1   A bill to be entitled

2   An act relating to public officers; prohibiting severance

3   pay for nonelected public officers except under specified

4   circumstances; prohibiting certain limitations on

5   discussing an employment dispute or settlement; providing

6   an effective date.

7

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

9

10   Section 1. Limitations on severance pay for nonelected

11   public officers.—

12   (1) As used in this section, the term "severance pay"

13   means the actual or constructive compensation, including salary,

14   benefits, or perquisites, for employment services yet to be

15   rendered for a term greater than 4 weeks before or immediately

16   following termination of employment. The term does not include

17   compensation for:

18   (a) Earned and accrued annual, sick, compensatory, and

19   administrative leave.

20   (b) Early retirement under provisions established in an

21   actuarially funded pension plan subject to part VII of chapter

22   112, Florida Statutes.

23   (2) On or after July 1, 2011, a public officer serving in

24   a nonelected position may not receive severance pay unless:

25   (a) The severance pay is paid from wholly private funds,

26   the payment and receipt of which do not otherwise violate part

27   III of chapter 112, Florida Statutes.

28   (b) The severance pay is administered under part II of

hb0043-00

29 chapter 112, Florida Statutes, on behalf of an agency outside

30 this state and would be permitted under that agency's personnel

31 system.

32   (c) The severance pay represents the settlement of an

33 employment dispute; however, such settlement may not include

34 provisions that limit the ability of any party to the settlement

35 to discuss the dispute or settlement.

36   (3) This section does not create an entitlement to

37 severance pay in the absence of its authorization.

38   Section 2. This act shall take effect July 1, 2011.

hb0043-00