

CEO 14-10 - April 30, 2014

EMPLOYEES HOLDING OFFICE; DUAL PUBLIC EMPLOYMENT
COUNTY EMPLOYEE APPOINTED TO FILL VACANCY ON
COUNTY COMMISSION

To: *Mr. Rick Brown (Okeechobee)*

SUMMARY:

Section 112.313(10), Florida Statutes, would not be violated were an employee of a county to be appointed to fill a vacancy on the county commission, where he would take an unpaid leave of absence from his county employment while he holds office. Nor would his re-employment by the county upon leaving office violate the dual public employment provision contained in Section 112.3125, Florida Statutes, since he would no longer be a public officer when he returns to his employment with the county. CEO 81-21 is referenced.

QUESTION:

Would the appointment of a county commission employee to a vacancy on the county commission, and his subsequent reemployment by the county when his term of office ends, violate Section 112.313(10), Florida Statutes, or violate the dual public employment provision in Section 112.3125, Florida Statutes?

Under the circumstances presented, your question is answered in the negative.

From your letter of inquiry we are advised that you are employed by the Glades County Board of County Commissioners, and have applied for a vacancy on the County Commission created by the death of a County Commissioner. The Governor will fill the vacancy by appointment, and you have submitted an application for consideration. You question whether you could take an unpaid leave of absence from your County employment if you were to receive the appointment, and then return to your position when the term of office ends, without violating Sections 112.313(10) or 112.3125, Florida Statutes.

Section 112.313(10) provides in relevant part:

EMPLOYEES HOLDING OFFICE.-No employee of a state agency or of a county, municipality, special taxing district, or other political subdivision of the state shall hold office as a member of the governing board, council, commission, or authority, by whatever name known, which is his or her employer while, at the same time, continuing as an employee of such employer.

This provision prohibits a county employee from simultaneously serving on the same county's governing board. However, we find that it would not be violated were you to take a leave of absence from your current employment. In CEO 81-21, the Commission noted that the First District Court of Appeal, in deciding Wright v. Commission on Ethics, 389 So. 2d 662 (Fla. 1st DCA 1980), concluded that Section 112.313(10), Florida Statutes, would not be violated where a teacher in a continuing contract position in the school district took a personal leave of absence while serving on the school board, because she would no longer be an employee of the school district if she performed no teaching services and received no compensation while she was on leave of absence status. Therefore, under this precedent, your appointment to the County Commission while you take an unpaid, personal leave of absence from your County job would not violate Section 112.313(10), Florida Statutes.

You have also asked us to construe Section 112.3125, Florida Statutes, which was enacted in 2013. It provides:

DUAL PUBLIC EMPLOYMENT.-

(1) As used in this section, the term "public officer" includes any person who is elected to state or local office or, for the period of his or her candidacy, any person who has qualified as a candidate for state or local office.

(2) A public officer may not accept public employment with the state or any of its political subdivisions if the public officer knows, or with the exercise of reasonable care should know, that the position is being offered by the employer for the purpose of gaining influence or other advantage based on the public officer's office or candidacy.

(3) Any public employment accepted by a public officer must meet all of the following conditions: (a) The position was already in existence or was created by the employer without the knowledge or anticipation of the public officer's interest in such position; (b) The position was publicly advertised; (c) The public officer was subject to the same application and hiring process as other candidates for the position; and (d) The public officer meets or exceeds the required qualifications for the position.

(4) A person who was employed by the state or any of its political subdivisions before qualifying as a public officer for his or her current term of office or the next available term of office may continue his or her employment. However, he or she may not accept promotion, advancement, additional compensation, or anything of value that he or she knows, or with the exercise of reasonable care should know, is provided or given as a result of his or her election or position, or that is otherwise inconsistent with the promotion, advancement, additional compensation, or anything of value provided or given an employee who is similarly situated.

(5) This section may not be interpreted as authorizing employment that is otherwise prohibited by law.

By its own terms, we find that the statute would not prohibit you from reactivating your county employment after your term of office ends, since you would cease to be a County Commissioner ("public officer" as defined in the statute) at that time.

Accordingly, we find that you would not violate Sections 112.313(10) or 112.3125, Florida Statutes, if you were to take an unpaid leave of absence from your County job while you serve on the County Commission, and then return to your County job after your term of office ends.

