

## CHAPTER 2022-14

### Committee Substitute for Senate Bill No. 1658

An act relating to executive appointments; amending s. 20.201, F.S.; requiring that the executive director of the Department of Law Enforcement be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side; amending s. 20.255, F.S.; requiring the appointment of the secretary of the Department of Environmental Protection be subject to the concurrence of three members of the Cabinet or confirmation by the Senate; requiring the Governor to notify the Cabinet and the President of the Senate in writing of the method of confirmation; requiring the Governor, if seeking the concurrence of the Cabinet, to seek such concurrence at the first scheduled meeting after appointment; providing that an appointee who does not receive the concurrence of the Cabinet may serve for a specified timeframe; providing that an appointee who does not receive concurrence from the Cabinet is not eligible for appointment to the same office for a specified timeframe; providing procedures for confirmation by the Senate; amending s. 20.37, F.S.; requiring that the executive director of the Department of Veterans' Affairs be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side; providing an effective date.

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

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. ~~The appointment is with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) Notwithstanding s. 20.05(2), the head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor, with the concurrence of three members of the Cabinet or subject to confirmation by the Senate.

(a) Upon appointment, the Governor shall, in writing, notify the Cabinet and the President of the Senate that he or she will seek either the concurrence of three members of the Cabinet or confirmation of the appointee by the Senate.

(b) If the Governor seeks the concurrence of three members of the Cabinet for the appointment, such concurrence must be obtained at the first scheduled meeting of the Cabinet following the appointment. If concurrence of three members of the Cabinet is not obtained at such meeting, the appointee may be held over until his or her successor is appointed and qualified, but the period of such holdover may not exceed 30 days from the date of the Cabinet meeting at which the appointment was considered. An appointee who does not receive the concurrence of three members of the Cabinet is not eligible for appointment to the same office for 1 year after the date of the Cabinet meeting at which the appointment was considered.

(c) If the Governor seeks confirmation of the appointee by the Senate, s. 114.05 applies ~~The secretary shall be confirmed by the Florida Senate.~~

(d) The secretary shall serve at the pleasure of the Governor.

Section 3. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is with the approval of three members of the Cabinet and subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor March 10, 2022.

Filed in Office Secretary of State March 10, 2022.