

ORDINANCE 2004 - 30

AN ORDINANCE REQUIRING THE SCREENING OF EMPLOYEE APPLICANTS OR APPOINTMENTS, IF THE POSITION IS FOUND TO BE CRITICAL TO SECURITY OR PUBLIC SAFETY OR SCREENING OF ANY PRIVATE CONTRACTOR, EMPLOYEE OF A PRIVATE CONTRACTOR, VENDOR, REPAIR PERSON, OR DELIVERY PERSON, WHO HAS ACCESS TO ANY PUBLIC FACILITY OR PUBLICLY-OPERATED FACILITY, IF THE FACILITY IS FOUND TO BE CRITICAL TO SECURITY OR PUBLIC SAFETY.

WHEREAS, after the terrorist attacks of September 11, 2001, the Florida State Senate created a Select Committee to make recommendations on steps Florida might take to improve the security of its citizens, infrastructure, and economy; and

WHEREAS, on September 14, 2001, Governor Bush directed the Florida Department of Law Enforcement and the Division of Emergency Management to make long-term recommendations to enhance and expand prevention, via statutory remedies, to combat terrorism, one of which included requiring background checks; and

WHEREAS, in response to these recommendations, the Florida Legislature passed, in April, 2002, Florida Statutes, Section 125.5801, which authorizes a county to require, by ordinance, criminal history record checks for certain county employees and appointees.

NOW, THEREFORE, BE IT ORDAINED this 28th day of June, 2004, by the Board of County Commissioners of Nassau County, Florida, as follows:

1. Nassau County shall require the screening of:

a. Employee applicants or appointees if the position is found by the Board of County Commissioners to be critical to security or public safety; or

b. Any private contractor, employee of a private contractor, vendor, repair person, or delivery person who has access to any public facility or publicly-operated facility, if the facility is found by the Board of County Commissioners to be critical to security or public safety.

2. Each person applying for, or continuing employment in, any such position, found by the Board of County Commissioners to be critical to security or public safety, or having access to such facility found by the Board of County Commissioners to be critical to security and public safety, is required to be finger printed.

a. The fingerprints must then be submitted to the Florida Department of Law Enforcement (FDLE) for a state criminal history record check; and

b. To the Federal Bureau of Investigation (FBI) for a national criminal history record check.

3. The information obtained from the criminal history check may be used to:

a. Determine an applicant's eligibility for employment or appointment, and to determine an employee's eligibility for continued employment; or

b. Determine access to any public facility or publicly operated facility.

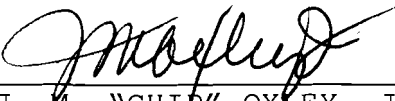
4. This Ordinance shall take effect upon its being received by the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



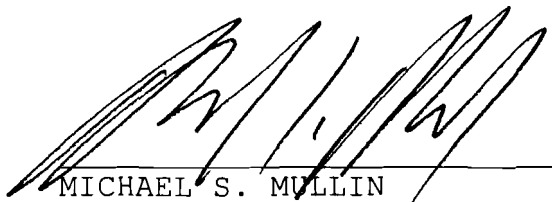
FLOYD L. VANZANT
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

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