

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 783 Relating to Broward County
SPONSOR(S): Seiler
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Urban & Local Affairs</u>	_____	<u>Kruse</u>	<u>Kruse</u>
2) <u>Government Efficiency & Accountability Council</u>	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

This bill requires the appointment of the Broward County Clerk of Courts to the Broward County Public Safety Coordinating Council.

The bill has an effective date of upon becoming law.

According to the Economic Impact Statement, this bill will not have a fiscal impact.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

This bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

Public Safety Coordinating Councils

Each county is required to create a Public Safety Coordinating Council.¹ The board of county commissioners for a county makes the appointments to the council which consists of the following appointees:

1. The state attorney, or an assistant state attorney designated by the state attorney.
2. The public defender, or an assistant public defender designated by the public defender.
3. The chief circuit judge, or another circuit judge designated by the chief circuit judge.
4. The chief county judge, or another county judge designated by the chief county judge.
5. The chief correctional officer.
6. The sheriff, or a member designated by the sheriff, if the sheriff is not the chief correctional officer.
7. The state probation circuit administrator, or a member designated by the state probation circuit administrator, to be appointed to a 4-year term.
8. The chairperson of the board of county commissioners, or another county commissioner as designee.
9. If the county has such program available, the director of any county probation or pretrial intervention program, to be appointed to a 4-year term.
10. The director of a local substance abuse treatment program, or a member designated by the director, to be appointed to a 4-year term.
11. Representatives from county and state jobs programs and other community groups who work with offenders and victims, appointed by the chairperson of the board of county commissioners to 4-year terms.²

A Public Safety Coordinating Council has two purposes:

1. to assess the population status of all detention or correctional facilities owned or contracted by the county, or the county consortium, and to formulate recommendations to ensure that the capacities of such facilities are not exceeded. The recommendations must include an assessment of the availability of pretrial intervention or probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted by the county, or the county consortium.³

¹ Section 951.26(1), F.S.

² Section 951.26(1)(a), F.S.

³ Section 951.26(2), F.S.

2. to develop a local public safety plan for future construction needs, if the council should decide it is necessary. The plan must cover at least a 5-year period and may be submitted for consideration to the local planning agency for the county at least 120 days before the adoption of or amendment to the comprehensive plan for the county by the local planning agency pursuant to part II of chapter 163.⁴

Effect of Proposed Changes

HB 783 requires the Broward County Board of County Commissioners to appoint the Broward County Clerk of Courts to the Broward County Public Safety Coordinating Council. The Broward County Clerk of Courts has indicated that because of the direct impact his office has on the work of the Council, that it would be logical for the Clerk to be a member of the Council.

The bill provides an effective date of upon becoming law.

C. SECTION DIRECTORY:

Section 1: Requires the appointment of the Broward County Clerk of Courts to the Broward County Public Safety Coordinating Council.

Section 2: Provides an effective date.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 12, 2007.

WHERE? The Sun Sentinel, a daily paper of general circulation published in Broward, Palm Beach, and Miami-Dade County.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

According to the Economic Impact Statement, this bill will have no fiscal impact.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

⁴ Section 951.26(3)(a), F.S.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Drafting Issues

None.

Other Comments

None.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES