

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 40B

SPONSOR: Senator Burt

SUBJECT: Approved Leave

DATE: October 22, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wilson	Wilson	GO	Favorable
2.	_____	_____	RC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Senate Bill 40B permits a state agency of the executive branch to grant American National Red Cross trained and certified disaster service personnel administrative leave for rendering services in disasters occurring in the United States and not just within the State of Florida.

This bill substantially amends section 110.120, Florida Statutes.

II. Present Situation:

Chapter 110, Florida Statutes, governs the employment policies of the State of Florida. It is divided into five parts: Part I deals with general state employment provisions; Part II deals with the Career Service System; Part III deals with the Senior Management Service System; Part IV deals with volunteers; and Part V deals with the Selected Exempt Service System. Implementing rules are codified in Chapter 60, Florida Administrative Code (FAC) and provide general authority to the Department of Management Services.

The FAC divides approved leave into several categories: annual, or vacation, leave; sick leave for approved personal and family-related illnesses including maternity/paternity/adoption; compensatory leave for approved work in excess of the normal work period in lieu of eligibility for overtime pay; four types of military leave, for participation in activities of the uniformed armed services including periodic reserve or National Guard duty; disability leave, for injury sustained in the line of duty; administrative leave, which is inclusive of jury duty, emergency conditions, athletic competition, academic mentoring, or pre-disciplinary investigation; and educational leave, for the purpose of receiving training of benefit to the public employer.

Section 110.120, F.S., permits an employee of a state executive branch agency to be granted an approved leave of absence with pay for up to 15 days in any twelve-month period to participate in disaster-related activities of the American National Red Cross. The affected employee must be a certified disaster services volunteer of that organization. The approval to participate extends to disaster services in the State of Florida only.

III. Effect of Proposed Changes:

The bills amends s. 110.120, F.S., to permit an executive branch agency of state government to provide an approved leave of absence with pay for disaster related service participation by a state employee in a disaster within the boundaries of the United States, not just the State of Florida.

The bill is effective upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill provides for the use of qualified disaster services personnel otherwise in state employment for assignment to other jurisdictions outside of the State of Florida. The employing state agency bears no responsibility for worker's compensation insurance coverage.

C. Government Sector Impact:

The Department of Management Services has only recently started to collect information on the impact of the current law on state agencies, although the apparent impact is not believed to be substantial or disruptive. The employing state agency or the Governor and Cabinet, makes the final determination on employee participation.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
