



**II. FISCAL IMPACT ANALYSIS**

**A. Five-Year Summary of Fiscal Impact:**

<u>Fiscal Years</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Capital Expenditures	-----	-----	-----	-----	-----
Operating Costs	-----	-----	-----	-----	-----
External Revenues	-----	-----	-----	-----	-----
Program Income (County)	-----	-----	-----	-----	-----
In-Kind Match (County)	-----	-----	-----	-----	-----
<b>NET FISCAL IMPACT</b>	-----	-----	-----	-----	-----
Number of additional FTE positions (Cumulative)	-----	-----	-----	-----	-----
Is Item Included in Current Budget?				Yes_____	No_____
Does this item include the use of Federal Funds?				Yes_____	No_____
Budget Account No.:	Fund_____	Dept._____	Unit_____	Object_____	

**B. Recommended Sources of Funds/Summary of Fiscal Impact:  
No Fiscal Impact**

**C. Departmental Fiscal Review:**

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development and Control Comments:**

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OFMB

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Contract Dev. and Control

**B. Legal Sufficiency:**

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Assistant County Attorney

**C. Other Department Review:**

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Department Director



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ORDINANCE NO. 98-51

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING BOND REQUIREMENTS FOR SPECIFIED COUNTY OFFICERS PURSUANT TO CHAPTER 98-34, LAWS OF FLORIDA; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted Chapter 98-34, Laws of Florida, eliminating or revising bond requirements for certain public officials, including specified County officers; and

WHEREAS, Chapter 98-34 eliminated the statutory bond requirements for specified County officers and provided that the Board of County Commissioners (the "Board") may establish bond requirements for specified County officers and must require bonds from County Commissioners; and

WHEREAS, Chapter 98-34 provides that any bond required of specified County officers be established by ordinance of the Board; and

WHEREAS, in establishing the amount of any required bond, the amount of money or property likely to be in custody of the specified County officer at one time may be considered by the Board.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Title.

This Ordinance shall be known as the "County Officer Bond Ordinance".

Section 2. Bond of Clerk of the Circuit Court.

The Palm Beach County Clerk of the Circuit Court shall be required to give a bond in the sum of \$50,0000 conditioned upon the faithful discharge of the duties of office.

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Section 3. Bond of Sheriff and Deputy Sheriff.

The Palm Beach County Sheriff shall be required to give a bond in the sum of \$25,000 conditioned for the faithful performance of the duties of office.

Each appointed Deputy Sheriff shall be required to give a bond in the sum of \$1,000 conditioned for the faithful performance of the duties of office. In the alternative, a blanket bond in the sum of \$1,000 conditioned for the faithful performance of the duties of office of all appointed Deputy Sheriffs is acceptable.

Section 4. Bond of Supervisor of Elections.

The Palm Beach County Supervisor of Elections shall be required to give a bond in the sum of \$5,000 conditioned for the faithful performance of the duties of office.

Section 5. Bond of Tax Collector.

The Palm Beach County Tax Collector shall be required to give a bond in the sum of \$100,000 conditioned for the faithful performance of the duties of office, and specifically conditioned for the Tax Collector's accounting duly and faithfully for all taxes collected.

Section 6. Bond of Property Appraiser.

The Palm Beach County Property Appraiser shall be required to give a bond in the sum of \$5,000 conditioned for the faithful performance of the duties of office.

Section 7. Bond of County Commissioners.

Each Palm Beach County Commissioner, whether elected or appointed, must give a bond in the sum of \$2,000 conditioned for the faithful performance of the duties of office.

1                   Section 8. Approval of Form and Surety of Bonds of  
2                   County Officers; Delegation of Authority.

3                   All bonds of County officers required by this Ordinance  
4                   must be approved by the Board. Approval of the form and surety of  
5                   any such bonds is hereby delegated by the Board to the County  
6                   Administrator or designee, with the concurrence of the County  
7                   Attorney in such approval.

8                   Section 9. Filing of Bonds of County Officers.

9                   All bonds of County officers required by this Ordinance  
10                  must be filed with the Clerk of the Circuit Court promptly upon  
11                  execution.

12                  Section 10. Examination of Sufficiency of Bonds of  
13                  County Officers.

14                  At its regular meetings in January and June of each year  
15                  beginning January, 1999, the Board shall examine carefully the  
16                  sufficiency of all bonds required of County officers. If the  
17                  Board has reason to believe that the sufficiency of any such bond  
18                  has become impaired, the Board must at once require that the County  
19                  officer to execute and file with the Clerk of the Circuit Court a  
20                  new bond for the same amount and under the same conditions as the  
21                  former bond.

22                  Section 11. Applicability.

23                  This Ordinance is applicable countywide. This Ordinance  
24                  shall not affect any currently existing bonds of County officers.

25                  Section 12. Repeal of Laws in Conflict.

26                  All local laws and ordinances in conflict with any  
27                  provisions of this Ordinance are hereby repealed to the extent of  
28                  such conflict.

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Section 13. Severability.

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 14. Inclusion in The Code of Laws And Ordinances.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 15. Effective Date.

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 20th day of October, 1998.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS  
DOROTHY H. WILKEN, CLERK  
Board of County Commissioners  
By: [Signature] DEPUTY CLERK  
By: [Signature] Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature]  
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 28th day of OCTOBER, 1998, at N/A .m.

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ORDINANCE NO. 98-51

**SURETIES UPON OFFICIAL BONDS: F.S. 113.071**

**Sureties upon officials shall be in an amount sufficient as prescribed by law and approved by County Commissioners:**

<b>CLERK &amp; COMPTROLLER -</b>	<b>F.S. 28.02</b>
<b>SHERIFF &amp; DEPUTY SHERIFF(S) -</b>	<b>F.S. 30.02</b>
<b>SUPERVISOR OF ELECTION -</b>	<b>F.S. 98.015</b>
<b>TAX COLLECTOR -</b>	<b>F.S. 137.02</b>
<b>PROPERTY APPRAISER -</b>	<b>F.S. 137.03</b>
<b>COUNTY COMMISSIONERS -</b>	<b>F.S. 137.04</b>