

By the Committee on Governmental Oversight and Accountability;  
and Senators Fasano and Wise

585-02177-10

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1                   A bill to be entitled  
2           An act relating to collective bargaining for certain  
3           public employees; amending s. 447.203, F.S.;  
4           specifying that for purposes of resolving an impasse  
5           the sheriff, the tax collector, the property  
6           appraiser, the supervisor of elections, and the clerk  
7           of the circuit court are each deemed the "legislative  
8           body" for their respective employees; providing that  
9           in a county that has expressly abolished the office of  
10          any constitutional officer, such duties are  
11          transferred to the officer as provided for under the  
12          county charter if the charter is not inconsistent with  
13          general law or a special law approved by a vote of the  
14          electors; providing an effective date.

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

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18           Section 1. Subsection (10) of section 447.203, Florida  
19           Statutes, is amended to read:

20           447.203 Definitions.—As used in this part:

21           (10) "Legislative body" means the State Legislature, the  
22           board of county commissioners, the district school board, the  
23           governing body of a municipality, or the governing body of an  
24           instrumentality or unit of government having authority to  
25           appropriate funds and establish policy governing the terms and  
26           conditions of employment and which, as the case may be, is the  
27           appropriate legislative body for the bargaining unit.

28           (a) For purposes of s. 447.403, the Board of Governors of  
29           the State University System, or the board's designee, is ~~shall~~

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30 ~~be~~ deemed to be the legislative body with respect to all  
31 employees of each constituent state university.

32 (b) For purposes of s. 447.403 the board of trustees of a  
33 community college is ~~shall be~~ deemed to be the legislative body  
34 with respect to all employees of the community college.

35 (c) For purposes of s. 447.403, and as sovereign  
36 constitutional officers under s. 1(d), Art. VIII of the State  
37 Constitution, the sheriff, tax collector, property appraiser,  
38 supervisor of elections, and clerk of the circuit court are each  
39 deemed to be the legislative body for their respective  
40 employees. However, if provided by a county charter that was  
41 approved by a vote of the electors of the county and that  
42 expressly abolished the office of the sheriff, tax collector,  
43 property appraiser, supervisor of elections, or clerk of the  
44 court and expressly transferred all duties prescribed by general  
45 law to an elected or appointed charter officer, that officer is  
46 subject to such charter if the charter is not inconsistent with  
47 general law or with a special law approved by a vote of the  
48 electors under s. 1(g), Art. VIII of the State Constitution.

49 Section 2. This act shall take effect July 1, 2010.