

By Senator Fasano

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1 A bill to be entitled
2 An act relating to governmental ethics; amending s.
3 112.312, F.S.; defining terms; amending s. 112.313,
4 F.S.; requiring that all disclosures otherwise
5 required by law be made in writing on forms prescribed
6 by the Commission on Ethics; providing that a public
7 officer may not act in such a way as to suggest to
8 another person that the public officer can be
9 improperly influenced by that person when the public
10 officer is performing his or her official duties;
11 amending s. 112.3135, F.S.; providing penalties if a
12 public official makes a prohibited appointment,
13 employment, promotion, or advancement decision for an
14 individual; creating s. 112.3142, F.S., pertaining to
15 qualified blind trusts; providing legislative findings
16 and intent relating to qualified blind trusts;
17 defining terms; providing that if a covered public
18 official holds an economic interest in a qualified
19 blind trust, he or she does not have a conflict of
20 interest that would otherwise be prohibited by law;
21 prohibiting a covered public official from attempting
22 to influence or exercise any control over decisions
23 regarding the management of assets in a qualified
24 blind trust; prohibiting direct or indirect
25 communication between the covered public official or
26 any person having a beneficial interest in the
27 qualified blind trust and the trustee; providing
28 exemptions; requiring a covered public official to
29 report as an asset on his or her financial disclosure

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30 forms the beneficial interest, and its value if
31 required, which he or she has in a qualified blind
32 trust; specifying the required elements necessary to
33 establish a qualified blind trust; specifying the
34 required elements necessary to be a trustee;
35 specifying the required elements in the trust
36 agreement; providing that the trust is not effective
37 unless it is approved by the Commission on Ethics;
38 requiring that the trustee and the official observe
39 the obligations of the trust agreement; providing that
40 the trust contains only readily marketable assets;
41 requiring that the trust agreement be filed with the
42 commission within a specified time; providing for the
43 filing of an amendment to a financial disclosure
44 statement of a covered public official in specified
45 circumstances; amending s. 112 3143, F.S.; defining
46 the term "principal by whom retained"; requiring a
47 state public officer holding an elected or appointed
48 office to publicly state the nature of all of the
49 officer's interests, and all of the interests of his
50 or her principals, relatives, or business associates
51 which are known to him or her, in the matter from
52 which the officer is abstaining from voting; requiring
53 the officer to file documents within 15 days after a
54 vote occurs which disclose the nature of all of the
55 officer's interests as a public record; providing an
56 exemption for certain specified officers; amending s.
57 112.3144, F.S.; requiring a candidate for a local
58 office who has filed a full and public disclosure of

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59 financial interests when qualifying as a candidate to
60 file a copy of that disclosure, instead of filing a
61 second original disclosure, with the commission as the
62 annual disclosure required under law; amending s.
63 112.3145, F.S.; revising definitions of the terms
64 "local officer" and "specified state employee";
65 requiring a candidate for a state office who has filed
66 a full and public disclosure of financial interests
67 when qualifying as a candidate to file a copy of that
68 disclosure, instead of filing a second original
69 disclosure, with the commission as the annual
70 disclosure required under law; amending s. 112.3148,
71 F.S.; defining terms; prohibiting a reporting
72 individual or procurement employee from soliciting or
73 accepting a gift in excess of a certain value from a
74 vendor doing business with the reporting individual or
75 the procurement agency; requiring each reporting
76 individual or procurement employee to file a statement
77 with the commission by a specified date containing a
78 list of gifts, if any, which he or she believes to
79 have a value in excess of a stated amount from a
80 person who is regulated by the commission; providing
81 exceptions; specifying the contents of the gift
82 report; amending s. 112.3149, F.S.; defining the term
83 "vendor"; prohibiting a reporting individual or
84 procurement employee from knowingly accepting an
85 honorarium from a vendor doing business with the
86 reporting individual's or procurement employee's
87 agency; prohibiting the vendor from giving an

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88 honorarium to the reporting individual or procurement
89 employee; amending s. 112.317, F.S.; raising the civil
90 penalties that may be imposed for violations of ch.
91 112, F.S., from \$10,000 to \$100,000; providing that a
92 person who knowingly fails to file the required
93 disclosure of documents by a specified date commits a
94 misdemeanor of the first degree; providing criminal
95 penalties; providing that a person who files a
96 complaint with actual malice against a public officer
97 is liable for costs and attorney's fees; amending s.
98 112.3215, F.S.; providing that a person who is
99 required to register with the Constitution Revision
100 Commission or to provide information on a report
101 required by the commission but who fails to disclose
102 material fact or provides false information commits a
103 noncriminal infraction; providing a fine for such
104 infraction; amending s. 112.324, F.S.; providing
105 procedures for investigations of complaints filed with
106 the commission; amending ss. 411.01 and 445.007, F.S.;
107 revising cross-references to conform to changes made
108 by the act; reenacting ss. 310.151(1)(c) and
109 1002.33(25)(a), F.S., relating to pilotage and to
110 charter schools, respectively, to incorporate the
111 amendments made to s. 112.3143, F.S., in referenc
112 thereto; providing an effective date.

113
114 Be It Enacted by the Legislature of the State of Florida:

115
116 Section 1. Subsections (5) and (6) and paragraph (b) of

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117 subsection (12) of section 112.312, Florida Statutes, are
118 amended to read:

119 112.312 Definitions.—As used in this part and for purposes
120 of the provisions of s. 8, Art. II of the State Constitution,
121 unless the context otherwise requires:

122 (5) "Business entity" means any corporation, company,
123 partnership, limited partnership, proprietorship, firm,
124 enterprise, franchise, association, self-employed individual, or
125 trust, whether fictitiously named or not, doing business in this
126 state.

127 (6) "Candidate" means any person who has filed a statement
128 of financial interest and qualification papers, has subscribed
129 to the candidate's oath as required by s. 99.021 or s. 105.031,
130 and seeks by election to become a public officer. This
131 definition expressly excludes a committeeman or committeewoman
132 regulated by chapter 103 and persons seeking any other office or
133 position in a political party.

134 (12)

135 (b) "Gift" does not include:

136 1. Salary, benefits, services, fees, commissions, gifts, or
137 expenses associated primarily with the donee's employment,
138 business, or service as an officer or director of a corporation
139 or organization.

140 2. Contributions or expenditures reported pursuant to
141 chapter 106 or federal election law, campaign-related personal
142 services provided without compensation by individuals
143 volunteering their time, or any other contribution or
144 expenditure by a political party.

145 3. An honorarium or an expense related to an honorarium

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146 event paid to a person or the person's spouse.

147 4. An award, plaque, certificate, or similar personalized
148 item given in recognition of the donee's public, civic,
149 charitable, or professional service.

150 5. An honorary membership in a service or fraternal
151 organization presented merely as a courtesy by such
152 organization.

153 6. The use of a public facility or public property, made
154 available by a governmental agency, for a public purpose.

155 7. Transportation provided to a public officer or employee
156 by an agency in relation to officially approved governmental
157 business.

158 8. Gifts provided directly or indirectly by a state,
159 regional, or national organization which promotes the exchange
160 of ideas between, or the professional development of,
161 governmental officials or employees, and whose membership is
162 primarily composed of elected or appointed public officials or
163 staff, to members of that organization or officials or staff of
164 a governmental agency that is a member of that organization.

165 Section 2. Subsection (12) of section 112.313, Florida
166 Statutes, is amended, and subsection (18) is added to that
167 section, to read:

168 112.313 Standards of conduct for public officers, employees
169 of agencies, and local government attorneys.—

170 (12) EXEMPTION.—The requirements of subsections (3) and (7)
171 as they pertain to persons serving on advisory boards may be
172 waived in a particular instance by the body that ~~which~~ appointed
173 the person to the advisory board, upon a full disclosure of the
174 transaction or relationship to the appointing body before ~~prior~~

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175 ~~to~~ the waiver and an affirmative vote in favor of waiver by two-
176 thirds vote of that body. In instances in which appointment to
177 the advisory board is made by an individual, waiver may be
178 effected, after public hearing, by a determination by the
179 appointing person and full disclosure of the transaction or
180 relationship by the appointee to the appointing person. In
181 addition, no person shall be held in violation of subsection (3)
182 or subsection (7) if:

183 (a) Within a city or county the business is transacted
184 under a rotation system whereby the business transactions are
185 rotated among all qualified suppliers of the goods or services
186 within the city or county.

