

Committee Substitute for
Committee Substitute for Senate Bill No. 448

An act relating to county funding of additional court personnel; amending s. 29.0081, F.S.; specifying that the county be considered the employer; providing that employees funded by the county under this section and other county employees may be aggregated for purposes of a flexible benefits plan; prescribing supervisory duties of the judicial circuit; revising the status of positions funded under the section; providing an effective date.

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

Section 1. Section 29.0081, Florida Statutes, is amended to read:

29.0081 County funding of additional court personnel.—

(1) A county and the chief judge of a judicial circuit that includes that county may enter into an agreement under which the county funds personnel positions to assist in the operation of the circuit.

(2) The agreement shall, at a minimum, provide that:

(a) Funding for the positions is provided on at least a court fiscal-year basis.

(b) ~~The personnel whose employment is funded under the agreement are employees of the judicial circuit and are hired, supervised, managed, and fired by personnel of the judicial circuit. The county shall be considered the employer for purposes of s. 440.10 and chapter 443. Employees funded by the county under this section and other county employees may be aggregated for purposes of a flexible benefits plan pursuant to s. 125 of the Internal Revenue Code of 1986. The judicial circuit shall supervise the personnel whose employment is funded under the agreement; be responsible for compliance with all requirements of federal and state employment laws, including, but not limited to, Title VII of the Civil Rights Act of 1964, Title I of the Americans with Disabilities Act, 42 U.S.C. s. 1983, the Family Medical Leave Act, the Fair Labor Standards Act, chapters 447 and 760, and ss. 112.3187, 440.105, and 440.205; and fully indemnify the county from any liability under such laws, as authorized by s. 768.28(19), to the extent such liability is the result of the acts or omissions of the judicial circuit or its agents or employees.~~

(c) The positions terminate upon the expiration of, or substantial breach of, the agreement or upon the expiration of county funding for the positions.

(3) ~~Positions funded under this section shall be full-time equivalent positions of the judicial circuit but shall not count against any formula or similar process used by the Office of the State Courts Administrator to determine personnel needs or levels of a judicial circuit.~~

(4) Nothing in this section obligates the state to fund any personnel positions.

Section 2. This act shall take effect July 1, 2007.

Approved by the Governor June 19, 2007.

Filed in Office Secretary of State June 19, 2007.