

House Bill No. 1427

An act relating to sheriffs; amending s. 30.09, F.S.; providing an exception from bonding requirements for special deputies in the event of certain terrorist acts; amending s. 30.49, F.S.; revising provisions relating to submission of budgets by sheriffs; providing an effective date.

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

Section 1. Paragraph (e) of subsection (4) of section 30.09, Florida Statutes, is amended to read:

30.09 Qualification of deputies; special deputies.—

(4) EXCEPTIONS.—This section does not apply to the appointment of special deputy sheriffs appointed by the sheriff:

(e) To aid in preserving law and order, or to give necessary assistance in the event of any threatened or actual hurricane, fire, flood, or other natural disaster, or in the event of any major tragedy such as an act of local terrorism or a national terrorism alert, an airplane crash, a train or automobile wreck, or a similar accident.

The appointment of a special deputy sheriff in any such circumstance, except with respect to paragraph (g), may be made with full powers of arrest when the sheriff considers such appointment reasonable and necessary in the execution of the duties of his or her office. Except under circumstances described in paragraphs (a), (e), (f), and (g), the appointees must possess at least the minimum requirements established for law enforcement officers by the Criminal Justice Standards and Training Commission. The appointment of any such special deputy sheriff must be recorded in a register maintained for such purpose in the sheriff's office, showing the terms and circumstances of such appointment.

Section 2. Subsection (2) of section 30.49, Florida Statutes, is amended, and subsection (12) is added to said section, to read:

30.49 Budgets.—

(2)(a) The sheriff shall submit with the proposed budget his or her sworn certificate, stating that the proposed expenditures are reasonable and necessary for the proper and efficient operation of the office for the ensuing year. The ~~Each~~ proposed budget shall show the estimated amounts of all proposed expenditures for operating and equipping the sheriff's office and jail, excluding the cost of other than construction, repair, or capital improvement of county buildings during such fiscal year. The expenditures shall be categorized at the appropriate fund level in accordance with the following functional categories itemized as follows:

1. General law enforcement Salary of the sheriff.
2. Corrections and detention alternative facilities Salaries of deputies and assistants.
3. Court services, excluding service of process Expenses, other than salaries.
4. ~~Equipment.~~
5. ~~Investigations.~~
6. ~~Reserve for contingencies.~~

(b) Within the appropriate fund and functional category, The budget and expenditures shall be itemized in accordance with the uniform chart of accounts prescribed by the Department of Banking and Finance, as follows divided into the following categories:

1. Personal services Expenditures anticipated to be incurred in the maintenance and operation of local correctional facilities and detention alternative facilities and in the staffing of bailiffs and other personnel in assistance to the court, excluding service of process.
2. Operating expenses Expenditures anticipated to be incurred in providing other general law enforcement services of the sheriff.
3. Capital outlay.
4. Debt service.
5. Nonoperating disbursements and contingency reserves.

(c) The sheriff shall submit to the board of county commissioners for consideration and inclusion in the county budget, as deemed appropriate by the county, requests for construction, repair, or capital improvement of county buildings operated or occupied by the sheriff.

Section 3. This act shall take effect July 1, 2002.

Approved by the Governor April 25, 2002.

Filed in Office Secretary of State April 25, 2002.