187 (b) The business is awarded under a system of sealed,
188 competitive bidding to the lowest or best bidder and:

189 1. The official or the official's spouse or child has in no
190 way participated in the determination of the bid specifications
191 or the determination of the lowest or best bidder;

192 2. The official or the official's spouse or child has in no
193 way used or attempted to use the official's influence to
194 persuade the agency or any personnel thereof to enter such a
195 contract other than by the mere submission of the bid; and

196 3. The official, prior to or at the time of the submission
197 of the bid, has filed a statement with the Commission on Ethics,
198 if the official is a state officer or employee, or with the
199 supervisor of elections of the county in which the agency has
200 its principal office, if the official is an officer or employee
201 of a political subdivision, disclosing the official's interest,
202 or the interest of the official's spouse or child, and the
203 nature of the intended business.

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204 (c) The purchase or sale is for legal advertising in a
205 newspaper, for any utilities service, or for passage on a common
206 carrier.

207 (d) An emergency purchase or contract which would otherwise
208 violate a provision of subsection (3) or subsection (7) must be
209 made in order to protect the health, safety, or welfare of the
210 citizens of the state or any political subdivision thereof.

211 (e) The business entity involved is the only source of
212 supply within the political subdivision of the officer or
213 employee and there is full disclosure by the officer or employee
214 of his or her interest in the business entity to the governing
215 body of the political subdivision prior to the purchase, rental,
216 sale, leasing, or other business being transacted.

217 (f) The total amount of the transactions in the aggregate
218 between the business entity and the agency does not exceed \$500
219 per calendar year.

220 (g) The fact that a county or municipal officer or member
221 of a public board or body, including a district school officer
222 or an officer of any district within a county, is a stockholder,
223 officer, or director of a bank will not bar such bank from
224 qualifying as a depository of funds coming under the
225 jurisdiction of any such public board or body, provided it
226 appears in the records of the agency that the governing body of
227 the agency has determined that such officer or member of a
228 public board or body has not favored such bank over other
229 qualified banks.

230 (h) The transaction is made pursuant to s. 1004.22 or s.
231 1004.23 and is specifically approved by the president and the
232 chair of the university board of trustees. The chair of the

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233 university board of trustees shall submit to the Governor and
234 the Legislature by March 1 of each year a report of the
235 transactions approved pursuant to this paragraph during the
236 preceding year.

237 (i) The public officer or employee purchases in a private
238 capacity goods or services, at a price and upon terms available
239 to similarly situated members of the general public, from a
240 business entity which is doing business with his or her agency.

241 (j) The public officer or employee in a private capacity
242 purchases goods or services from a business entity which is
243 subject to the regulation of his or her agency and:

244 1. The price and terms of the transaction are available to
245 similarly situated members of the general public; and

246 2. The officer or employee makes full disclosure of the
247 relationship to the agency head or governing body prior to the
248 transaction.

249
250 All disclosures required by this subsection shall be made in
251 writing on forms prescribed by the commission, as provided in s.
252 112.3147.

253 (18) PUBLIC OFFICERS.-A public officer or employee of an
254 agency may not knowingly, or with reason to know, act in a
255 manner that would cause a reasonable person, having knowledge of
256 the relevant circumstances, to conclude that a person can
257 improperly influence the officer or employee or unduly enjoy his
258 or her favor in the performance of his or her official duties,
259 or that the officer or employee is likely to act or fail to act
260 as a result of kinship, rank, position, or undue influence of
261 any party or person. It is unreasonable to so conclude if the

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262 officer or employee has disclosed in writing to his or her
263 appointing authority or, if no appointing authority exists,
264 discloses in a manner that is public in nature, the facts that
265 would otherwise lead to such a conclusion.

266 Section 3. Subsection (2) of section 112.3135, Florida
267 Statutes, is amended to read:

268 112.3135 Restriction on employment of relatives.—

269 (2) (a) A public official may not appoint, employ, promote,
270 or advance, or advocate for appointment, employment, promotion,
271 or advancement, in or to a position in the agency in which the
272 official is serving or over which the official, or the collegial
273 body of which the official is a member, exercises jurisdiction
274 or control any individual who is a relative of the public
275 official. An individual may not be appointed, employed,
276 promoted, or advanced in or to a position in an agency if such
277 appointment, employment, promotion, or advancement has been
278 advocated by a public official, serving in or exercising
279 jurisdiction or control over the agency, who is a relative of
280 the individual or if such appointment, employment, promotion, or
281 advancement is made by a collegial body of which a relative of
282 the individual is a member. If a prohibited appointment,
283 employment, promotion, or advancement occurs, both the public
284 official and the individual are subject to penalties under s.
285 112.317. However, if the appointment, employment, promotion, or
286 advancement is made by the collegial body of which the public
287 official is a member without the public official's
288 participation, only the individual is subject to penalties under
289 s. 112.317. ~~However,~~ This subsection does ~~shall~~ not apply to
290 appointments to boards other than those with land-planning or

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291 zoning responsibilities in those municipalities with less than
292 35,000 population. This subsection does not apply to persons
293 serving in a volunteer capacity who provide emergency medical,
294 firefighting, or police services. Such persons may receive,
295 without losing their volunteer status, reimbursements for the
296 costs of any training they get relating to the provision of
297 volunteer emergency medical, firefighting, or police services
298 and payment for any incidental expenses relating to those
299 services that they provide.

