting  
290 under contract, shall not include the establishment or deletion  
291 of the categories of conduct which constitute cause for  
292 suspension, demotion, or dismissal. In hearing appeals, the  
293 Civil Service Board shall:

294 (a) Determine whether the aggrieved member engaged in  
295 conduct prohibited by section 6 or by a departmental rule  
296 promulgated by the Sheriff;

297 (b) Determine whether the action taken against the  
298 aggrieved member is consistent with action taken against other  
299 members; and

300 (c) Make findings of fact and state a conclusion as  
301 specified in subsection (6).

302 (4) The Civil Service Board may also provide assistance  
303 and advice to the Sheriff in matters concerning disciplinary  
304 actions and may take any other actions authorized by the  
305 Sheriff.

306 (5) The Civil Service Board, pursuant to its authority to  
307 hear appeals of members of the Classified Service, shall have  
308 the power to schedule hearings, administer oaths, take or allow

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309 the taking of depositions, and issue subpoenas to compel the  
310 attendance of witnesses and the production of books, accounts,  
311 papers, records, documents, testimony, and other items to effect  
312 such other discovery as it deems fit and proper upon the written  
313 request of either party.

314 (a) The chairperson of the Civil Service Board or his or  
315 her ~~his/her~~ designee shall be authorized to sign all notices,  
316 subpoenas, and final orders, on behalf of the Board. In the case  
317 of disobedience or failure of any person to comply with a  
318 subpoena issued by the Board or any of its members, or upon the  
319 refusal of a witness to testify on any matter on which he or she  
320 may be lawfully interrogated, a Judge of the Circuit Court of  
321 Pinellas County, on application of the Civil Service Board,  
322 shall compel obedience by proceedings as for contempt.

323 (b) The service of a subpoena shall be made in the manner  
324 provided by the Florida Rules of Civil Procedure. Each witness  
325 subpoenaed by the Civil Service Board shall receive for his or  
326 her attendance, from the party requesting the subpoena, fees and  
327 mileage in the amount as provided for witnesses in civil cases.  
328 Personnel of the Sheriff's Office appearing before the Civil  
329 Service Board while on duty shall not receive witness fees or  
330 reimbursements for mileage.

331 (6) Within 10 days of the conclusion of the appeals  
332 hearing, or receipt of the proposed recommended order from the  
333 Division of Administrative Hearings, whichever is longer, unless  
334 the parties agree to a longer period, the Civil Service Board,  
335 by a majority vote, shall dispose of the appeal and shall make  
336 findings of fact and state a conclusion; such findings of fact

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337 and conclusion shall be separately stated and shall be in  
338 writing. Such conclusion shall either sustain, modify, or not  
339 sustain the action being appealed. Upon a finding that cause did  
340 not exist for a suspension, demotion, reduction in pay, or  
341 dismissal, the Civil Service Board shall reinstate the appellant  
342 and direct the Sheriff to pay the appellant for the period of  
343 any suspension, demotion, loss of pay, or dismissal. The Civil  
344 Service Board shall not have the authority to impose any penalty  
345 more severe than that which formed the basis of the appeal.  
346 Should the Civil Service Board be unable to reach a majority  
347 decision on any appeal, the personnel action taken shall be  
348 sustained.

349 (7) The decision of the Civil Service Board shall be final  
350 and binding on all parties concerned.

351 Section 9. Appeals procedure.--

352 (1) A member of the Classified Service who has been  
353 suspended without pay for more than 1 working day, demoted,  
354 reduced in base pay, or dismissed, and those members of the  
355 Certified Executive Staff to whom rights of appeal are granted  
356 pursuant to section 3, may obtain a hearing before the Civil  
357 Service Board by filing a written Notice of Appeal with the  
358 Sheriff or his or her designee. Filing shall be effected by  
359 delivery in person to the Sheriff or his or her designee, when  
360 that person is designated by the Sheriff in writing, or by U.S.  
361 mail, registered, return receipt requested. Such Notice of  
362 Appeal shall be received by 5 p.m. on the fifth ~~filed within 5~~  
363 calendar day after ~~days of~~ receipt of notice of the suspension,  
364 demotion, reduction in pay, or dismissal. The day upon which the

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365 member receives the notice of suspension, demotion, reduction in  
 366 pay, or dismissal shall not be counted in computing the 5 days,  
 367 and the 5-day period shall begin on the first day after receipt  
 368 of the notice, regardless of whether that day is a weekend day  
 369 or holiday. The burden is on the member requesting the appeal  
 370 hearing to establish timely service in accordance with the  
 371 provisions herein. Failure to file a ~~said~~ written notice  
 372 requesting the appeal hearing as required ~~within the 5-day~~  
 373 ~~period prescribed~~ herein shall constitute a voluntary waiver of  
 374 all rights to an appeal under this act.

375 (2) The Notice of Appeal shall contain:

376 (a) A statement that the person filing the Notice of  
 377 Appeal is entitled to an appeal pursuant to the terms of this  
 378 act as a present or former member of the Classified Service;

379 (b) A statement of the disciplinary action complained of  
 380 and the basis for the appeal; and

381 (c) A request for relief consistent with relief that may  
 382 be ordered by the Civil Service Board as set forth herein.

383 (3) The appellant shall be limited in the scope of his or  
 384 her appeal to the issues raised in the Notice of Appeal.