ORDERED by the State of Florida Commission on Ethics meeting in public session on April 25, 2014, and **RENDERED** this 30th day of April, 2014.

Morgan R. Bentley, Chairman

CEO 93-26 -- September 2, 1993

CONFLICT OF INTEREST

SUSPENDED ELECTRIC AUTHORITY EMPLOYEE WORKING ON AUTHORITY AND UNRELATED PROJECTS WHILE EMPLOYED BY A CONTRACTOR DURING HIS SUSPENSION FROM THE AUTHORITY

To: *Neil W. McArthur, Jr., Assistant General Counsel (Jacksonville)*

SUMMARY:

As suspension of a public employee from office is not permanent and embraces the assumption that he will resume his duties at a future date, the Code of Ethics remains applicable to him during his period of suspension. Temporary suspension represents not a termination of public duty but rather an interstice which requires that in order to insure that conduct violative of the Code of Ethics not accompany the employee upon his resumption of public duties, the Code remain applicable to him during the period of his suspension. CEO 76-150 is referenced.

Because the public employee is performing the same job tasks for his agency's contractor that he would be performing, if it were not for his suspension, as part of his public responsibilities, a prohibited conflict of interest in violation of Section 112.313(7)(a), Florida Statutes, exists. However, no prohibited conflict of interest is created by the employee's employment with his agency's contractor working on projects unrelated to his public agency because his public responsibilities would be unrelated to and removed from the contractor and its contract with his agency, and his employment with the contractor would not interfere with the full and faithful discharge of his public duties.

QUESTION 1:

Is a public employee, who is suspended without pay or is on leave without pay, but whose group insurance continues to be paid by his agency, still considered a public employee for purposes of the applicability of the Code of Ethics during the period of his suspension?

Your question is answered in the affirmative.

In your letter of inquiry and response to staff's questions, you advise that you are an Assistant General Counsel for the City of Jacksonville representing the Jacksonville Electric Authority ("J.E.A."). You advise that the J.E.A. is a legislatively created body politic and corporate as well as an independent agency of the City of Jacksonville. Therefore, it meets the definition of "agency" as contemplated by Section 112.312(2), Florida Statutes, you advise. You also advise that under J.E.A. charter provisions, J.E.A. employees are City employees.

You write that you seek this opinion on behalf of Terry R. Scott, Division Chief for the Southside Generating Station, who has the authority to terminate the employment of the employee who is the subject of this inquiry, subject to a due process hearing by the City's Civil Service Board. You advise that J.E.A. employees may be disciplined for cause by suspension without pay. They also may take leaves of absence from their employment without pay. You advise, however, that although no salary is paid during the employee's period of suspension or leave without pay, the J.E.A. continues to pay for the employee's group insurance coverage because the employment position is still filled.

You advise that an employee also may be terminated from employment for cause following the City's due process procedure or he may voluntarily either resign or abandon his position. Unless one of the two occurs, you write, an employee who is suspended without pay or is on leave without pay continues to be an employee of the J.E.A. for bookkeeping purposes and remains in that status until such time as the employment is terminated for cause, resignation, or abandonment.

You advise that a J.E.A. mechanical technician has been suspended without pay until September 30, 1993 because, although his job description requires him to have a valid Florida Drivers License, the employee's drivers license has been suspended by the Courts. You advise that if his drivers license has not been reinstated by September 30, the employee either will resign or be terminated pursuant to the appropriate procedures. However, your concern relates to the fact that this employee has become a salaried employee of a company which contracts with the J.E.A. for various work. You advise that in addition to performing mechanical maintenance for the private contractor on J.E.A. related matters, the employee also works on other area projects not involving the J.E.A.

As a JEA Mechanical Technician, the employee is required to perform various types of welding, machining, and mechanical work relating to the maintenance of equipment within the Power Generation Department. Our staff has also been advised by J.E.A. staff that the work that the employee performs for the contractor is always similar to the type of work that he performs in his public employment for the J.E.A., and in some cases is the same. We are advised that the contractor has contracted with the J.E.A. to do the same type of work that the employee would be performing, if it were not for his suspension, at the same job sites as part of his public duties. However, the employee is not and was not responsible for the contract between the J.E.A. and the contractor.