300 (b) Mere approval of budgets is ~~shall~~ not be sufficient to
301 constitute "jurisdiction or control" for the purposes of this
302 section.

303 Section 4. Section 112.3142, Florida Statutes, is created
304 to read:

305 112.3142 Qualified blind trusts.-

306 (1) The Legislature finds that if a public official creates
307 a trust and if the public official does not know the identity of
308 the financial interests held by the trust and does not control
309 the interests held by the trust, his or her official actions
310 would not be influenced or appear to be influenced by private
311 considerations. Thus, it is the intent of the Legislature that
312 the public policy goal of the state, which is to be achieved
313 through reliance on a blind trust, be an actual "blindness" or
314 lack of knowledge or control by the official with respect to the
315 interests held in trust.

316 (2) As used in this section, the term:

317 (a) "Cabinet" has the same meaning as in s. 20.03.

318 (b) "Commission" means the Commission on Ethics.

319 (c) "Covered public official" means the Governor, the

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320 Lieutenant Governor, or a member of the Cabinet.

321 (3) If a covered public official holds an economic interest
322 in a qualified blind trust as defined in this section, he or she
323 does not have a conflict of interest prohibited under s.
324 112.313(3) or (7) or a voting conflict of interest under s.
325 112.3143 with regard to matters pertaining to that economic
326 interest.

327 (4) Except as otherwise provided in this section, the
328 covered public official may not attempt to influence or exercise
329 any control over decisions regarding the management of assets in
330 a qualified blind trust. The covered public official and each
331 person having a beneficial interest in the qualified blind trust
332 may not make any effort to obtain information with respect to
333 the holdings of the trust, including obtaining a copy of any
334 trust tax return filed or any information relating thereto,
335 except as otherwise provided in this section.

336 (5) Except for communications that consist solely of
337 requests for distributions of cash or other unspecified assets
338 of the trust, there shall be no direct or indirect communication
339 with respect to the trust between the covered public official or
340 any person having a beneficial interest in the qualified blind
341 trust and the trustee, unless such communication is in writing
342 and unless it relates only to:

343 (a) A request for a distribution from the trust which does
344 not specify whether the distribution is to be made in cash or in
345 kind;

346 (b) The general financial interests and needs of the
347 covered public official or interested person, including, but not
348 limited to, an interest in maximizing income or long-term

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349 capital gain;

350 (c) The notification of the trustee of a law or regulation
351 subsequently applicable to the covered public official which
352 prohibits the covered official from holding an asset and which
353 notification directs that the asset not be held by the trust; or

354 (d) Directions to the trustee to sell all of an asset
355 initially placed in the trust by the covered public official
356 which, in the determination of the covered public official,
357 creates a conflict of interest or the appearance thereof due to
358 the subsequent assumption of duties by the public official.

359 (6) The covered public official shall report as an asset on
360 his or her financial disclosure forms the beneficial interest in
361 the qualified blind trust and its value, if value is required to
362 be disclosed. The covered public official shall report the blind
363 trust as a primary source of income on his or her financial
364 disclosure forms and its amount, if the amount of income is
365 required to be disclosed. The covered public official is not
366 required to report as a secondary source of income any source of
367 income to the blind trust.

368 (7) In order to constitute a qualified blind trust, the
369 trust must be established by the covered public official and
370 meet the following requirements:

371 (a) The person or entity appointed as a trustee must not
372 be:

373 1. The covered public official's spouse, child, parent,
374 grandparent, grandchild, brother, sister, parent-in-law,
375 brother-in-law, sister-in-law, aunt, uncle, or first cousin, or
376 the spouse of any such person;

377 2. A person who is an elected or appointed public officer

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378 or a public employee; or

379 3. A person who has been appointed to serve in an agency by
380 the covered public official or by a public officer or public
381 employee supervised by the covered public official.

