

ORDINANCE 26-11

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING, RESTATING AND REPLACING ARTICLE XI, CHAPTER 2-2 OF THE CODE OF ORDINANCES REGARDING CRIMINAL BACKGROUND SCREENING FOR SAFETY AND SECURITY CRITICAL POSITIONS; RESTRICTING ACCESS TO RESULTS OF CRIMINAL HISTORY RECORDS CHECKS TO AUTHORIZED COUNTY EMPLOYEES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, INCLUDING ORDINANCE 25-13; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is common practice and both appropriate and proper to require general background checks of all prospective county employees; and,

WHEREAS, the County has conducted such general background checks for some time for specific job titles; and,

WHEREAS, it is necessary and appropriate to specify all job requirements so that prospective employees are fully advised before applying for employment with the County; and,

WHEREAS, the Florida Legislature set forth in Section 125.5801, Florida Statutes, which authorizes specific criminal history record checks for certain county employees and appointees; and

WHEREAS, pursuant to Section 125.5801, Florida Statutes, a county may require, by ordinance, state and national criminal history screenings for any position of county employment or appointment, private contractor, employee of a private contractor, vendor, repair person, for hire chauffeur, or delivery person who has direct contact with individual members of the public or access to any public facility or publicly operated facility in such a manner or to such an extent that the governing body of the county finds that preventing unsuitable persons from having such contact or access is critical to security or public safety; and

WHEREAS, in order to conduct such heightened criminal history screenings, it is necessary to submit fingerprints to the Florida Department of Law Enforcement ("FDLE") and to the Federal Bureau of Investigation ("FBI"); and

WHEREAS, submitting fingerprints for criminal history screening and retrieving the results of said screening requires the County to have an Originating Agency Identification

("ORI") number issued by the FBI, which number may only be issued after adoption of an ordinance by the Board; and

WHEREAS, the Board finds that requiring heightened criminal history screenings for certain employees or appointees, and individuals having direct contact with or access to public facilities or publicly operated facilities is critical to the security and public safety of the County and is not against public policy; and

WHEREAS, the Board desires to require such heightened screenings as set forth herein for certain county contractors and their employees, as well as for vendors, repair-persons, for-hire chauffeurs, and delivery persons as set forth herein; and

WHEREAS, the Board has determined that it is in the best interest of the County and its citizens to require all appropriate and applicable background checks which the County, through the County Administrator, finds is critical to security and public safety for prospective and current county employees and appointees as well as certain contractors and vendors and others subject to licensing and regulation or who have direct contact with members of the public or access to public facilities as further described herein; and

WHEREAS, in accordance with Section 125.66(3), Florida Statutes, a business impact estimate has been prepared and posted.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

SECTION 1. FINDINGS. The above recitals are correct and true and are hereby adopted as findings of the Board and are incorporated herein by this reference.

SECTION 2. AMENDING, RESTATING AND REPLACING ARTICLE XI, CHAPTER 2-2 OF THE CODE. Existing Article XI, Chapter 2-2 of the Manatee County Code of Ordinances (Code) is hereby amended, restated and replaced. Existing provisions are deleted in their entirety and replaced with attached Exhibit A.

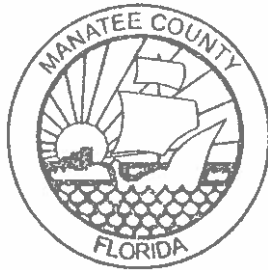
SECTION 3. SEVERABILITY. It is hereby declared to be the intention of the Board of County Commissioners that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance, inclusive of exhibits, be deemed severable, and if any phrase, clause, sentence, paragraph, or section hereof is declared unconstitutional or otherwise invalid by the valid judgment of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SECTION 4. SUPERSEDING CONFLICTING ORDINANCES INCLUDING ORDINANCE 25-13. Any existing Ordinance, including Ordinance 25-13, or portion thereof which contains terms or provisions which are in direct conflict with and cannot be harmonized with the provisions of this Ordinance shall, as to such terms or provisions, be deemed as superseded by this Ordinance.