In CEO 76-150, an opinion concerning a suspended police chief selling to the city's water department, we noted:

As suspension from office is not permanent, but rather embraces the assumption that the suspended public employee or officer will resume his duties at a future date, a suspended public employee is in a position distinct from that of an ordinary citizen. The temporary suspension from office represents not a termination of public duty, but rather an interstice. . . . For purposes of the Code of Ethics, interstices in ongoing employment do not exempt one from provisions of the Code of Ethics, for such exemption would afford opportunities for evasion of the law through manipulation of pay periods, termination dates, etc.

We then found that in order to keep within the spirit or intent of the Code of Ethics, "[d]uring interstices in public employment, the duty to uphold the public's trust in its officials is still mandatory to insure that conduct violative of the code will not accompany one upon resumption of public duties." We have seen nothing that would lead us to change our opinion.

Accordingly, we find that a public employee who is suspended without pay or is on leave without pay, but whose group insurance is paid by his agency, is a public employee for purposes of the applicability of the Code of Ethics to him.

QUESTION 2:

Would a prohibited conflict of interest be created were a suspended public employee to work on J.E.A. projects and unrelated projects while employed with a J.E.A. contractor during his period of suspension from the J.E.A.?

As long as the employee is not performing the same tasks for the contractor that he would be performing as part of his public duties, your question is answered in the negative.

The Code of Ethics for public Officers and Employees provides in relevant part:

CONFLICTING EMPLOYMENT OR
CONTRACTUAL RELATIONSHIP.--No public officer or
employee of an agency shall have or hold any employment or
contractual relationship with any business entity or any agency
which is subject to the regulation of, or is doing business with,
an agency of which he is an officer or employee . . . ; nor shall
an officer or employee of an agency have or hold any
employment or contractual relationship that will create a
continuing or frequently recurring conflict between his private
interests and the performance of his public duties or that would
impede the full and faithful discharge of his public duties.
[Section 112.313(7)(a), Florida Statutes.]

This provision prohibits the suspended employee from holding an employment or contractual relationship with a business entity which is either doing business with or is regulated by the J.E.A. and prohibits him from holding an employment or contractual relationship that would create a continuing or frequently recurring conflict between his private interests and the performance of his public duties or would impede the full and faithful discharge of his public duties. However, the literal language of this prohibition is tempered by the following provision:

CONSTRUCTION.--It is not the intent of this part, nor
shall it be construed, to prevent any officer or employee of a
state agency, or county, city or other political subdivision of the
state or any legislator or legislative employee from accepting
other employment or following any pursuit which does not
interfere with the full and faithful discharge by such officer,
employee, legislator, or legislative employee of his duties to the

state or the county city, or other political subdivision of the state involved. [Section 112.316, Florida Statutes.]

This provision mandates that the Code of Ethics not be construed to prohibit a public employee from engaging in private pursuits which do not interfere with the full and faithful discharge of his public duties.

Because one of the central purposes of Section 112.313(7)(a), Florida Statutes, is to prohibit those situations in which a public officer or employee obtains preferential treatment from, or awards public business to, a business with which he is associated, we have interpreted Section 112.316, Florida Statutes, to apply to situations in which an employee is not in a position to give advice or recommendations regarding any business transacted between his agency and a business entity. See CEO 76-10 and CEO 88-2. We also have applied it and found no conflict where the employee had no input into her agency's purchasing decision (CEO 82-76), the employee's public responsibilities were removed from the organization employing him and its contract with his agency (CEO 84-20), the employee played no role in the contracting process between his agency and his private employer and his public duties were unrelated to the private employer and its contract with his agency (CEO 84-24, CEO 84-99 and CEO 89-62), the employment did not interfere with the full and faithful discharge of the public employee's discharge of his public duties (CEO 86-24), the employee was not in a position in his public employment to influence referral of his agency's clients and he would not accept clients affiliated with the institution where he worked (CEO 86-30, CEO 87-34, and CEO 89-62), and the employee had no role in the licensure or inspection of his private employer (CEO 87-34 and CEO 89-62).