382 (b) The trust agreement that establishes the trust must:

383 1. Contain a clear statement of its purpose, namely, to
384 remove from the grantor control and knowledge of investment of
385 trust assets so that conflicts between the grantor's
386 responsibilities as a public official and his or her private
387 interests will be eliminated;

388 2. Give the trustee complete discretion to manage the
389 trust, including, but not limited to, the power to dispose of
390 and acquire trust assets without consulting or notifying the
391 covered public official or any person having a beneficial
392 interest in the trust;

393 3. Prohibit communication between the trustee and the
394 covered public official and any person having a beneficial
395 interest in the trust concerning the holdings or sources of
396 income of the trust, except amounts of cash value or net income
397 or loss, provided that such report may not identify any asset or
398 holding, and except as provided in this section;

399 4. Provide that the trust tax return is prepared by the
400 trustee or his or her designee and that any information relating
401 thereto is not disclosed to the covered public official or to
402 any other beneficiary, except as provided in this section;

403 5. Permit the trustee to notify the covered public official
404 of the date of disposition and value at disposition of any
405 original investment or interests in real property to the extent
406 required by federal tax law, so that the information can be

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407 reported on the covered public official's applicable tax
408 returns;

409 6. Prohibit the trustee from disclosing to the covered
410 public official and any person having a beneficial interest in
411 the trust any information concerning replacement assets to the
412 trust, except for the minimum tax information that lists only
413 the totals of taxable items from the trust and does not describe
414 the source of individual items of income;

415 7. Prohibit the trustee from investing trust assets in
416 business entities that he or she knows are regulated by or do a
417 significant amount of business with the covered public
418 official's public agency; and

419 8. Provide that the trust is not effective until it is
420 approved by the commission.

421 (c) The obligations of the trustee and the official under
422 the trust agreement must be observed by them.

423 (d) The trust shall contain only readily marketable assets.

424 (e) The trust must be approved by the commission as meeting
425 the requirements of this section.

426 (8) A copy of the trust agreement must be filed with the
427 commission within 5 business days after the agreement is
428 executed and must include:

429 (a) A listing of the assets placed in the trust;

430 (b) A statement detailing the date the agreement was
431 executed;

432 (c) The name and address of the trustee; and

433 (d) A separate statement signed by the trustee, under
434 penalty of perjury, certifying that he or she will not reveal
435 any information to the covered public official or any person

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436 having a beneficial interest in the qualified blind trust,
437 except for information that is authorized under this section,
438 and that, to the best of the trustee's knowledge, the submitted
439 blind trust agreement complies with this section.

440 (9) If the trust is revoked while the covered public
441 official is a public officer, or if the covered public official
442 learns of any replacement assets that have been added to the
443 trust, the covered public official must file an amendment to his
444 or her most recent financial disclosure statement. The amendment
445 must be filed no later than 60 days after the date of revocation
446 or the addition of the replacement assets. The covered public
447 official must disclose the previously unreported pro rata share
448 of the trust's interests in investments or income deriving from
449 any such investments. For purposes of this section, any replaced
450 asset of which the covered public official learns shall
451 thereafter be treated as though the asset were an original asset
452 of the trust.

453 Section 5. Section 112.3143, Florida Statutes, is amended
454 to read:

455 112.3143 Voting conflicts.—

456 (1) As used in this section:

457 (a) "Principal by whom retained" means an individual or
458 entity, other than an agency as defined in s. 112.312(2), which,
459 for compensation, salary, pay, consideration, or similar thing
460 of value, has permitted or directed another to act for the
461 individual or entity, and includes, but is not limited to, one's
462 client, employer, or master, or the parent, subsidiary, or
463 sibling organization of one's client, employer, or master.

464 (b) ~~(a)~~ "Public officer" includes any person elected or

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465 appointed to hold office in any agency, including any person
466 serving on an advisory body.

467 ~~(c)-(b)~~ "Relative" means any father, mother, son, daughter,
468 husband, wife, brother, sister, father-in-law, mother-in-law,
469 son-in-law, or daughter-in-law.