SECTION 5. CODIFICATION. Pursuant to Section 125.68(1), Florida Statutes, the publisher of the County's Code is hereby directed to codify the substantive amendments to the Code contained in attached Exhibit A of this Ordinance as provided therein and shall not codify any other sections not designated for codification. For purposes of codification, the attached Exhibit A is a complete replacement of the existing Article XI, Chapter 2-2 of the Code.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon filing with the Florida Department of State.

DULY ADOPTED with a quorum present and voting, this 19th day of May, 2026.



**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: 
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

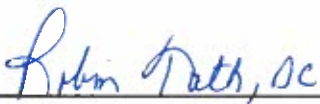
By: 
Deputy Clerk

Exhibit A

ARTICLE XI. FINGERPRINT AND BACKGROUND SECURITY SCREENING

Sec. 2-2-271. Criminal background screening for safety and security critical positions.

Individuals Critical to Security and Public Safety. Any position of employment or appointment within Manatee County which the County, through the County Administrator, finds is critical to security or public safety; any private contractor, employee of a private contractor, vendor, repair person, for-hire chauffeur, or delivery person who has direct contact with individual members of the public or access to any public facility or publicly operated facility in such a manner or to such an extent that the County, through the County Administrator, finds that preventing unsuitable persons from having such contact or access is critical to security or public safety; each person applying for or continuing employment or appointment in any such position, or having access to any such facility.

Criminal History Records Check. In accordance with Section 125.5801, Florida Statutes, the County may at its sole discretion, require employment screening for any positions of County employment or appointment that the County determines is critical to security or public safety. This also applies to 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 that the County, through the County Administrator, determines is critical to security or public safety. Each person applying for, or continuing employment in, any such position or having access to any such facility shall also be required to be fingerprinted. The fingerprints shall be submitted to the Florida Department of Law Enforcement (FDLE) for a state criminal history record check and to the Federal Bureau of Investigation for a national criminal history record check.

Only county employees authorized by the FDLE through Criminal Justice Information Services certification can receive the results of state and national criminal history records checks. The information gathered may be used by the County to determine an applicant's eligibility for continued employment or appointment. This section is not intended to preempt or prevent any other background screening, including, but not limited to, criminal history background checks, that a county may lawfully undertake.

Sec. 2-2-272. Use of obtained information.

The results of said record checks shall be used by the county administrator and his or her designees to determine an applicant's eligibility for employment or appointment, or to determine a current employee or appointee's eligibility for continued employment. The county administrator shall ensure that the results shall be handled in a professional manner and policies and procedures consistent with this article shall be adopted so as to deter any improper or unauthorized use of the results by any county employee or

agent.

Sec. 2-2-273. "Successful applicant" defined.

As used herein, the term "successful applicant" shall mean that applicant actually offered the position applied-for. It is not the intent of this article to require applicants for the listed positions who are not offered the position to comply with the security screening measures adopted herein.

Sec. 2-2-274. County's authority to use other screening measures.

Nothing herein shall be read, interpreted or construed so as to prevent or prohibit the county from utilizing any other background screening measures which may now or hereinafter apply by virtue of the valid exercise of the county's general authority as a public employer.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 20, 2026

Angelina Colonnese
Clerk of the Circuit Court
Manatee County
1115 Manatee Ave W
Bradenton, FL 34205

Dear Angelina Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County **Ordinance No. 26-11**, which was filed in this office on May 20, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

From: [County Ordinances](#)
To: [Robin Toth](#)
Subject: Automatic reply: Manatee County Ordinance 26-11
Date: Wednesday, May 20, 2026 10:06:12 AM

[**NOTICE:** This message originated outside of Manatee County Clerk's Office -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Your email has been received by the Florida Department of State, County Ordinance inbox. The Florida Administrative Code and Register staff will respond as soon as possible.

Thank you,

Administrative Code and Register
Office of General Counsel
Department of State
Room 701 The Capitol | Tallahassee, FL
P: (850)245-6270

From: [Municode Ords Admin](#)
To: [Robin Toth](#)
Subject: Re: Manatee County, FL Code of Ordinances - 1981(10428)
Date: Thursday, May 21, 2026 7:49:55 AM
Attachments: [image001.png](#)

[NOTICE: This message originated outside of Manatee County Clerk's Office -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

We have received your files.

