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1  
2 An act relating to military affairs; amending s.  
3 115.07, F.S., relating to provisions authorizing leave  
4 of absence for officers and employees of the state or  
5 counties, municipalities, or political subdivisions  
6 who are commissioned reserve officers or reserve  
7 enlisted personnel in the United States military or  
8 naval service or who are members of the National  
9 Guard; providing that such officers and employees are  
10 entitled to 240 working hours rather than 17 working  
11 days of annual leave of absence without loss of time  
12 or efficiency rating; removing an obsolete provision  
13 calculating leaves of absence as measured in working  
14 days; amending s. 250.10, F.S.; providing for the  
15 appointment of a second Assistant Adjutant General for  
16 the Florida National Guard Army; providing a finding  
17 that the act fulfills an important state interest;  
18 providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22 Section 1. Section 115.07, Florida Statutes, is amended to  
23 read:

24 115.07 Officers and employees' leaves of absence for  
25 reserve or guard training.—

26 (1) All officers or employees of the state, of the several  
27 counties of the state, and of the municipalities or political  
28 subdivisions of the state who are commissioned reserve officers  
29 or reserve enlisted personnel in the United States military or

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30 naval service or members of the National Guard are entitled to  
31 leaves of absence from their respective duties, without loss of  
32 vacation leave, pay, time, or efficiency rating, on all days  
33 during which they are engaged in training ordered under the  
34 provisions of the United States military or naval training  
35 regulations for such personnel when assigned to active or  
36 inactive duty.

37 (2) Leaves of absence granted as a matter of legal right  
38 under the provisions of this section may ~~shall~~ not exceed 240 ~~17~~  
39 working hours ~~days~~ in any one annual period. Administrative  
40 leaves of absence for additional or longer periods of time for  
41 assignment to duty functions of a military character shall be  
42 without pay and shall be granted by the employing or appointing  
43 authority of any state, county, municipal, or political  
44 subdivision employee and when so granted shall be without loss  
45 of time or efficiency rating.

46 ~~(3) With respect to any officer or employee whose working~~  
47 ~~day consists of a shift measured in hours, each such 12-hour~~  
48 ~~shift or less shall equal 1 working day leave of absence. All~~  
49 ~~other shifts over 12 hours and up to 24 hours shall equal 2~~  
50 ~~working days leave of absence.~~

51 (3)~~(4)~~ When an employee's assigned employment duty  
52 conflicts with ordered active or inactive duty training, it is  
53 ~~shall be~~ the responsibility of the employing agency of the  
54 state, county, municipal, or political subdivision to provide a  
55 substitute employee, if necessary, for the assumption of such  
56 employment duty while the employee is on assignment for the ~~such~~  
57 training.

58 (4)~~(5)~~ It is the intent of the Legislature that the state,

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59 its several counties, and its municipalities and political  
60 subdivisions shall grant leaves of absence for active or  
61 inactive training to all employees who are members of the United  
62 States Reserve Forces or the National Guard, to ensure the state  
63 and national security at all times through a strong armed force  
64 of qualified and mobilization-ready personnel.

65 Section 2. Subsection (4) of section 250.10, Florida  
66 Statutes, is amended to read:

67 250.10 Appointment and duties of the Adjutant General.—

68 (4) (a) The Adjutant General shall, subject to confirmation  
69 by the Senate, employ a federally recognized officer of the  
70 Florida National Guard, who has served in the Florida Army Guard  
71 for the preceding 5 years and attained the rank of colonel or  
72 higher at the time of appointment, to be the Assistant Adjutant  
73 General for Army.

74 (b) The Adjutant General may, subject to confirmation by  
75 the Senate, employ an additional, federally recognized officer  
76 of the Florida National Guard, who has served in the Florida  
77 Army Guard for the preceding 5 years and attained the rank of  
78 colonel or higher at the time of appointment, to be a second  
79 Assistant Adjutant General for Army.

80

81 Each ~~The~~ officer shall perform the duties required by the  
82 Adjutant General.

83 Section 3. The Legislature finds and declares that this act  
84 fulfills an important state interest.

85 Section 4. This act shall take effect July 1, 2010.