

1 A bill to be entitled
 2 An act relating to classification and pay plans for public
 3 defenders; amending s. 27.53, F.S.; requiring that
 4 coordinated classification and pay plans for public
 5 defenders in each judicial circuit be developed in
 6 accordance with s. 216.181, F.S., notwithstanding that
 7 lump-sum salary bonuses, or other similar provisions of
 8 law or rule relating to government officials, may be
 9 provided only if specifically appropriated or provided for
 10 by law; providing an effective date.

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

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 14 Section 1. Subsection (1) of section 27.53, Florida
 15 Statutes, is amended to read:

16 27.53 Appointment of assistants and other staff; method of
 17 payment.--

18 (1) The public defender of each judicial circuit is
 19 authorized to employ and establish, in such numbers as
 20 authorized by the General Appropriations Act, assistant public
 21 defenders and other staff and personnel pursuant to s. 29.006,
 22 who shall be paid from funds appropriated for that purpose.
 23 Notwithstanding the provisions of s. 790.01, s. 790.02, or s.
 24 790.25(2)(a), an investigator employed by a public defender,
 25 while actually carrying out official duties, is authorized to
 26 carry concealed weapons if the investigator complies with s.
 27 790.25(3)(o). However, such investigators are not eligible for
 28 membership in the Special Risk Class of the Florida Retirement

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29 System. The public defenders of all judicial circuits shall
30 jointly develop a coordinated classification and pay plan which
31 shall be submitted on or before January 1 of each year to the
32 Justice Administrative Commission, the office of the President
33 of the Senate, and the office of the Speaker of the House of
34 Representatives. Notwithstanding s. 216.181(10)(b) or any other
35 similar provision of law or rule governing the judicial,
36 executive, or legislative branches, such plan shall be developed
37 in accordance with ~~policies and procedures of the Executive~~
38 ~~Office of the Governor established in s. 216.181.~~ Each assistant
39 public defender appointed by a public defender under this
40 section shall serve at the pleasure of the public defender. Each
41 investigator employed by a public defender shall have full
42 authority to serve any witness subpoena or court order issued,
43 by any court or judge within the judicial circuit served by such
44 public defender, in a criminal case in which such public
45 defender has been appointed to represent the accused.

46 Section 2. This act shall take effect July 1, 2008.