Thank you and have a nice day.

Ords Administrator
Municodeords@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to Municodeords@civicplus.com. However, if WORD format is not available, we welcome any document format including PDF.

svj (she/her/hers)

Production Support Specialist Supplement Department • **CivicPlus**

civicplus.com

Powering and Empowering Local Governments

From: Robin Toth <robin.toth@ManateeClerk.com>
Sent: Wednesday, May 20, 2026 10:02 AM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>; Municode Ords Admin <MunicodeOrds@civicplus.com>
Subject: Manatee County Ordinance 26-11

Good Morning,

Attached is Manatee County Ordinance 26-11, adopted by the Manatee County Board of County Commissioners on May 19, 2026.

Thank you,

Robin Toth
Deputy Clerk, Board Records Department



For Angelina "Angel" Colonnese
Manatee Clerk of the Circuit Court & Comptroller
(941) 749-1800 Ext. 4179
1115 Manatee Ave W, Bradenton, FL 34205
www.ManateeClerk.com

To Protect the Public Trust through Integrity and Transparency

Under Florida law, e-mail addresses and all correspondence sent to this email address are public records and may be subject to disclosure. If you do not want your e-mail address or correspondence released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



May 19, 2026 - Regular Meeting

Subject

Adoption of Ordinance 26-11, regarding Criminal Background Screening for Safety and Security Critical Positions and restricting access to results of Criminal History Records Checks to authorized individuals, Chris Kopp, Human Services Deputy Director

Category

ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Chris Kopp, HR Deputy Director, x7880

Action Requested

Adoption of Ordinance 26-11.

Enabling/Regulating Authority

Section 125.5801, Florida Statutes

Applicable Advisory Board

N/A

Background Discussion

Ordinance 26-11 updates and replaces the County's existing ordinance on criminal background screening for safety and security critical positions. The action is necessary to align the Code with section 125.5801, Florida Statutes, clarify who is subject to heightened screening, including certain contractors and vendors, limit access to criminal history results to authorized personnel, and remove reference to the Florida Department of Children and Families (DCF).

Attorney Review

Formal Written Review (Opinion memo must be attached) Fields

Instructions to Board Records

Ensure that the Chairperson signs page 3 of 5 of the Ordinance.

Provide copies to Kate Rucker at kate.rucker@mymanatee.org and Chris Kopp at chris.kopp@mymanatee.org.

Distributed 5/20/26, RT

Cost and Funds Source Account Number and Name

None

Amount and Frequency of Recurring Costs

None

ORDINANCE 26-11

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING, RESTATING AND REPLACING ARTICLE XI, CHAPTER 2-2 OF THE CODE OF ORDINANCES REGARDING CRIMINAL BACKGROUND SCREENING FOR SAFETY AND SECURITY CRITICAL POSITIONS; RESTRICTING ACCESS TO RESULTS OF CRIMINAL HISTORY RECORDS CHECKS TO AUTHORIZED COUNTY EMPLOYEES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, INCLUDING ORDINANCE 25-13; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is common practice and both appropriate and proper to require general background checks of all prospective county employees; and,

WHEREAS, the County has conducted such general background checks for some time for specific job titles; and,

WHEREAS, it is necessary and appropriate to specify all job requirements so that prospective employees are fully advised before applying for employment with the County; and,

WHEREAS, the Florida Legislature set forth in Section 125.5801, Florida Statutes, which authorizes specific criminal history record checks for certain county employees and appointees; and

WHEREAS, pursuant to Section 125.5801, Florida Statutes, a county may require, by ordinance, state and national criminal history screenings for any position of county employment or appointment, private contractor, employee of a private contractor, vendor, repair person, for hire chauffeur, or delivery person who has direct contact with individual members of the public or access to any public facility or publicly operated facility in such a manner or to such an extent that the governing body of the county finds that preventing unsuitable persons from having such contact or access is critical to security or public safety; and

WHEREAS, in order to conduct such heightened criminal history screenings, it is necessary to submit fingerprints to the Florida Department of Law Enforcement ("FDLE") and to the Federal Bureau of Investigation ("FBI"); and

