

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Gantt offered the following:

Amendment (with title amendment)

Remove lines 49-242 and insert:

(2) PERMANENT STATUS; CAUSE FOR SUSPENSION OR DISMISSAL.-

(a) After an employee of the Sheriff to whom the
 provisions of this act apply has served in such employment for a
 period of 1 calendar year, such employee shall have attained
 permanent status with ~~in~~ the Leon County Sheriff's Office ~~of the~~
~~Sheriff~~; provided ~~that~~ if such an employee is placed on
 disciplinary probation for a period of 6 months or more or is
 terminated and rehired at a later date, said employee shall be
 required to complete 1 calendar year of service from the date of
 the action before being granted permanent status and the right
to of appeal, regardless of the reason for the disciplinary

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17 probation or termination ~~provided in Section 2~~. Any employee who
18 is required to serve a probationary period attendant to a
19 promotion shall retain permanent status in the Office of the
20 Sheriff, but may be demoted to his or her prior rank during such
21 probationary period without the right of appeal as provided in
22 Section 3 ~~Section 2~~.

23 (b) Any employee who has achieved permanent status in the
24 Leon County Sheriff's Office ~~of the Sheriff~~ may only be
25 suspended or dismissed for cause; provided that prior to such
26 action, the employee must be furnished written notice of the
27 proposed action and offered an opportunity to respond to the
28 reasons for the suspension or dismissal. However, in
29 extraordinary situations, such as when delay could result in
30 damage or injury, an employee may be suspended or dismissed for
31 cause immediately and provided notice thereof and reasons
32 therefor within 24 hours afterwards. Cause for suspension or
33 dismissal shall include, but not be limited to, negligence,
34 inefficiency or inability to perform assigned duties,
35 insubordination, willful violation of the provisions of law or
36 Office rules, conduct unbecoming a public employee, misconduct,
37 or habitual drug abuse. Cause for suspension or dismissal shall
38 also include adjudication of guilt by a court of competent
39 jurisdiction, a plea of guilty or of nolo contendere, or a jury
40 verdict of guilty when adjudication of guilt is withheld and the
41 accused is placed on probation, with respect to any felony,

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42 misdemeanor or major traffic infraction. The filing of felony,
43 misdemeanor, or major traffic infraction charges against an
44 employee shall constitute cause for suspension.

45 (3) TRANSITION OF CAREER SERVICE EMPLOYEES.—When a newly
46 elected or appointed Sheriff assumes office, the new Sheriff
47 shall continue the employment of all currently employed
48 permanent personnel with the exceptions of those positions
49 defined in subsection (1), unless there is just cause for
50 dismissal, as provided herein, exists. However, The new incoming
51 Sheriff shall have the option of maintaining the current
52 employees personnel assigned to exempt the positions of
53 Executive Secretary, Administrative Major, and Operations Major.
54 If the new incoming Sheriff fills the exempt sworn staff Major
55 positions with new members personnel, the new Sheriff has the
56 option of dismissing the prior current occupants of those
57 positions from employment, demoting the prior occupant to a
58 prior permanent non-exempt position or shall be reduced to the
59 rank held prior to appointment to exempt status, reducing the
60 person in of Captain, which rank to the rank of deputy sheriff,
61 or offering the prior occupant a transfer to any position for
62 which they may be qualified and paid at a rate commensurate
63 therewith shall be permanent unless later reduced by
64 disciplinary demotion, and their salaries may be reduced
65 accordingly. If the new incoming Sheriff so desires, exempt non-
66 sworn civilian employees may fills the Executive Secretary

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67 ~~position with a new employee, the current occupant of the~~
68 ~~position shall be transferred to positions another position for~~
69 ~~which they may be the employee is qualified and paid at a rate~~
70 ~~commensurate therewith within the Office of the Sheriff. Actions~~
71 ~~taken pursuant to this section subsection affecting the exempt~~
72 ~~Major positions are and the Executive Secretary position shall~~
73 ~~not be appealable under Section 2.~~

74 (4) ADMINISTRATION.—The Sheriff shall have the authority
75 to adopt such rules and regulations as are necessary for the
76 implementation and administration of this act; however, nothing
77 in this act shall be construed as affecting the budget-making
78 powers of the Board of County Commissioners of Leon County.

79 **Section 2. Beginning date.—**

80 (1) All sworn and civilian persons in the employ of the
81 Leon County Sheriff's Office on the effective date of this act
82 who have served for a period of 1 calendar year or more as of
83 such date shall be permanent employees subject to the provisions
84 of this act. All other employees shall become permanent
85 employees subject to the provisions of this act upon reaching
86 their 1 calendar year service anniversary date. Promotions,
87 probationary service periods, demotions, transfers, and
88 suspensions will not and do not affect the determination of the
89 original career service beginning date (anniversary date) of
90 employment for Leon County Sheriff's Office employees. The
91 beginning date (anniversary date) of employment for sworn

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92 employees is and will be the date the Sheriff swears the
93 officers in as law enforcement officers. The beginning of
94 service for civilian employees will be the beginning date
95 (anniversary date) as indicated by personnel and payroll
96 records.

97 (2) Any provisions of this act shall not add to or detract
98 from the constitutional authority of the Sheriff.

