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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2023	.	
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The Committee on Community Affairs (Ingoglia) recommended the following:

Senate Amendment (with title amendment)

Delete lines 31 - 73

and insert:

(5) The governing body of a county may not renew or extend the employment contract of a county administrator within the 8 months before a general election for county mayor, if applicable, or for members of the governing body of the county; however, the governing body of a county may do so if the county administrator presents the governing body with a bona fide



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11 written offer of employment from another governmental entity as
12 defined in s. 287.012(14).

13 Section 2. Section 125.75, Florida Statutes, is created to
14 read:

15 125.75 County general counsel contract.—The governing body
16 of a county may not renew or extend the contract of a county
17 general counsel within the 8 months before a general election
18 for county mayor, if applicable, or for members of the governing
19 body of the county; however, the governing body of a county may
20 do so if the county general counsel presents the governing body
21 with a bona fide written offer of employment from another
22 governmental entity as defined in s. 287.012(14).

23 Section 3. Present subsection (9) of section 166.021,
24 Florida Statutes, is redesignated as subsection (10), and a new
25 subsection (9) is added to that section, to read:

26 166.021 Powers.—

27 (9) (a) The governing body of a municipality may not renew
28 or extend the employment contract of a chief executive officer
29 of the municipality within the 8 months before a general
30 election for the municipal mayor or for members of the governing
31 body of the municipality; however, the governing body of a
32 municipality may do so if the chief executive officer of the
33 municipality presents the governing body with a bona fide
34 written offer of employment from another governmental entity as
35 defined in s. 287.012(14).

36 (b) The governing body of a municipality may not renew or
37 extend the employment contract of a municipal general counsel
38 within the 8 months before a general election for the municipal
39 mayor or for members of the governing body of the municipality;



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40 however, the governing body of a municipality may do so if the
41 municipal general counsel presents the governing body with a
42 bona fide written offer of employment from another governmental
43 entity as defined in s. 287.012(14).

44 Section 4. Subsection (2) of section 1001.50, Florida
45 Statutes, is amended to read:

46 1001.50 Superintendents employed under Art. IX of the State
47 Constitution.—

48 (2) Each district school board shall enter into an
49 employment contract with the district school superintendent and
50 shall adopt rules relating to his or her appointment; however,
51 if the employment contract contains a provision for severance
52 pay, it must include the provisions required by s. 215.425. The
53 district school board may not renew or extend the employment
54 contract of a superintendent within the 8 months before a
55 general election for district school board members; however, the
56 district school board may do so if the superintendent presents
57 the district school board with a bona fide written offer of
58 employment from another governmental entity as defined in s.
59 287.012(14).

60 Section 5. Section 1012.336, Florida Statutes, is created
61 to read:

62 1012.336 Contracts with district school board general
63 counsels.—A district school board may not renew or extend the
64 employment contract of a district school board general counsel
65 within the 8 months before a general election for district
66 school board members; however, a district school board may do so
67 if the district school board general counsel presents the
68 district school board with a bona fide written offer of



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69 employment from another governmental entity as defined in s.
70 287.012(14).

71
72 ===== T I T L E A M E N D M E N T =====

73 And the title is amended as follows:

74 Delete lines 3 - 21

75 and insert:

76 125.73, F.S.; prohibiting the governing body of a
77 county from renewing or extending the employment
78 contract of a county administrator during a specified
79 timeframe; providing an exception; defining the term
80 "governmental entity"; creating s. 125.75, F.S.;

81 prohibiting the governing body of a county from
82 renewing or extending the employment contract of a
83 county general counsel during a specified timeframe;

84 providing an exception; defining the term
85 "governmental entity"; amending s. 166.021, F.S.;

86 prohibiting the governing body of a municipality from
87 renewing or extending the employment contract of a
88 chief executive officer or municipal general counsel
89 during a specified timeframe; providing exceptions;

90 defining the term "governmental entity"; amending s.
91 1001.50, F.S.; prohibiting a district school board
92 from renewing or extending the employment contract of
93 a superintendent during a specified timeframe;

94 providing an exception; defining the term
95 "governmental entity"; creating s. 1012.336, F.S.;

96 prohibiting a district school board from renewing or
97 extending the employment contract of a district school



98 board general counsel during a specified timeframe;
99 providing an exception; defining the term
100 "governmental entity"; amending s. 112.061, F.S.;