

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, tax collector, property appraiser,
6 supervisor of elections, and clerk of the circuit
7 court are each the "legislative body" for their
8 respective employees; providing that the board of
9 county commissioners is the legislative body for
10 resolving an impasse related to wages; requiring the
11 board of county commissioners to provide supplemental
12 funds to the county constitutional officers under
13 certain circumstances; providing that in a county that
14 has expressly abolished any such office, such duties
15 are transferred to an elected or appointed charter
16 officer if the charter is not inconsistent with
17 general law or a special law approved by a vote of the
18 electors; defining the term "wages"; providing an
19 effective date.

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

22
23 Section 1. Subsection (10) of section 447.203, Florida
24 Statutes, is amended to read:

25 447.203 Definitions.—As used in this part:

26 (10) "Legislative body" means the State Legislature, the

27 board of county commissioners, the district school board, the
28 governing body of a municipality, or the governing body of an
29 instrumentality or unit of government having authority to
30 appropriate funds and establish policy governing the terms and
31 conditions of employment and which, as the case may be, is the
32 appropriate legislative body for the bargaining unit.

33 (a) For purposes of s. 447.403, the Board of Governors of
34 the State University System, or the board's designee, is ~~shall~~
35 ~~be deemed to be~~ the legislative body with respect to all
36 employees of each constituent state university.

37 (b) For purposes of s. 447.403, the board of trustees of a
38 community college is ~~shall be deemed to be~~ the legislative body
39 with respect to all employees of the community college.

40 (c) For purposes of s. 447.403, and as sovereign
41 constitutional officers under s. 1(d), Art. VIII of the State
42 Constitution, the sheriff, tax collector, property appraiser,
43 supervisor of elections, and clerk of the circuit court are each
44 the legislative body for their respective employees. However,
45 when an impasse is declared and the disputed issue relates to
46 wages, the board of county commissioners is the legislative body
47 for purposes of resolving the impasse. If the resolution of the
48 impasse by the board of county commissioners provides for an
49 increase beyond the county constitutional officer's final offer
50 at impasse and the impasse is resolved after the beginning of
51 the fiscal year, the board of county commissioners shall provide
52 supplemental funds to the county constitutional officer

53 sufficient to pay the increased wages beyond the county
54 constitutional officer's final offer at impasse. If the
55 resolution of the impasse includes the upcoming fiscal year, the
56 board of county commissioners must provide, at a minimum, such
57 funds as are necessary for the constitutional officer to
58 maintain the same staffing levels as the previous fiscal year
59 and to fund the increase. If the county fails to provide such
60 funds, the constitutional officer may apply to the circuit
61 court, and the court shall require the county to pay the
62 appropriate amount. Notwithstanding this paragraph, the county
63 constitutional officer and his or her employees who are members
64 of the bargaining unit shall be the parties required to approve
65 the collective bargaining agreement pursuant to s. 447.309. This
66 paragraph does not impair or limit the ability of a
67 constitutional officer to appeal his or her budget as otherwise
68 provided by law.

69 (d) However, if provided by a county charter that was
70 approved by a vote of the electors of the county and that
71 expressly abolished the office of the sheriff, tax collector,
72 property appraiser, supervisor of elections, or clerk of the
73 circuit court and expressly transferred all duties prescribed by
74 general law to an elected or appointed charter officer, that
75 officer is subject to such charter if the charter is not
76 inconsistent with general law or with a special law approved by
77 a vote of the electors under s. 1(g), Art. VIII of the State
78 Constitution.

HB 649

2014

79 (e) For the purposes of this subsection, "wages" means the
80 base salary or base salary adjustments of employees who are
81 members of a bargaining unit.

82 Section 2. This act shall take effect July 1, 2014.