385 Section 10. Settlements and precedent.--In order to  
 386 encourage resolutions of appeals prior to hearing, any  
 387 settlement of an appeal acceptable to the appellant shall not  
 388 establish a precedent against either the Sheriff, any member of  
 389 the Classified Service, or any member of the Certified Executive  
 390 Staff to whom the right of appeal is afforded by this act. Such  
 391 settlement shall not conflict in any manner with the provisions  
 392 of this act and shall not be used in any subsequent appeal

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393 hearing.

394 Section 11. Hearing procedure.--

395 (1) The Civil Service Board shall commence a hearing on an  
396 appeal within 30 days from the date upon which the Notice of  
397 Appeal was received by the Sheriff, or his or her designee, and  
398 shall proceed diligently to conclude such hearing in an  
399 expeditious fashion while affording to all parties a full and  
400 fair hearing. The Civil Service Board may grant a continuance of  
401 a hearing for good cause shown upon its own or a party's motion.

402 (2) The Civil Service Board shall establish appropriate  
403 rules and procedures for the conduct of all hearings pursuant to  
404 this act. All testimony of the parties and witnesses shall be  
405 made under oath or affirmation. Hearsay evidence may be used for  
406 the purpose of supplementing or explaining other evidence, but  
407 shall not be sufficient in and of itself to support a finding  
408 unless it would be admissible over objections in civil actions.

409 (3) Each party shall be entitled to call witnesses on his  
410 or her own behalf, to compel the attendance of witnesses through  
411 the service of subpoenas, to cross-examine the witnesses, to  
412 represent himself or herself, or to be represented by any other  
413 representative of his or her choosing, and to be present at such  
414 hearing.

415 (4) Each party shall bear his or her own costs and fees  
416 incurred with respect to such hearings. No costs or fees shall  
417 be reimbursed by one party to the other regardless of the  
418 decision of the Civil Service Board under this act.

419 (5) Appeal hearings shall be open to the public in  
420 accordance with the provisions of chapter 286, Florida Statutes.

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421 (6) The Civil Service Board, its members, the Sheriff,  
422 witnesses while giving truthful testimony, and all the  
423 representatives of the parties shall be immune from all civil  
424 liability arising from actions taken pursuant to the provisions  
425 of this act.

426 (7) A tape recording shall be made of each Civil Service  
427 Board hearing and minutes of the hearing shall be kept. Either  
428 party shall be entitled to engage the services of a certified  
429 court reporter to record such hearing. The party engaging  
430 services of the court reporter shall be solely responsible for  
431 payment for such services.

432 (8) The Civil Service Board may, upon stating its reasons,  
433 elect at any stage of the hearing procedure to contract with the  
434 Division of Administrative Hearings of the Department of  
435 Management Services ~~Administration~~ to have the hearing conducted  
436 pursuant to chapter 120, Florida Statutes, in which case the  
437 board shall limit its considerations to the findings and  
438 recommendations of the division's ~~Department of Administration~~  
439 hearing officer.

440 Section 12. Exemption from chapter 120, Florida  
441 Statutes.--Unless the election is made to proceed under section  
442 11(8), the actions of the Civil Service Board and the Sheriff  
443 taken pursuant to this act shall be exempt from the provisions  
444 of chapter 120, Florida Statutes.

445 Section 13. Members' Advisory Council.--There shall be a  
446 five-person Members' Advisory Council, which shall serve in an  
447 advisory capacity to the Sheriff concerning personnel matters,  
448 policies, rules, and regulations affecting members of the



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449 Classified Service. The departmental representation of the  
 450 Members' Advisory Council shall be determined by the Sheriff.  
 451 All members of the Members' Advisory Council shall be permanent  
 452 members of the department and members of the Classified Service.  
 453 One member shall be elected from each of five areas to be  
 454 determined by the Sheriff and shall be elected to serve by  
 455 secret ballot of all members of the Classified Service within  
 456 each respective area. Members of the Members' Advisory Council  
 457 shall serve a 1-year term of office beginning July 1 of each  
 458 year. The initial council shall serve from the date elected  
 459 until July 1 of the following year.

460 ~~Section 14. Certified personnel to maintain status as~~  
 461 ~~appointed officers.-- Nothing herein shall be construed as~~  
 462 ~~altering the traditional status of certified personnel as~~  
 463 ~~appointed officers, who, as such, are excluded from coverage as~~  
 464 ~~employees under chapter 447, Florida Statutes.~~

465 Section 14 ~~15~~. Sheriff to adopt rules and regulations for  
 466 review of citizen complaints and other actions.--The Sheriff  
 467 shall, contemporaneous with the effective date of this act, by  
 468 department rule or regulation, establish a procedure to review  
 469 and resolve citizen complaints and disciplinary actions for  
 470 which an appeal is not provided by this act.

471 Section 15 ~~16~~. If any provision of this act or the  
 472 application thereof to any person or circumstance is held  
 473 invalid, the invalidity shall not affect other provisions or  
 474 applications of the act which can be given effect without the  
 475 invalid provision or application, and to this end the provisions  
 476 of this act are declared severable.

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477           Section 16 ~~17~~. Chapter 84-514, Laws of Florida, as amended  
478 by chapter 87-424, Laws of Florida, is hereby repealed.

479           Section 17 ~~18~~. This act shall take effect July 1, 1989, or  
480 upon becoming a law, whichever occurs later.

481           Section 2. This act shall take effect upon becoming a law.