

1                   A bill to be entitled  
 2           An act relating to approved budgets for operations and  
 3           fixed capital outlay; amending s. 216.181, F.S.; providing  
 4           that certain salary rate provisions do not apply to the  
 5           Executive Office of the Governor; providing an effective  
 6           date.

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

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 10           Section 1. Paragraph (d) of subsection (10) of section  
 11   216.181, Florida Statutes, is amended to read:

12           216.181 Approved budgets for operations and fixed capital  
 13   outlay.--

14           (8) As part of the approved operating budget, the  
 15   Executive Office of the Governor shall furnish to each state  
 16   agency, and the Chief Justice of the Supreme Court shall furnish  
 17   to the entity of the judicial branch, an approved annual salary  
 18   rate for each budget entity containing a salary appropriation.  
 19   This rate shall be based upon the actual salary rate and shall  
 20   be consistent with the General Appropriations Act or special  
 21   appropriations acts. The annual salary rate shall be:

22           (a) Determined by the salary rate specified in the General  
 23   Appropriations Act and adjusted for reorganizations authorized  
 24   by law, for any other appropriations made by law, and, subject  
 25   to s. 216.177, for distributions of lump-sum appropriations and  
 26   administered funds and for actions that require authorization of  
 27   salary rate from salary rate reserve and placement of salary  
 28   rate in salary rate reserve.

29 (b) Controlled by department or agency; except for the  
30 Department of Education, which shall be controlled by division  
31 and for the judicial branch, which shall be controlled at the  
32 branch level.

33 (c) Assigned to the number of authorized positions.

34 (9) No agency or the judicial branch may exceed its  
35 maximum approved annual salary rate for the fiscal year.  
36 However, at any time during the fiscal year, an agency or entity  
37 of the judicial branch may exceed its approved rate for all  
38 budget entities by no more than 5 percent, provided that, by  
39 June 30 of every fiscal year, the agency or entity of the  
40 judicial branch has reduced its salary rate so that the salary  
41 rate for each department is within the approved rate limit for  
42 that department.

43 (10) (a) The Legislative Budget Commission may authorize  
44 increases or decreases in the approved salary rate, except as  
45 authorized in paragraph (8) (a), for positions pursuant to the  
46 request of the agency filed with the Executive Office of the  
47 Governor or pursuant to the request of an entity of the judicial  
48 branch filed with the Chief Justice of the Supreme Court, if  
49 deemed necessary and in the best interest of the state and  
50 consistent with legislative policy and intent.

51 (b) Lump-sum salary bonuses may be provided only if  
52 specifically appropriated or provided pursuant to s. 110.1245 or  
53 s. 216.1815.

54 (c) State agencies and the judicial branch shall report,  
55 each fiscal quarter, the number of filled positions, the number  
56 of vacant positions, and the salary rate associated with each

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57 | category to the Legislative Budget Commission in a form and  
58 | manner prescribed by the commission.

59 | (d) The salary rate provisions of subsections (8) and (9)  
60 | and this subsection do not apply to the ~~general office program~~  
61 | ~~of the~~ Executive Office of the Governor.

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