

House Bill No. 1613

An act relating to the Walton County Sheriff's Office; providing the Walton County Sheriff's Office Career Service Employees' Act; providing applicability; providing for permanent status; providing for suspension, demotion, and dismissal; providing authority of the sheriff; providing for transition to new sheriff; providing authority of sheriff to adopt rules and regulations; providing beginning date of employees; providing for reimbursement of class C travel; providing for severability; providing an effective date.

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

Section 1. Walton County Sheriff's Office Career Service Employees' Act.—

(1) APPLICABILITY.—The transition provisions of this act shall apply to all full-time sworn and civilian employees in the employ of the Walton County Sheriff's Office. Those who hold the positions of Lieutenant and above as well as the financial officers and the secretary to the Sheriff shall be excluded from the provisions of this act. The provisions of this act shall not apply to the Sheriff or the Sheriff's Reserve and Auxiliary and the individuals appointed as part-time Deputy Sheriffs as defined by the Criminal Justice Standards and Training Commission, unless such person is also employed full-time by the Walton County Sheriff's Office. As used in this act, the terms "employee," "employ," and "employment" shall refer to all persons, whether employed or appointed, to whom the act applies. It is not, however, the intent of this act to grant the right to collective bargaining to the persons in the employ of the Walton County Sheriff's Office who do not otherwise have that right pursuant to law.

(2) PERMANENT STATUS; CAUSE FOR SUSPENSION, DEMOTION, 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 the Walton County Sheriff's Office; provided that if such an employee is terminated and rehired at a later date, said employee shall be required to complete 1 calendar year of service from the date of rehire before being granted permanent status, regardless of the reason for termination.

(b) Any employee who has achieved permanent status is not exempt from the disciplinary provisions as defined in the Walton County Sheriff's Office Policy and Procedure Manual. Causes for suspension, demotion, or dismissal will follow the established procedures outlined in the Walton County Sheriff's Office Policy and Procedure Manual. It is not a demotion under this act or the Walton County Sheriff's Office policy to be reassigned from special duties or from one shift or zone assignment to another or to be transferred from one division to another for the betterment of the department, even if a reduction in pay results.

(c) The Sheriff shall hold the authority to promote, demote, transfer, and determine disciplinary measures, including dismissal.

(3) TRANSITION OF CAREER SERVICE EMPLOYEES.—When a newly elected or appointed Sheriff assumes office, the new Sheriff shall continue the employment of all currently employed permanent personnel with the exceptions of those positions defined in subsection (1), unless there is just cause for dismissal as outlined in the Walton County Sheriff's Office Policy and Procedures Manual.

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

Section 2. (1) All sworn and civilian persons in the employ of the Walton County Sheriff's Office on the effective date of this act who have served for a period of 1 calendar year or more as of such date shall be permanent employees subject to the provisions of this act. All other employees shall become permanent employees subject to the provisions of this act upon reaching their 1 calendar year service anniversary date. Promotions, probationary service periods, demotions, transfers, and suspensions will not and do not affect the determination of the original career service beginning date (anniversary date) of employment for Walton County Sheriff's Office employees. The beginning date (anniversary date) of employment for sworn officers is and will be the date the Sheriff swears the officers in as law enforcement officers. The beginning of service for civilian employees will be the beginning date (anniversary date) as indicated by personnel and payroll records.

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

Section 3. Notwithstanding the provisions of section 112.061(6)(b), Florida Statutes, the Walton County Board of County Commissioners may reimburse the Chief of Administration for the Walton County Sheriff's Office for Class C travel on a per diem basis or on a subsistence allowable basis.

Section 4. The provisions of this act shall be severable and if any provision shall be held unconstitutional, the decision of the court regarding that provision shall not affect the validity of the remaining provisions. It is hereby declared to be the intent of the Legislature that the remaining provisions of the act would have been adopted had such unconstitutional provisions not been included therein.

Section 5. This act shall take effect upon becoming a law.

Approved by the Governor June 27, 2007.

Filed in Office Secretary of State June 27, 2007.