470 (2) A ~~Ne~~ state public officer holding an elected office is
471 not prohibited from voting in that ~~an~~ official capacity on any
472 matter. However, when ~~any state public officer~~ voting in an
473 official capacity upon any measure that ~~which~~ would inure to the
474 officer's special private gain or loss; that ~~which~~ he or she
475 knows would inure to the special private gain or loss of any
476 principal by whom the officer is retained ~~or to the parent~~
477 ~~organization or subsidiary of a corporate principal by which the~~
478 ~~officer is retained~~; or that ~~which~~ the officer knows would inure
479 to the special private gain or loss of a relative or business
480 associate of the public officer, the officer shall, within 15
481 days after the vote occurs, disclose the nature of all of his or
482 her interests in the matter and all of the interests of his or
483 her principals, relatives, or business associates which are
484 known to him or her, interest as a public record in a memorandum
485 filed with the person responsible for recording the minutes of
486 the meeting, who shall incorporate the memorandum in the
487 minutes.

488 (3) ~~(a)~~ A state public officer holding an appointive
489 position or a ~~Ne~~ county, municipal, or other local public
490 officer may not ~~shall~~ vote in an official capacity upon any
491 measure that ~~which~~ would inure to his or her special private
492 gain or loss; that ~~which~~ he or she knows would inure to the
493 special private gain or loss of any principal by whom he or she

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494 is retained ~~or to the parent organization or subsidiary of a~~
 495 ~~corporate principal by which he or she is retained, other than~~
 496 ~~an agency as defined in s. 112.312(2); or that~~ which he or she
 497 knows would inure to the special private gain or loss of a
 498 relative or business associate of the public officer. Such
 499 public officer shall, before ~~prior to~~ the vote is being taken,
 500 publicly state to the assembly the nature of all of the
 501 officer's interests and all of the interests of his or her
 502 principals, relatives, or business associates which are known to
 503 him or her ~~interest~~ in the matter from which he or she is
 504 abstaining from voting and, within 15 days after the vote
 505 occurs, disclose the nature of all of his or her interests in
 506 the matter and all of the interests of his or her principals,
 507 relatives, or business associates which are known to him or her,
 508 ~~his or her interest~~ as a public record in a memorandum filed
 509 with the person responsible for recording the minutes of the
 510 meeting, who shall incorporate the memorandum in the minutes.

511 ~~(b) However, a commissioner of a community redevelopment~~
 512 ~~agency created or designated pursuant to s. 163.356 or s.~~
 513 ~~163.357, or an officer of an independent special tax district~~
 514 ~~elected on a one-acre, one-vote basis, is not prohibited from~~
 515 ~~voting, when voting in said capacity.~~

516 (4) A state public officer holding an appointive position
 517 or a county, municipal, or other local public officer may not ~~be~~
 518 ~~appointed public officer shall participate in any matter~~ that
 519 ~~which~~ would inure to the officer's special private gain or loss;
 520 that ~~which~~ the officer knows would inure to the special private
 521 gain or loss of any principal by whom he or she is retained ~~or~~
 522 ~~to the parent organization or subsidiary of a corporate~~

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523 ~~principal by which he or she is retained; or that which he or~~
524 she knows would inure to the special private gain or loss of a
525 relative or business associate of the public officer, ~~without~~
526 ~~first disclosing the nature of his or her interest in the~~
527 ~~matter.~~

528 (5) However, a commissioner of a community redevelopment
529 agency created or designated pursuant to s. 163.356 or s.
530 163.357 or an officer of an independent special tax district
531 elected on a one-acre, one-vote basis, is not prohibited from
532 voting in that capacity, but must make the disclosures provided
533 for in subsection (3). In addition, such officer may not
534 participate in such a measure, without first disclosing the
535 nature of his or her interest and those of his or her principal,
536 relative, or business associate in the matter.

537 (a) Such disclosure, indicating the nature of the conflict,
538 shall be made in a written memorandum filed with the person
539 responsible for recording the minutes of the meeting, before
540 ~~prior to~~ the meeting in which consideration of the matter will
541 take place, and shall be incorporated into the minutes. Any such
542 memorandum becomes ~~shall become~~ a public record upon filing and,
543 shall immediately be provided to the other members of the
544 agency, ~~and shall~~ be read publicly at the next meeting held
545 subsequent to the filing of this written memorandum.

546 (b) ~~If in the event~~ that disclosure has not been made
547 before ~~prior to~~ the meeting or that any conflict is unknown
548 before ~~prior to~~ the meeting, the disclosure shall be made orally
549 at the meeting when it becomes known that a conflict exists. A
550 written memorandum disclosing the nature of the conflict shall
551 then be filed within 15 days after the oral disclosure with the

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552 person responsible for recording the minutes of the meeting and
553 shall be incorporated into the minutes of the meeting at which
554 the oral disclosure was made. Any such memorandum shall become a
555 public record upon filing, shall immediately be provided to the
556 other members of the agency, and shall be read publicly at the
557 next meeting held subsequent to the filing of this written
558 memorandum.

