



Florida Sheriff Association

Resolution 2010-2

February 9, 2010

WHEREAS, The Florida Sheriff Association has historically opposed the contention the provisions of the Federal Hatch Act applies to Sheriff Offices and their personnel in the State of Florida, and,

WHEREAS, the United States Office of the Special Counsel has determined the Federal Hatch Act, 5 U.S.C. ss. 1501-8 1508, applies to any member of a Florida sheriff's office who is campaigning for a partisan public office, including the Office of Sheriff, and

WHEREAS, the Office of the Special Counsel has concluded it has jurisdiction in cases involving Florida sheriffs on the premise a sheriff is included within the executive branch of the State of Florida, and

WHEREAS, the Office of the Special Counsel has determined members of a sheriff's office who have direct or indirect oversight of federal grants are subject to the Hatch Act, and

WHEREAS, the Office of the Special Counsel has required such members to resign from their current position or withdraw their candidacy, and

WHEREAS, such members would not otherwise be required to resign or withdraw their candidacy under Florida law, and

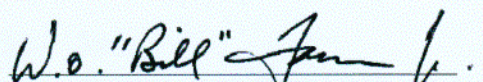
WHEREAS, the intrusion of the Office of the Special Counsel into the Florida election process may dissuade otherwise qualified candidates from retaining their positions or seeking public office,

WHEREAS, a bill that has been filed in the 2010 Session of the Florida Legislature which will authorize the Legislature to memorialize in Congress its opinion the Hatch Act does not apply to Sheriffs and their staff and the Office of Special Counsel should not exercise jurisdiction over the Sheriffs in this state, inasmuch, as a Florida sheriff is an independent constitutional officer who is not included within the executive branch of the State of Florida,

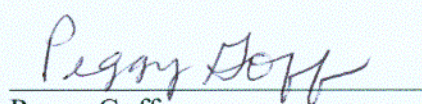
NOW, THEREFORE BE IT RESOLVED, the Florida Sheriffs Association encourages the Florida Legislature and the Governor to pass a bill to specifically recognize the Federal Hatch Act should be reformed and call on Congress to reform Federal Hatch Act as it relates to Sheriffs in Florida.

PASSED AND ADOPTED THIS 9th DAY of FEBRUARY, 2010, by the General Membership of the Florida Sheriffs Association in Florida.

FLORIDA SHERIFFS ASSOCIATION


Sheriff William O. "Bill" Farmer, Jr.
President

ATTEST


Peggy Goff
Interim Executive Director