WHEREAS, submitting fingerprints for criminal history screening and retrieving the results of said screening requires the County to have an Originating Agency Identification

("ORI") number issued by the FBI, which number may only be issued after adoption of an ordinance by the Board; and

WHEREAS, the Board finds that requiring heightened criminal history screenings for certain employees or appointees, and individuals having direct contact with or access to public facilities or publicly operated facilities is critical to the security and public safety of the County and is not against public policy; and

WHEREAS, the Board desires to require such heightened screenings as set forth herein for certain county contractors and their employees, as well as for vendors, repair-persons, for-hire chauffeurs, and delivery persons as set forth herein; and

WHEREAS, the Board has determined that it is in the best interest of the County and its citizens to require all appropriate and applicable background checks which the County, through the County Administrator, finds is critical to security and public safety for prospective and current county employees and appointees as well as certain contractors and vendors and others subject to licensing and regulation or who have direct contact with members of the public or access to public facilities as further described herein; and

WHEREAS, in accordance with Section 125.66(3), Florida Statutes, a business impact estimate has been prepared and posted.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

SECTION 1. FINDINGS. The above recitals are correct and true and are hereby adopted as findings of the Board and are incorporated herein by this reference.

SECTION 2. AMENDING, RESTATING AND REPLACING ARTICLE XI, CHAPTER 2-2 OF THE CODE. Existing Article XI, Chapter 2-2 of the Manatee County Code of Ordinances (Code) is hereby amended, restated and replaced. Existing provisions are deleted in their entirety and replaced with attached Exhibit A.

SECTION 3. SEVERABILITY. It is hereby declared to be the intention of the Board of County Commissioners that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance, inclusive of exhibits, be deemed severable, and if any phrase, clause, sentence, paragraph, or section hereof is declared unconstitutional or otherwise invalid by the valid judgment of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SECTION 4. SUPERSEDING CONFLICTING ORDINANCES INCLUDING ORDINANCE 25-13. Any existing Ordinance, including Ordinance 25-13, or portion thereof which contains terms or provisions which are in direct conflict with and cannot be harmonized with the provisions of this Ordinance shall, as to such terms or provisions, be deemed as superseded by this Ordinance.

SECTION 5. CODIFICATION. Pursuant to Section 125.68(1), Florida Statutes, the publisher of the County's Code is hereby directed to codify the substantive amendments to the Code contained in attached Exhibit A of this Ordinance as provided therein and shall not codify any other sections not designated for codification. For purposes of codification, the attached Exhibit A is a complete replacement of the existing Article XI, Chapter 2-2 of the Code.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon filing with the Florida Department of State.

DULY ADOPTED with a quorum present and voting, this 19th day of May, 2026.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

Exhibit A

ARTICLE XI. FINGERPRINT AND BACKGROUND SECURITY SCREENING

Sec. 2-2-271. Criminal background screening for safety and security critical positions.

Individuals Critical to Security and Public Safety. Any position of employment or appointment within Manatee County which the County, through the County Administrator, finds is critical to security or public safety; any private contractor, employee of a private contractor, vendor, repair person, for-hire chauffeur, or delivery person who has direct contact with individual members of the public or access to any public facility or publicly operated facility in such a manner or to such an extent that the County, through the County Administrator, finds that preventing unsuitable persons from having such contact or access is critical to security or public safety; each person applying for or continuing employment or appointment in any such position, or having access to any such facility.

Criminal History Records Check. In accordance with Section 125.5801, Florida Statutes, the County may at its sole discretion, require employment screening for any positions of County employment or appointment that the County determines is critical to security or public safety. This also applies to 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 that the County, through the County Administrator, determines is critical to security or public safety. Each person applying for, or continuing employment in, any such position or having access to any such facility shall also be required to be fingerprinted. The fingerprints shall be submitted to the Florida Department of Law Enforcement (FDLE) for a state criminal history record check and to the Federal Bureau of Investigation for a national criminal history record check.

Only county employees authorized by the FDLE through Criminal Justice Information Services certification can receive the results of state and national criminal history records checks. The information gathered may be used by the County to determine an applicant's eligibility for continued employment or appointment. This section is not intended to preempt or prevent any other background screening, including, but not limited to, criminal history background checks, that a county may lawfully undertake.

