

By the Committee on Criminal Justice; and Senator Dean

591-04494-08

2008614c1

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.; amending s. 216.181,
7 F.S.; authorizing the appropriation of lump-sum salary
8 bonuses; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsection (1) of section 27.53, Florida
13 Statutes, is amended to read:

14 27.53 Appointment of assistants and other staff; method of
15 payment.--

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

591-04494-08

2008614c1

30 Commission, the office of the President of the Senate, and the
31 office of the Speaker of the House of Representatives. Such plan
32 shall be developed in accordance with policies and procedures of
33 the Executive Office of the Governor established in s. 216.181
34 and pursuant to s. 216.181(10)(b). Each assistant public defender
35 appointed by a public defender under this section shall serve at
36 the pleasure of the public defender. Each investigator employed
37 by a public defender shall have full authority to serve any
38 witness subpoena or court order issued, by any court or judge
39 within the judicial circuit served by such public defender, in a
40 criminal case in which such public defender has been appointed to
41 represent the accused.

42 Section 2. Paragraph (b) of subsection (10) of section
43 216.181, Florida Statutes, is amended to read:

44 216.181 Approved budgets for operations and fixed capital
45 outlay.--

46 (10)

47 (b) Lump-sum salary bonuses may be provided only if
48 specifically appropriated or provided pursuant to s. 27.53, s.
49 110.1245, or s. 216.1815.

50 Section 3. This act shall take effect July 1, 2008.