

## CHAPTER 2014-230

### House Bill No. 683

An act relating to Hillsborough County; amending chapter 2000-445, Laws of Florida, relating to the Civil Service Act; providing an agency or authority with the ability to opt out of or opt into provisions of the act that regulate personnel functions; authorizing an agency or authority that has elected to opt out of certain personnel functions to contract with the Civil Service Board to provide the same personnel functions in a nonregulatory capacity; providing for an appropriation to the Civil Service Board to carry out the purposes of the act; requiring the commission to consider the level of services provided by the Civil Service Board to the participating agencies or authorities; providing an effective date.

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

Section 1. Sections 4 and 15 of chapter 2000-445, Laws of Florida, are amended to read:

#### Section 4. Application.—

(1) The provisions of this act apply to all classified personnel employed by the following agencies or authorities within the county: the commission, the county administrator, clerk of the circuit court, supervisor of elections, property appraiser, tax collector, sheriff, environmental protection commission, aviation authority, port authority, planning commission, public transportation commission, expressway authority, law library, legislative delegation, soil and water conservation district, civil service board, sports authority, children's board, county attorney, arts council, victim assistance, and any other agency or authority not expressly exempt from this act. Each municipality in the county, the judiciary, and the District School Board of the county are expressly exempt from this act until and unless each executes an interlocal agreement with the board pursuant to general law. Positions within the Administrative Office of the Courts which were classified as of January 1, 1998, and which are funded by the county are subject to section 13 of this act.

(2) Each agency or authority listed in this section that is not expressly exempt from this act remains subject to sections 11 and 12. With respect to the remaining provisions of this act, each agency or authority has the option to either opt out of or opt into any provision that relates to personnel functions by providing notice to the board during the election period as provided in this subsection. Personnel functions subject to the opt-out or opt-in election include, but are not limited to, employee recruitment; selection and hiring process; creation and adoption of classification plans, benefit plans, and pay plans; promotions; abolition and creation of positions; filling vacancies; performance review and evaluation systems; reductions in force and methods of reemployment; guidelines for leave; determination of

classified service status and tenure; and any other human resources functions. The agency or authority that has elected to opt out of or opt into any provision of this act has the exclusive authority to determine which corresponding Civil Service Rules shall apply to that specific agency or authority.

(a) The notice shall cite the specific provision of this act that the agency or authority has elected to either opt out of or opt into, and identify the group of employees subject to the opt-out or opt-in election, including designations based on job classifications, divisions, dates of employment, or any other delineated group of employees as determined by the agency or authority. The notice shall also identify the personnel functions that are covered by the opt-out or opt-in election.

(b) For the initial election period, the agency or authority shall provide notice of its opt-out or opt-in election on or after July 1, 2014, but not later than July 31, 2014, with an implementation date for the election to be October 1, 2014. For each election period thereafter, the agency or authority shall provide notice of its opt-out or opt-in election on or after December 1 but not later than December 31 of that year, with an implementation date for the election to be the first day of the next fiscal year.

(c) If an agency or authority does not submit notice of its opt-out or opt-in election to the board during any designated election period, the provisions of this act applicable to the agency or authority before the election period shall remain in effect. An agency or authority that elects to opt out of any personnel function regulated by this act may, at its discretion, contract with the board to continue to provide the same personnel functions in a nonregulatory capacity.

Section 15. Appropriation for the board.—The commission shall appropriate to the board annually a sum of money equal to not less than sixty-five hundredths of 1 percent of the classified personnel payroll of the fiscal year just ended, less the cost of providing any personnel functions that an agency or authority has chosen to opt out of, in order to enable the board to properly carry out the purposes of this act. In determining the annual appropriation of funds, the commission shall also consider the cost of personnel functions provided to agencies or authorities that have contracted with the board for some or all of the personnel functions of which it has opted out, and any additional personnel functions that the board has contracted with an agency or authority to provide. It is the duty of the authorities having charge of the public buildings of such county to allow the reasonable use of public buildings and rooms for the holding of any activity of the board provided for by this act and to provide quarters for the use of the board.

Section 2. This act shall take effect July 1, 2014.

Approved by the Governor May 12, 2014.

Filed in Office Secretary of State May 12, 2014.