Accordingly, with respect to the employee's working on J.E.A. projects as part of his employment with the J.E.A. contractor, because his public responsibilities do not appear to be unrelated to and removed from the contractor and its contract with the J.E.A. (we are advised that he is performing the same job tasks for the contractor that he would be performing as part of his public responsibilities, if he were not suspended), we find that a prohibited conflict of interest appears to exist. However, we also find that no prohibited conflict of interest in violation of Section 112.313(7)(a), Florida Statutes, would exist were the employee to work solely on area projects unrelated to the J.E.A. because, under these circumstances, the employee's public responsibilities would be unrelated to and removed from the contractor and its contract with the J.E.A. and his outside employment with the contractor would not appear to interfere with the full and faithful discharge of his public duties.

CEO 81-21 -- April 2, 1981

CONFLICT OF INTEREST

SCHOOL BOARD MEMBER ON LEAVE OF ABSENCE FROM POSITION AS PRINCIPAL IN SCHOOL DISTRICT

To: *Gerald E. Adair, Member, Monroe County School Board, Tavernier*

SUMMARY:

This opinion revokes CEO 78-94, in which the Commission advised that a school board member would be prohibited from taking a leave of absence from his position as a principal in the school system while serving on the school board. In *Wright v. Commission on Ethics*, 389 So. 2d 62 (Fla. 1st D.C.A., 1980), the First District Court of Appeal held that a school board member who had taken a personal leave of absence from her continuing contract position as a teacher was not in violation of Section 112.313(10), F. S., because she was no longer an "employee" of the school board as she was performing no teaching services for, and receiving no compensation from, the school board while on a personal leave of absence. Therefore, as the subject school board member would not be providing any services or receiving any compensation while on personal leave of absence from his prior position as principal, no prohibited conflict of interest would be created were he to take such a leave of absence.

QUESTION:

Does the Code of Ethics for Public Officers and Employees prohibit a school board member from taking a leave of absence from his position as a principal in the school system while serving on the board?

In a previous advisory opinion to you, CEO 78-94, we answered this question in the affirmative. However, in light of the opinion of the First District Court of Appeal in the case of *Wright v. Commission on Ethics*, 389 So.2d 662 (Fla. 1st D.C.A., 1980), we are obliged to revoke CEO 78-94 and to answer your question in the negative.

In CEO 78-94 we advised that Section 112.313(10), F. S., would prohibit you from seeking a personal leave of absence from your prior position as school principal in order to guarantee that position at the end of your term on the School Board, even though the leave of absence would be without pay and without any of the benefits which would accrue to a person who is actively employed as a principal. That Section of the Code of Ethics prohibits an employee of a political subdivision from holding office as a member of the governing board which is his employer while continuing as an employee.

In *Wright v. Commission on Ethics*, the First District Court of Appeal held that a School Board member who had taken a personal leave of absence from her continuing contract position as a teacher was not in violation of Section 112.313(10) because she was no longer an "employee" of the School Board. The Court based its holding on the fact that the School Board

member in that case performed no teaching services for, and received no compensation from, the School Board while on a personal leave of absence.

Accordingly, as you would not be providing any services or receiving any compensation while on personal leave of absence from your prior position as principal, we find that the Code of Ethics does not prohibit you from taking a personal leave of absence from your former position as a principal in the school system while serving on the School Board. CEO 78-94 is revoked with the issuance of this opinion.

CEO 76-150 -- September 13, 1976

CONFLICT OF INTEREST

SUSPENDED POLICE CHIEF SELLING TO WATER DEPARTMENT

To: *(Name withheld at the person's request.)*

Prepared by: *Gene Rhodes*

SUMMARY:

As the term "suspension" refers to a cessation which is not permanent, so that there is an expectation inferred that there will be a resumption in the future, a municipal police chief who has been temporarily suspended from office is deemed to constitute a public officer subject to the standards of conduct provisions of the Code of Ethics. One of the statutorily expressed intents of the code is to maintain the respect of the people in their government; therefore, interstices in public employment or office do not obviate the necessity that such officials maintain ethical standards required of public servants.

Where a suspended police chief acts through an agent to sell goods to the city's water department, however, no conflict of interest is deemed to exist. Although Florida Statute s. 112.313(3)(1975) prohibits an officer or employee of a political subdivision from selling goods to any agency of that subdivision, primary emphasis is placed on s. 112.316, providing that the Code of Ethics is not to be construed as prohibiting private pursuits which do not interfere with the discharge of public duty. As a police chief's duties in no way involve the purchase of goods by other city departments, no violation of s. 112.313(3) is constituted. As the police department and the water department are separate agencies, neither does a conflict exist under s. 112.313(7). However, the Ethics Commission views with extreme disfavor attempts to avoid ethical standards via contracting through a third party.