Sec. 2-2-272. Use of obtained information.

The results of said record checks shall be used by the county administrator and his or her designees to determine an applicant's eligibility for employment or appointment, or to determine a current employee or appointee's eligibility for continued employment. The county administrator shall ensure that the results shall be handled in a professional manner and policies and procedures consistent with this article shall be adopted so as to deter any improper or unauthorized use of the results by any county employee or

agent.

Sec. 2-2-273. "Successful applicant" defined.

As used herein, the term "successful applicant" shall mean that applicant actually offered the position applied-for. It is not the intent of this article to require applicants for the listed positions who are not offered the position to comply with the security screening measures adopted herein.

Sec. 2-2-274. County's authority to use other screening measures.

Nothing herein shall be read, interpreted or construed so as to prevent or prohibit the county from utilizing any other background screening measures which may now or hereinafter apply by virtue of the valid exercise of the county's general authority as a public employer.

Human Resources

5213 4th Avenue Circle East
Bradenton, FL 34208
Phone number: (941) 748-4501



BUSINESS IMPACT ESTIMATE

In accordance with Section 125.66(3)(a), Florida Statutes, a Business Impact Estimate (BIE) is required to be prepared before enacting certain ordinances and posted on Manatee County's website no later than the date the notice of intent to consider the proposed ordinance is published (which, per Section 125.66, Florida Statutes, is 10 days before the public hearing).

Proposed Ordinance Title

ORDINANCE 26-11

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING, RESTATING AND REPLACING ARTICLE XI, CHAPTER 2-2 OF THE CODE OF ORDINANCES REGARDING CRIMINAL BACKGROUND SCREENING FOR SAFETY AND SECURITY CRITICAL POSITIONS; RESTRICTING ACCESS TO RESULTS OF CRIMINAL HISTORY RECORDS CHECKS TO AUTHORIZED COUNTY EMPLOYEES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, INCLUDING ORDINANCE 25-13; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

The following types of ordinances are exempt from the BIE requirement under Section 125.66(3)(c), Florida Statutes. As such, if one or more boxes are checked below, Manatee County believes that a BIE is not required by state law for the proposed ordinance referenced above. Manatee County reserves the right to revise this BIE following an initial posting. Notwithstanding, Manatee County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Manatee County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation.
- ☒ The proposed ordinance relates to the issuance or refinancing of debt.

<i>District 1</i>	AMANDA BALLARD <i>District 2</i>	TAL SIDDIQUE <i>District 3</i>	MIKE RAHN <i>District 4</i>	DR. BOB MCCANN <i>District 5</i>	JASON BEARDEN <i>At Large</i>	GEORGE W. KRUSE <i>At Large</i>
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- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the local government.
- ☐ The proposed ordinance is an emergency ordinance.
- ☐ The ordinance relates to procurement.
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Consistent with the posting requirement set forth in Section 125.66(3)(a), Florida Statutes, the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this 19th day of May 2026:

1. Summary of Proposed Ordinance, Including a Statement of the Public Purpose to be Served by the Proposed Ordinance, Such as Serving the Public Health, Safety, Morals, and Welfare of the County:

The proposed ordinance amends, restates and replaces Article XI, Chapter 2-2 of the Manatee County Code of Ordinances to establish consistent requirements for general and specialized criminal background screening, including fingerprint-based state and national criminal history checks, for county positions deemed critical to security or public safety. It authorizes the County to screen county employees, appointees, private contractors, their employees, vendors, repair persons, for-hire chauffeurs, and delivery persons who have direct contact with the public or access to public facilities. The ordinance ensures access to criminal history information is restricted to authorized individuals and updates procedures for maintaining the integrity of background check results. The public purpose served is to protect the health, safety, and welfare of the County's residents and visitors by preventing unsuitable individuals from obtaining employment or contractual roles that provide sensitive access to public facilities or direct interaction with the public, thereby reducing risk to public security and enhancing trust in county operations.

