

DATE: April 10, 1979

April 12, 1979 (Revised)

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

ANALYST	STAFF DIRECTOR
1. <u>O'Farrell</u>	<u>Myers</u>
2. _____	_____
3. _____	_____

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	REFERENCE	ACTION
1.	<u>Ed</u>	<u>Fav</u>
2.	<u>W&M E</u>	_____
3.	<u>W&M</u>	_____

SUBJECT:
 Reimbursement of Judgements -
 District School Board Employees

BILL No. AND SPONSOR:
 SB 474 by
 Senator Steinberg

I. SUMMARY:

A. Present Situation:

School boards may provide legal services for officers or employees charged with civil or criminal actions which may arise out of the performance of assigned duties and responsibilities.

B. Effect of Proposed Changes:

The bill authorizes school boards to reimburse officers or employees for monetary judgements entered against them in civil actions arising from the performance of assigned duties and responsibilities.

The board must take action to provide reimbursement under this provision at a public meeting noticed in accordance with s. 120.53(1)(d), F.S.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None

B. Government:

There would be a limited impact on local school districts. Since reimbursement would be permissive and each claim would require separate action, accurate cost estimates cannot be made.

COMMITTEE ON EDUCATION

DATE April 12, 1979

Date Reported 4/12/79

TIME 1:00-6:00 P.M.

FINAL ACTION:

PLACE ROOM A

Favorably with _____ amendments

OTHER COMMITTEE REFERENCES:
(In order shown)

_____ Favorably with Committee Substitute

_____ Unfavorably

_____ Ways & Means Subcommittee E

OTHER: _____ Temporarily Passed

_____ Ways and Means

_____ Reconsidered

THE VOTE WAS:

_____ Not Considered

FINAL BILL VOTE		SENATORS	Aye		Nay		Aye		Nay		Aye		Nay	
Aye	Nay													
		Chamberlin												
		Childers												
		Frank												
		Maxwell												
		Peterson												
		Steinberg												
		Tobiassen												
		Winn												
		Ware												
		MacKay												
<input checked="" type="checkbox"/>		TOTAL												
Aye	Nay		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay		

Without objection

(Attach additional page if necessary)

Case Complete: The key sponsor appeared ()
 A Senator appeared ()
 Sponsor's aide appeared ()
 Other appearance ()

SB 474
Steinberg

36-783-9

1 A bill to be entitled

2 An act relating to district school boards;
3 amending s. 230.234, Florida Statutes;
4 authorizing a district school board to
5 reimburse an officer or employee thereof for
6 certain judgments; providing a procedure for
7 reimbursement; declaring reimbursement a school
8 district purpose; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Section 230.234, Florida Statutes, is
13 amended to read:

14 230.234 Legal services for employees.--The school
15 boards of the several districts are authorized to provide
16 legal services for officers and employees of said boards who
17 are charged with civil or criminal actions arising out of and
18 in the course of the performance of assigned duties and
19 responsibilities. However, in any case in which the officer
20 or employee pleads guilty or nolo contendere or is found
21 guilty of any such action, the officer or employee shall
22 reimburse the board for any legal services which the board may
23 have supplied pursuant to this section. A school board may
24 also reimburse an officer or employee of the school board for
25 any judgment which may be entered against him in a civil
26 action arising out of and in the course of the performance of
27 his assigned duties and responsibilities. Each determination
28 of the school board to expend funds for legal defense of an
29 officer or employee, or for reimbursement pursuant to this
30 section, shall be made at a public meeting with notice
31 pursuant to paragraph 120.53(1)(d). The providing of such

1

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined are additions.

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1 legal services or reimbursement under the conditions described
2 above is declared to be a district school purpose for which
3 district school funds may be expended.

4 Section 2. This act shall take effect upon becoming a
5 law.

6
7 *****

8 SENATE SUMMARY

9 Authorizes a district school board to reimburse an
10 officer or employee thereof for any judgment entered
11 against him in a civil action arising out of and in the
12 course of the performance of his assigned duties and
responsibilities. Provides a procedure for
reimbursement. Declares that reimbursement is a district
school purpose.

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