

**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.

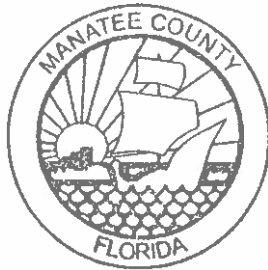
**SECTION 3. SEVERABILITY.** It is hereby declared to be the intention of the Board of County Commissioners that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance, inclusive of exhibits, be deemed severable, and if any phrase, clause, sentence, paragraph, or section hereof is 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 Coloneso  
Clerk of the Circuit Court  
Manatee County  
1115 Manatee Ave W  
Bradenton, FL 34205

Dear Angelina Coloneso:

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:** [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](mailto: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](mailto: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](http://civicplus.com)

---

Powering and Empowering Local Governments

---

**From:** Robin Toth <[robin.toth@ManateeClerk.com](mailto:robin.toth@ManateeClerk.com)>  
**Sent:** Wednesday, May 20, 2026 10:02 AM  
**To:** County Ordinances <[CountyOrdinances@dos.myflorida.com](mailto:CountyOrdinances@dos.myflorida.com)>; Municode Ords Admin <[MunicodeOrds@civicplus.com](mailto: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](http://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.