2. Estimate of Direct Economic Impact of Proposed Ordinance on Private, For-Profit Businesses in the County, Including the Following (if any):

- a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:

None

- b. Any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible:

None

- c. An estimate of the County's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:

None

3. A Good Faith Estimate of the Number of Businesses Likely to be Impacted by the Ordinance:

None

4. Additional Information the Board Determines May be Useful:

None

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 125.66(2)(a), Florida Statutes, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing on May 19, 2026, beginning at 9:00 a.m., or as soon thereafter as possible, in the Honorable Patricia M. Glass Chambers, located on the first floor of the Manatee County Administration Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider the following ordinance:

ORDINANCE NO. 26-11

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING, RESTATING AND REPLACING ARTICLE XI, CHAPTER 2-2 OF THE CODE OF ORDINANCES REGARDING CRIMINAL BACKGROUND SCREENING FOR SAFETY AND SECURITY CRITICAL POSITIONS; RESTRICTING ACCESS TO RESULTS OF CRIMINAL HISTORY RECORDS CHECKS TO AUTHORIZED COUNTY EMPLOYEES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, INCLUDING ORDINANCE 25-13; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to appear at this hearing and be heard, subject to the proper rules of conduct. Additionally, any comments filed with the Director of the Human Resource Department will be considered by the Board of County Commissioners and entered in the record. Copies of the proposed ordinance may be inspected by the public during normal business hours in the Human Resources Department, 5213 4th Avenue Circle East, Bradenton, Florida. A reasonable charge may be made for the provision of copies.

In accordance with Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the above referenced meeting or public hearing that person will need a record of the proceedings, and, for such purpose, that may need to assure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability. Manatee County is committed to providing full access to facilities, programs, and services to all, as well as supporting the employment of qualified individuals with disabilities in its workforce in accordance with federal and state laws and regulations, including the Americans with Disabilities Acts of 1990 (ADA) and as amended ("ADAA"), and 503 and 504 of the Rehabilitation Act of 1973. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio, ADA Compliance Coordinator, at (941)792-4501 ext. 6016 or carmine.demilio@mymanatee.org, at least 3 business days prior to the scheduled meeting. If you are deaf/hard of hearing and require the services of an

interpreter, please contact the Florida Relay Service at 711.

**SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING
ADJOURNMENTS.**

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS

Date Published:



OFFICE OF THE COUNTY ATTORNEY

COUNTY ATTORNEY

Pamela J. D'Agostino

DEPUTY COUNTY ATTORNEY

Christopher M. De Carlo

CHIEF ASSISTANT COUNTY ATTORNEY

Sarah A. Schenk*

ASSISTANT COUNTY ATTORNEYS

Douglas E. Polk

Camilo A. Soto

Whittni M. Hodges

Deanne C. Fields

Katherine H. Welch

Rebecca E. Waterman

Angelina L. Stratton

Jared M. Monahan

Kristina H. Snyderman

MEMORANDUM

DATE: February 24, 2026

TO: Chris Kopp, Deputy Director, Human Resources Department

THROUGH: Pamela J. D'Agostino, County Attorney *Approved by PJD 02/24/2026*

FROM: Deanne C. Fields, Assistant County Attorney *Approved by DC7 02/24/2026*

RE: **Criminal Background Screening Ordinance; 2026; RLS No. 25/26-0200**

Issue Presented:

In this Request for Legal Services (RLS), you have asked the County Attorney's Office (CAO) to review draft Ordinance 26-11 relating to criminal background screening requirements for certain County appointees and prospective employees.

Brief Answer:

The attached revised draft Ordinance 26-11 is legally sufficient to present to the Board for review and consideration.

Discussion:

On July 29, 2025, the Board approved Ordinance 25-13 to repeal and amend the County's Code of Ordinances (Code) governing criminal background checks to ensure compliance

*Florida Bar Board Certified in City, County and Local Government Law

with Florida Department of Law Enforcement (FDLE) requirements. The FDLE has since requested an additional amendment to the Code to remove any reference to the Department of Children and Families and to clarify that the County Administrator's designees are County employees. The single reference to the Department of Children and Families is contained in an exordial clause of the ordinance. Nothing in the codified version of the County's Code references the Department of Children and Families. For that reason, the CAO questions the import of the FLDE's request to remove this non-binding language which plays no role in how the County conducts criminal background screening. However, the CAO has no legal objection to adoption of a revised ordinance without the inclusion of any reference to Department of Children and Families provided staff is comfortable with removing same.