99 **Section 3.** ~~Section 2.~~ Career Service Appeals Board ~~Boards~~;
100 creation; membership; procedures ~~duties~~.-

101 (1) FUNCTION OF BOARDS.-Ad hoc Career Service Appeals
102 Boards shall be appointed as provided herein for the purpose of
103 hearing appeals of permanent employees arising from personnel
104 actions brought under Office rules or policies which result in
105 dismissal, suspension, demotion, or reduction in pay; provided
106 that reprimands, oral or written, and suspensions of 3 ~~5~~ working
107 days or less shall not be appealable to a Board. Any such Board
108 may also provide assistance and advice to the Sheriff in matters
109 concerning disciplinary actions, and may take any other action
110 authorized by the Sheriff.

111 (2) MEMBERSHIP OF BOARDS.-When needed upon the call of the
112 Sheriff, or upon the filing of an appeal, an ad hoc Career
113 Service Appeals Board shall be appointed. The membership of each
114 such Board shall consist of five employees of the Office of the
115 Sheriff. Two members shall be selected by the Sheriff, two
116 members shall be selected by the employee filing the appeal, and

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117 the fifth member, who shall serve as chairperson ~~chairman~~ of the
118 Board, shall be selected by the other four members. The ranking
119 officer in charge of personnel shall serve as an ex officio
120 member of the Board, but shall have no vote. Any employee shall
121 have the right to decline to serve as a member of a Board, and
122 employees selected to serve on a Board shall serve without
123 additional compensation or overtime compensation with respect to
124 such service. Once selected to a board, the members thereof
125 shall serve until final action is taken by the Board with
126 respect to the purpose for which the Board was selected, at
127 which time the Board shall be dissolved.

128 (3) PROCEDURE WITH RESPECT TO APPEALS.—

129 (a) An appeal of an action specified in subsection (1)
130 shall be made to the Sheriff in writing, and must be received
131 within ~~by the Sheriff no later than~~ 3 business ~~working~~ days
132 after the employee is notified of the action on which the appeal
133 is based. Business days are Monday through Friday, excluding
134 holidays recognized by the Leon County Sheriff's Office.

135 (b) A Career Service Appeals Board shall be selected and
136 must meet for purposes of hearing the appeal no later than 15
137 business ~~working~~ days after receipt of an appeal by the Sheriff.
138 The ranking officer in charge of personnel is responsible for
139 scheduling the date, time, and location of meetings; notifying
140 members of the Career Service Appeals Board; and posting such
141 notice as may be required by law. In the case of an unpaid

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142 suspension, the disciplinary action shall be stayed pending the
143 completion of the review process.

144 (c) During any hearing, the employee filing the appeal
145 shall have the right to be heard publicly, to be represented by
146 a person of his or her choice, and to present any evidential
147 facts on ~~in~~ his or her behalf. The Sheriff will be represented
148 by the Sheriff's General Counsel or other representative
149 designated by the Sheriff. ~~and~~ During such hearings the
150 technical rules of evidence shall not apply. However,
151 irrelevant, immaterial, or unduly repetitious evidence shall be
152 excluded. All other evidence as would be admissible in the
153 courts of Florida shall be admissible. Hearsay evidence may be
154 introduced and used. The chairperson will rule on the
155 admissibility of evidence if objections are raised. The Board
156 shall, in the conduct of such hearings, have the power to
157 administer oaths, issue subpoenas, compel the attendance of
158 witnesses, and require the production of books, records,
159 accounts, papers, documents, and testimony. In case of
160 disobedience of any person to comply with an order of the Board
161 or a subpoena issued by the Board, or upon the refusal of a
162 witness to testify on any matter regarding which he or she may
163 be lawfully interrogated, a County Judge of the county in which
164 a person resides, upon application of the chairperson ~~any member~~
165 of the Board, shall compel obedience by proceeding as for
166 contempt. Each witness who appears in obedience to a subpoena

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167 before the Board shall receive compensation for attendance fees
168 and mileage as provided for witnesses in civil cases in the
169 courts of this state. Such payments shall be made by the party
170 calling the witness; except that with respect to any witnesses
171 called by the Board, payments shall be made by the Sheriff upon
172 presentation of proper vouchers and approval by three members of
173 the Board.

174 (d) A Board shall by majority vote dispose of the appeal
175 for which it was appointed by making findings of fact and
176 issuing a written decision. Such decision shall either sustain
177 or not sustain the disciplinary action being appealed. If an
178 action by the Sheriff is not sustained by a Board, the Board
179 shall order such remedial action as is appropriate, which may
180 include reinstatement with back pay, and may modify any
181 personnel action which was the subject of the appeal. No Board
182 shall have the authority to impose on any employee any penalty
183 which is more harsh than that which formed the basis of the
184 appeal.

185 (e) The decision of the Board shall be final and binding
186 on the employee and the Sheriff.

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T I T L E A M E N D M E N T

Remove lines 4-16 and insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4073 (2025)

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191 for permanent status; providing cause for suspension
192 or dismissal; providing for transition to new sheriff;
193 providing beginning date of employees; revising
194 procedures of Career Service Appeals Boards; requiring
195 the Sheriff to be represented by the Sheriff's General
196 Counsel or other specified representative; prohibiting
197 certain evidence from inclusion; authorizing the
198 chairperson to rule on the admissibility of evidence;
199 deleting provisions