QUESTIONS:

1. Is a police chief subject to the provisions of the Code of Ethics for Public Officers and Employees during the time that he is temporarily suspended from office without pay?
2. Does a prohibited conflict of interest exist where a police chief sells goods to the city's water department?

Question 1 is answered in the affirmative.

You state in your letter of inquiry that the chief of police of your city has been temporarily suspended. Inasmuch as the Code of Ethics over which this commission exercises advisory jurisdiction applies only to public officers and employees, it is incumbent upon us to consider first whether a suspended chief of police falls within either of these categories.

The term "suspension" refers to a cessation which is not permanent so that there is an expectation inferred that there will be a resumption in the future. See *Gaston v. Pittman*, 288 F. Supp. 645, 649 (Fla.); *Daniel v. Citizens & So. Nat. Bank*, 185 S.E. 696; *Ex parte Diggs*, 52 Ala. 381, 383; *Flamingo, Inc. v. Nebraska Liquor Central Comm.*, 173 N.W.2d 369, 371, *Kansas St. Bd. Healing Arts v. Seashore Kansas*, 540 P.2d 576, 578. See also 67 C.J.S. Officers s. 58; 63 Am. Jur.2d Public Officers and Employees s. 225.

As suspension from office is not permanent, but rather embraces the assumption that the suspended public employee or officer will resume his duties at a future date, a suspended public employee is in a position distinct from that of an ordinary citizen. The temporary suspension from office represents not a termination of public duty, but rather an interstice. In a previous opinion of this commission, CEO 75-153, we held that public employees contracting for work on the basis of a 9-month academic year nonetheless are public employees year around, their status not being negated by the interposition of the 3-month break between academic years. We view the situation before us as analogous. For purposes of the Code of Ethics, interstices in ongoing employment do not exempt one from provisions of the Code of Ethics, for such exemption would afford opportunities for evasion of the law through manipulation of pay periods, termination dates, etc.

In its statement of intent and declaration of policy, the Legislature, in enacting the Code of Ethics for Public Officers and Employees, declared an essential purpose of the code to be to "strengthen the faith and confidence of the people of the state in their government" Fla. Stat. s. 112.311(5)(1975). It was further declared as a matter of state policy that public officers and employees "are agents of the people and hold their positions for the benefit of the public," and that "maintaining the respect of the people in their government must be of foremost concern." Fla. Stat. s. 112.311(6)(1975).

During interstices in public employment, the duty to uphold the public's trust in its officials is still mandatory to insure that conduct violative of the code will not accompany one upon resumption of public duties. To rule otherwise would not be within the spirit or intent of the Code of Ethics as cited above.

We acknowledge familiarity with AGO 073-146 on this question. Inasmuch as the ethics laws have been revised substantially since 1973, however, and since this commission now is charged with the duty to interpret and apply this law, we respectfully disagree with the Attorney General's earlier conclusion and find a public official under temporary suspension from office or employment to be subject to the standards of conduct provisions of the Code of Ethics.

Question 2 is answered in the negative.

Your letter of inquiry advises us that, in September of 1975, the chief of police of your municipality had an opportunity to sell goods to the city's water department through a business which he owned and operated. According to an affidavit signed by one of the chief's friends, the chief thought that such sale might constitute a conflict of interest and therefore routed the sale through that friend's corporation. The sales were consummated, and the chief received the proceeds of the sale.

The following provision of the Code of Ethics for Public Officers and Employees was in effect at the time the subject sale took place.

CONFLICTS PROHIBITED. -- No public officer or employee of an agency shall own a material interest in any business entity doing business with the agency of which he is an

officer or employee, except in those cases when the business is contracted with full public competition and award is made to the lowest or best bidder or to a consultant in accordance with s. 287.055. [Fla. Stat. s. 112.313(2)(1974 Supp.).]

That version of the code defined the term "agency" to mean:

. . . any state, county, local, or municipal governmental entity, whether executive, judicial, or legislative, and any department, division, bureau, commission, authority, or special taxing district therein with authority to exercise the sovereign power of the state. [Fla. Stat. s. 112.312(1)(1974 Supp.).]