Upon review of adopted Ordinance 25-13, the CAO determined that it did not comply with the CAO's advice provided in RLS FY24/25-0166. The attached draft Ordinance accomplishes the intent of Ordinance 25-13 and addresses FDLE's requested amendments. Specifically, it removes all references to the Department of Children and Families, clarifies that designees of the County Administrator are County employees, and amends, repeals and replaces Ordinance 25-13 in its entirety. A clean copy of the draft Ordinance is attached.

For staff's benefit, whenever the County wishes to amend the Code, such amendments can either be made by replacing sections of the Code in their entirety (as will be accomplished by adoption of Ordinance 26-11) or by specifically identifying additions/new text and deletions through the use of underlining and strikethrough formatting, respectively. The foregoing are the methods to direct the codifier of the County's Code as to which language is being added and which language is being deleted.

Pursuant to Section 125.66(3)(a), Florida Statutes, a business impact estimate (BIE) must also be prepared. To assist in those endeavors, attached is a draft BIE template for staff's use. The BIE must be posted on Manatee County's website no later than the date the notice of public hearing is published (which, per Section 125.66, Florida Statutes, is at least 10 days before the public hearing). I trust that if you have any legal questions regarding the business impact estimate requirements, you will contact the CAO or submit an RLS for review of same.

Conclusion:

The attached Ordinance is necessary to correct the Code as intended by adoption of Ordinance 25-13 and thus I have no objection from a legal standpoint to the attached Ordinance being presented to the Board for review and consideration.

This completes my response to your RLS. Please contact me if you have any questions or if I can be of further assistance.

Attachments:

Draft Ordinance 26-11
Business Impact Estimate Template

Copies with attachments to:

Courtney DePol, Deputy County Administrator, County Administration
Kate Rucker, Director, Human Resources Department
Danielle Riley, Employment Services Manager, Human Resources Department
Scott Sharp, Employee Relations Specialist, Human Resources Department
Teresa Beckta, Employee Relations Manager, Human Resources Department

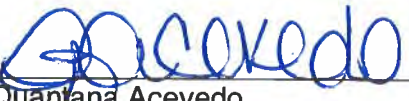
MANATEE COUNTY GOVERNMENT

STATE OF FLORIDA

COUNTY OF MANATEE

Before the undersigned authority personally appeared **Quantana Acevedo**, who on oath says that she is a **County Employee of Manatee County Government, Manatee County, Florida**; that the attached copy of advertisement, being a public notice in the matters of **Notice of Hearing for Ordinance 26-11 with Business Impact Estimate** for the **Manatee County Board of County Commissioners Regular Meeting on May 19, 2026**, in Manatee County Florida, was published on the publicly accessible website of Manatee County Government, Manatee County, Florida, of www.mymanatee.org on **April 29, 2026**.

Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

By: 
Quantana Acevedo
Planning and Zoning Tech III

Sworn to and subscribed before me this 30th day of April 2026, by Quantana Acevedo, who is personally known to me or who has produced (type of identification) as identification.




(Signature of Notary Public)

Abigail Bonds
(Print Name of Notary Public)

Notary Public
(Title)

My Commission Expires: July 26, 2026
Commission Number: HH 293466

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 125.66(2)(a), Florida Statutes, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing on **May 19, 2026, at 9:00 a.m.**, or as soon thereafter as possible, in the Honorable Patricia M. Glass Chambers, located on the first floor of the Manatee County Administration Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider the following ordinance:

ORDINANCE NO. 26-11

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING, RESTATING AND REPLACING ARTICLE XI, CHAPTER 2-2 OF THE CODE OF ORDINANCES REGARDING CRIMINAL BACKGROUND SCREENING FOR SAFETY AND SECURITY CRITICAL POSITIONS; RESTRICTING ACCESS TO RESULTS OF CRIMINAL HISTORY RECORDS CHECKS TO AUTHORIZED COUNTY EMPLOYEES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, INCLUDING ORDINANCE 25-13; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to appear at this hearing and be heard, subject to the proper rules of conduct. Additionally, any comments filed with the Director of the Human Resource Department will be considered by the Board of County Commissioners and entered in the record. Copies of the proposed ordinance may be inspected by the public during normal business hours in the Human Resources Department, 5213 4th Avenue Circle East, Bradenton, Florida. A reasonable charge may be made for the provision of copies.

