

By Senator Ingoglia

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1 A bill to be entitled
2 An act relating to local officials; amending s.
3 125.73, F.S.; providing that the employment contract
4 for a county administrator is not to be renewed,
5 extended, or renegotiated during a specified
6 timeframe; creating s. 125.75, F.S.; providing that
7 the employment contract for a county attorney is not
8 to be renewed, extended, or renegotiated during a
9 specified timeframe; amending s. 166.021, F.S.;
10 providing that the employment contracts for a chief
11 executive officer of a municipality and a municipal
12 attorney are not to be renewed, extended, or
13 renegotiated during a specified timeframe; amending s.
14 1001.50, F.S.; providing that a district school
15 superintendent's employment contract with the district
16 school board is not to be renewed, extended, or
17 renegotiated during a specified timeframe; creating s.
18 1012.336, F.S.; providing that the employment contract
19 of an attorney employed by a district school board is
20 not to be renewed, extended, or renegotiated during a
21 specified timeframe; amending s. 112.061, F.S.;
22 conforming cross-references; providing an effective
23 date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Subsection (5) is added to section 125.73,
28 Florida Statutes, to read:
29 125.73 County administrator; appointment, qualifications,

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30 compensation.—

31 (5) The county administrator's employment contract shall
32 not be renewed, extended, or renegotiated within 12 months
33 before an August primary election for county mayor, if
34 applicable, or for members of the governing body of the county.

35 Section 2. Section 125.75, Florida Statutes, is created to
36 read:

37 125.75 County attorney contract.—The county attorney's
38 employment contract shall not be renewed, extended, or
39 renegotiated within 12 months before an August primary election
40 for county mayor, if applicable, or for members of the governing
41 body of the county.

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

45 166.021 Powers.—

46 (9) (a) The employment contract of the chief executive
47 officer of a municipality shall not be renewed, extended, or
48 renegotiated within 12 months before an August primary election
49 for the municipal mayor or for members of the governing body of
50 the municipality.

51 (b) The employment contract of the municipal attorney shall
52 not be renewed, extended, or renegotiated within 12 months
53 before an August primary election for the municipal mayor or for
54 members of the governing body of the municipality.

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

57 1001.50 Superintendents employed under Art. IX of the State
58 Constitution.—

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59 (2) Each district school board shall enter into an
60 employment contract with the district school superintendent and
61 shall adopt rules relating to his or her appointment; however,
62 if the employment contract contains a provision for severance
63 pay, it must include the provisions required by s. 215.425. The
64 superintendent's employment contract shall not be renewed,
65 extended, or renegotiated within 12 months before an August
66 primary election for district school board members.

67 Section 5. Section 1012.336, Florida Statutes, is created
68 to read:

69 1012.336 Contracts with attorneys of the district school
70 boards.—The employment contract of an attorney with the district
71 school board shall not be renewed, extended, or renegotiated
72 within 12 months before an August primary election for district
73 school board members.

74 Section 6. Paragraphs (a) and (c) of subsection (14) of
75 section 112.061, Florida Statutes, are amended to read:

76 112.061 Per diem and travel expenses of public officers,
77 employees, and authorized persons; statewide travel management
78 system.—

79 (14) APPLICABILITY TO COUNTIES, COUNTY OFFICERS, DISTRICT
80 SCHOOL BOARDS, SPECIAL DISTRICTS, AND METROPOLITAN PLANNING
81 ORGANIZATIONS.—

82 (a) The following entities may establish rates that vary
83 from the per diem rate provided in paragraph (6) (a), the
84 subsistence rates provided in paragraph (6) (b), or the mileage
85 rate provided in paragraph (7) (d) if those rates are not less
86 than the statutorily established rates that are in effect for
87 the 2005-2006 fiscal year:

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88 1. The governing body of a county by the enactment of an
89 ordinance or resolution;

90 2. A county constitutional officer, pursuant to s. 1(d),
91 Art. VIII of the State Constitution, by the establishment of
92 written policy;

93 3. The governing body of a district school board by the
94 adoption of rules;

95 4. The governing body of a special district, as defined in
96 s. 189.012, except those special districts that are subject to
97 s. 166.021(10) ~~s. 166.021(9)~~, by the enactment of a resolution;
98 or

99 5. Any metropolitan planning organization created pursuant
100 to s. 339.175 or any other separate legal or administrative
101 entity created pursuant to s. 339.175 of which a metropolitan
102 planning organization is a member, by the enactment of a
103 resolution.

104 (c) Except as otherwise provided in this subsection,
105 counties, county constitutional officers and entities governed
106 by those officers, district school boards, special districts,
107 and metropolitan planning organizations, other than those
108 subject to s. 166.021(10) ~~s. 166.021(9)~~, remain subject to the
109 requirements of this section.

110 Section 7. This act shall take effect July 1, 2023.