559 (6) A public officer, employee of the agency, or local
560 government attorney, may not, knowing that another public
561 officer has a voting conflict of interest as provided under this
562 section, aid or assist that public officer in such a way as to
563 benefit the officer or his or her principal, relative, or
564 business associate.

565 (7)(c) As used in this section ~~For purposes of this~~
566 ~~subsection,~~ the term "participate" means any attempt to
567 influence the decision by oral or written communication to any
568 officer, employee, or member of the agency, whether made by the
569 officer or at the officer's direction.

570 (8)(5) If ~~Whenever~~ a public officer or former public
571 officer is being considered for appointment or reappointment to
572 public office, the appointing body shall consider the number and
573 nature of the memoranda of conflict previously filed under this
574 section by the ~~said~~ officer.

575 Section 6. Subsection (2) of section 112.3144, Florida
576 Statutes, is amended to read:

577 112.3144 Full and public disclosure of financial
578 interests.—

579 (2) A person who is required, pursuant to s. 8, Art. II of
580 the State Constitution, to file a full and public disclosure of

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581 financial interests and who has filed a full and public
582 disclosure of financial interests for any calendar or fiscal
583 year ~~is shall~~ not be required to file a statement of financial
584 interests pursuant to s. 112.3145(2) and (3) for the same year
585 or for any part thereof notwithstanding any requirement of this
586 part., ~~except that~~ A candidate for office who has filed a full
587 and public disclosure of financial interests when qualifying as
588 a candidate before July 1 shall file a copy of that disclosure
589 with the commission, instead of filing a second original
590 disclosure, as the annual disclosure required under this
591 section, and a candidate who does not qualify until after the
592 annual full and public disclosure has been filed under this
593 section shall file a copy of his or her disclosure with the
594 officer before whom he or she qualifies.

595 Section 7. Subsections (1), (2), and (3) of section
596 112.3145, Florida Statutes, are amended to read:

597 112.3145 Disclosure of financial interests and clients
598 represented before agencies.—

599 (1) For purposes of this section, unless the context
600 otherwise requires, the term:

601 (a) "Local officer" means:

602 1. Every person who is elected to office in any political
603 subdivision of the state, and every person who is appointed to
604 fill a vacancy for an unexpired term in such an elective office.

605 2. Any appointed member of any of the following boards,
606 councils, commissions, authorities, or other bodies of any
607 county, municipality, school district, independent special
608 district, or other political subdivision of the state:

609 a. The governing body of the political subdivision, if

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610 appointed;

611 ~~b. An expressway authority or transportation authority~~
612 ~~established by general law;~~

613 ~~b.e.~~ A community college or junior college district board
614 of trustees;

615 ~~c.d.~~ A board having the power to enforce local code
616 provisions;

617 ~~d.e.~~ A planning or zoning board, board of adjustment, board
618 of appeals, community redevelopment agency board, or other board
619 having the power to recommend, create, or modify land planning
620 or zoning within the political subdivision, except for citizen
621 advisory committees, technical coordinating committees, and such
622 other groups who only have the power to make recommendations to
623 planning or zoning boards;

624 ~~e.f.~~ A pension board or retirement board having the power
625 to invest pension or retirement funds or the power to make a
626 binding determination of one's entitlement to or amount of a
627 pension or other retirement benefit; or

628 ~~f.g.~~ Any other appointed member of a local government board
629 who is required to file a statement of financial interests by
630 the appointing authority or the enabling legislation, ordinance,
631 or resolution creating the board.

632 3. Any person holding one or more of the following
633 positions: mayor; county or city manager; chief administrative
634 employee of a county, municipality, or other political
635 subdivision; county or municipal attorney; finance director of a
636 county, municipality, or other political subdivision; chief
637 county or municipal building code inspector; county or municipal
638 water resources coordinator; county or municipal pollution

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639 control director; county or municipal environmental control
640 director; county or municipal administrator, with power to grant
641 or deny a land development permit; chief of police; fire chief;
642 municipal clerk; district school superintendent; community
643 college president; district medical examiner; or purchasing
644 agent having the authority to make any purchase exceeding the
645 threshold amount provided for in s. 287.017 for CATEGORY ONE, on
646 behalf of any political subdivision of the state or any entity
647 thereof.

