

By Senator Bradley

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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       redefining the term "legislative body"; specifying  
5       that, for purposes of resolving an impasse issue  
6       unrelated to wages, the sheriff, tax collector,  
7       property appraiser, supervisor of elections, or clerk  
8       of the circuit court is the legislative body for his  
9       or her respective employees; providing an exception;  
10      providing that, in a county that abolishes the office  
11      of sheriff, tax collector, property appraiser,  
12      supervisor of elections, or clerk of the circuit court  
13      by vote of the electors and transfers his or her  
14      duties to another officer, such officer is the  
15      legislative body for resolving an impasse issue  
16      unrelated to wages unless such transfer is  
17      inconsistent with general law or a special law  
18      approved by a vote of the electors of such county;  
19      defining the term "wages"; amending s. 447.403, F.S.;  
20      requiring the board of county commissioners to provide  
21      supplemental funds to a county constitutional officer  
22      if resolution of a disputed impasse issue over wages  
23      exceeds the officer's final offer; authorizing the  
24      county constitutional officer to apply to the circuit  
25      court if the board of county commissioners fails to  
26      provide such funds; providing construction; providing  
27      an effective date.

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

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

447.203 Definitions.—As used in this part:

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

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

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

(c) For purposes of s. 447.403, and as constitutional officers under s. 1(d), Art. VIII of the State Constitution, the sheriff, tax collector, property appraiser, supervisor of elections, or clerk of the circuit court is the legislative body for his or her respective employees except that the board of county commissioners is the legislative body with respect to disputed impasse issues over wages. If a county charter approved by a vote of the electors of the county has expressly abolished the office of sheriff, tax collector, property appraiser, supervisor of elections, or clerk of the circuit court and

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59 expressly transferred the abolished officer's duties to another  
60 officer, such officer shall be the legislative body with respect  
61 to disputed impasse issues other than those over wages unless  
62 the charter is inconsistent with general law or a special law  
63 approved by a vote of the electors of such county. For purposes  
64 of this section and s. 447.403, the term "wages" means the base  
65 salary or base salary adjustments of employees who are members  
66 of a bargaining unit.

67 Section 2. Present subsection (5) of section 447.403,  
68 Florida Statutes, is redesignated as subsection (6), and a new  
69 subsection (5) is added to that section, to read:

70 447.403 Resolution of impasses.—

71 (5) If the resolution of a disputed impasse issue over  
72 wages by the board of county commissioners provides for an  
73 increase over the county constitutional officer's final offer at  
74 impasse and is resolved after the beginning of the fiscal year,  
75 the board of county commissioners shall provide supplemental  
76 funds to the county constitutional officer sufficient to fund  
77 the wages that exceed the county constitutional officer's final  
78 offer at impasse. If the resolution of a disputed impasse issue  
79 over wages impacts an upcoming fiscal year, the board of county  
80 commissioners shall provide the funds necessary for the county  
81 constitutional officer to maintain the same staffing levels as  
82 the previous fiscal year. If the board of county commissioners  
83 fails to provide such funds, the county constitutional officer  
84 may apply to the circuit court for an order requiring the board  
85 of county commissioners to appropriate the necessary funding to  
86 the county constitutional officer. Notwithstanding this  
87 subsection, the county constitutional officer and his or her

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88 respective employees who are members of the bargaining unit are  
89 the parties required to approve a collective bargaining  
90 agreement pursuant to s. 447.309. This subsection may not be  
91 interpreted to impair or limit the ability of a county  
92 constitutional officer to appeal his or her budget as otherwise  
93 provided by law.

94 Section 3. This act shall take effect July 1, 2014.