In accordance with Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the above referenced meeting or public hearing that person will need a record of the proceedings, and, for such purpose, that may need to assure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability. Manatee County is committed to providing full access to facilities, programs, and services to all, as well as supporting the employment of qualified individuals with disabilities in its workforce in accordance with federal and state laws and regulations, including the Americans with Disabilities Acts of 1990 (ADA) and as amended ("ADAA"), and 503 and 504 of the Rehabilitation Act of 1973. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio, ADA Compliance Coordinator, at (941)792-4501 ext. 6016 or carmine.demilio@mymanatee.org, at least three business days prior to

the scheduled meeting. If you are deaf/hard of hearing and require the services of an interpreter, please contact the Florida Relay Service at 711.

Date Published: April 29, 2026

Human Resources

5213 4th Avenue Circle East
Bradenton, FL 34208
Phone number: (941) 748-4501



BUSINESS IMPACT ESTIMATE

In accordance with Section 125.66(3)(a), Florida Statutes, a Business Impact Estimate (BIE) is required to be prepared before enacting certain ordinances and posted on Manatee County's website no later than the date the notice of intent to consider the proposed ordinance is published (which, per Section 125.66, Florida Statutes, is 10 days before the public hearing).

Proposed Ordinance Title

ORDINANCE 26-11

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING, RESTATING AND REPLACING ARTICLE XI, CHAPTER 2-2 OF THE CODE OF ORDINANCES REGARDING CRIMINAL BACKGROUND SCREENING FOR SAFETY AND SECURITY CRITICAL POSITIONS; RESTRICTING ACCESS TO RESULTS OF CRIMINAL HISTORY RECORDS CHECKS TO AUTHORIZED COUNTY EMPLOYEES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, INCLUDING ORDINANCE 25-13; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

The following types of ordinances are exempt from the BIE requirement under Section 125.66(3)(c), Florida Statutes. As such, if one or more boxes are checked below, Manatee County believes that a BIE is not required by state law for the proposed ordinance referenced above. Manatee County reserves the right to revise this BIE following an initial posting. Notwithstanding, Manatee County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Manatee County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation.

- ☒ The proposed ordinance relates to the issuance or refinancing of debt.
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the local government.
- ☐ The proposed ordinance is an emergency ordinance.
- ☐ The ordinance relates to procurement.
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Consistent with the posting requirement set forth in Section 125.66(3)(a), Florida Statutes, the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this 29th day of April 2026:

1. Summary of Proposed Ordinance, Including a Statement of the Public Purpose to be Served by the Proposed Ordinance, Such as Serving the Public Health, Safety, Morals, and Welfare of the County:

The proposed ordinance amends, restates and replaces Article XI, Chapter 2-2 of the Manatee County Code of Ordinances to establish consistent requirements for general and specialized criminal background screening, including fingerprint-based state and national criminal history checks, for county positions deemed critical to security or public safety. It authorizes the County to screen county employees, appointees, private contractors, their employees, vendors, repair persons, for-hire chauffeurs, and delivery persons who have direct contact with the public or access to public facilities. The ordinance ensures access to criminal history information is restricted to authorized individuals and updates procedures for maintaining the integrity of background check results. The public purpose served is to protect the health, safety, and welfare of the County's residents and visitors by preventing unsuitable individuals from obtaining employment or contractual roles that provide sensitive access to public facilities or direct interaction with the public, thereby reducing risk to public security and enhancing trust in county operations.

2. Estimate of Direct Economic Impact of Proposed Ordinance on Private, For-Profit Businesses in the County, Including the Following (if any):

- a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:

None

- b. Any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible:

None

- c. An estimate of the County's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:

None

3. A Good Faith Estimate of the Number of Businesses Likely to be Impacted by the Ordinance:

None

4. Additional Information the Board Determines May be Useful:

None