In effect the police chief did business with the water department. However, the water department and the police department are separate agencies for purposes of the Code of Ethics. Consequently, no prohibited conflict existed under the former s. 112.313(2).

Please note that no prohibited conflict would have existed were the revised Code of Ethics in effect at the time the sale was made. The Code of Ethics for Public Officers and Employees states in relevant part:

DOING BUSINESS WITH ONE'S AGENCY. -- No employee of an agency acting in his official capacity as a purchasing agent, or public officer acting in his official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his own agency from any business entity of which he or his spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or his spouse or child, or any combination of them, has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to his own agency, if he is a state officer or employee, or to any political subdivision or any agency thereof, if he is serving as an officer or employee of that political subdivision. The foregoing shall not apply to district offices maintained by legislators when such offices are located in the legislator's place of business. This subsection shall not affect or be construed to prohibit contracts entered into prior to:

- (a) October 1, 1975.
- (b) Qualification for elective office.
- (c) Appointment to public office.
- (d) Beginning public employment.

[Fla. Stat. s. 112.313(3)(1975); emphasis supplied.]

As you can see, the emphasized portion of this provision prohibits a public officer or employee from acting in his private capacity to sell goods to any agency in his political subdivision. However, this prohibition must be read in light of the following provision:

Construction. -- It is not the intent of this part, nor shall it be construed, to prevent any officer or employee of a state agency or county, city or other political subdivision of the state or any legislator or legislative employee from accepting other employment or following any pursuit which does not interfere with the full and faithful discharge by such officer, employee, legislator, or legislative employee of his duties to the state or the county, city, or other political subdivision of the state involved. [Fla. Stat. s. 112.316(1975).]

Accordingly, in enacting the Code of Ethics, the Legislature did not intend that the Code of Ethics be construed to prohibit private pursuits which do not interfere with the discharge of public duty. Each standard of conduct must be read with this qualification in mind.

The chief of police is not in a position to supervise or regulate the water department. Nor do the chief's duties in any way involve approval of or the giving of advice or recommendations as to purchases of goods by the water department. This being the case, the above-described sale does not interfere with the full and faithful discharge of the police chief's duties and therefore does not violate s. 112.313(3), quoted above.

The Code of Ethics goes on to provide that:

CONFLICTING EMPLOYMENT OR
CONTRACTUAL RELATIONSHIP. -- No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he is an officer or employee . . . ; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his private interests and the performance of his public duties or that would impede the full and faithful discharge of his public duties. [Fla. Stat. s. 112.313(7)(a)(1975).]

This provision prohibits a public officer or employee from having a contractual relationship with a business entity doing business with his public agency. The police chief's agency is the city's police department. See Fla. Stat. s. 112.312(2)(1975). The friend's corporation did business with the water department, which constitutes a separate agency for purposes of the Code of Ethics. Accordingly, the described sale does not violate s. 112.313(7).

In summation, the sale you describe in your letter of inquiry does not breach any past or current provision of the Code of Ethics. However, we must advise that this commission views with extreme disfavor attempts to avoid ethical standards imposed upon public officials.

Select Year: 2025

The 2025 Florida Statutes

[Title X](#)
PUBLIC OFFICERS, EMPLOYEES, AND
RECORDS

[Chapter 115](#)
LEAVES OF ABSENCE TO OFFICIALS AND
EMPLOYEES

[View Entire
Chapter](#)

115.14 Employees.—All employees of the state, the several counties of the state, and the municipalities or political subdivisions of the state must be granted leave of absence under the terms of this law; upon such leave of absence being granted, such employee must enjoy the same rights and privileges as are granted to officials under this law, including, without limitation, receiving full pay for the first 30 days for federal military service that is equal to or greater than 90 consecutive days. Notwithstanding s. [115.09](#), the employing authority may supplement the military pay of its officials and employees who are reservists called to active military service after the first 30 days in an amount necessary to bring their total salary, inclusive of their base military pay, to the level earned at the time they were called to active military duty. The employing authority shall continue to provide all health insurance and other existing benefits to such officials and employees as required by the Uniformed Services Employment and Reemployment Rights Act, chapter 43 of Title 38 U.S.C.

History.—s. 7, ch. 20718, 1941; s. 2, ch. 91-3; s. 12, ch. 2003-72; s. 2, ch. 2024-19.

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