648 (b) "Specified state employee" means:

649 1. Public counsel created by chapter 350, an assistant
650 state attorney, an assistant public defender, a criminal
651 conflict and civil regional counsel, an assistant criminal
652 conflict and civil regional counsel, a full-time state employee
653 who serves as counsel or assistant counsel to any state agency,
654 the Deputy Chief Judge of Compensation Claims, a judge of
655 compensation claims, an administrative law judge, or a hearing
656 officer.

657 2. Any person employed in the office of the Governor or in
658 the office of any member of the Cabinet if that person is exempt
659 from the Career Service System, except persons employed in
660 clerical, secretarial, or similar positions.

661 3. The State Surgeon General or each appointed secretary,
662 assistant secretary, deputy secretary, executive director,
663 assistant executive director, or deputy executive director of
664 each state department, commission, board, or council; unless
665 otherwise provided, the division director, assistant division
666 director, deputy director, bureau chief, and assistant bureau
667 chief of any state department or division; or any person having

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668 the power normally conferred upon such persons, by whatever
669 title.

670 4. The superintendent or institute director of a state
671 mental health institute established for training and research in
672 the mental health field or the warden or director of any major
673 state institution or facility established for corrections,
674 training, treatment, or rehabilitation.

675 5. Business managers, purchasing agents having the power to
676 make any purchase exceeding the threshold amount provided for in
677 s. 287.017 for CATEGORY ONE, finance and accounting directors,
678 personnel officers, or grants coordinators for any state agency.

679 6. Any person, other than a legislative assistant exempted
680 by the presiding officer of the house by which the legislative
681 assistant is employed, who is employed in the legislative branch
682 of government, except persons employed in maintenance, clerical,
683 secretarial, or similar positions.

684 7. Each employee of the Commission on Ethics.

685 (c) "State officer" means:

686 1. Any elected public officer, excluding those elected to
687 the United States Senate and House of Representatives, not
688 covered elsewhere in this part and any person who is appointed
689 to fill a vacancy for an unexpired term in such an elective
690 office.

691 2. An appointed member of each board, commission,
692 authority, or council having statewide jurisdiction, excluding a
693 member of an advisory body.

694 3. A member of the Board of Governors of the State
695 University System or a state university board of trustees, the
696 Chancellor and Vice Chancellors of the State University System,

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697 and the president of a state university.

698 4. A member of the judicial nominating commission for any
699 district court of appeal or any judicial circuit.

700 (2) (a) A person seeking nomination or election to a state
701 or local elective office shall file a statement of financial
702 interests together with, and at the same time he or she files,
703 qualifying papers. A candidate for office who has filed a
704 statement of financial interests when qualifying as a candidate
705 before July 1 shall file a copy of that statement, instead of
706 filing a second original statement, as the annual disclosure
707 required under this section, and a candidate who does not
708 qualify until after the annual statement of financial interests
709 has been filed under this section shall file a copy of his or
710 her disclosure with the officer before whom he or she qualifies.

711 (b) Each state or local officer and each specified state
712 employee shall file a statement of financial interests no later
713 than July 1 of each year. Each state officer, local officer, and
714 specified state employee shall file a final statement of
715 financial interests within 60 days after leaving his or her
716 public position for the period between January 1 of the year in
717 which the person leaves and the last day of office or
718 employment, unless within the 60-day period the person takes
719 another public position requiring financial disclosure under
720 this section or s. 8, Art. II of the State Constitution or
721 otherwise is required to file full and public disclosure or a
722 statement of financial interests for the final disclosure
723 period. Each state or local officer who is appointed and each
724 specified state employee who is employed shall file a statement
725 of financial interests within 30 days from the date of

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726 appointment or, in the case of a specified state employee, from
727 the date on which the employment begins, except that any person
728 whose appointment is subject to confirmation by the Senate shall
729 file prior to confirmation hearings or within 30 days from the
730 date of appointment, whichever comes first.

731 (c) State officers and specified state employees shall file
732 their statements of financial interests with the Commission on
733 Ethics. Local officers shall file their statements of financial
734 interests with the supervisor of elections of the county in
735 which they permanently reside. Local officers who do not
736 permanently reside in any county in the state shall file their
737 statements of financial interests with the supervisor of
738 elections of the county in which their agency maintains its
739 headquarters. Persons seeking to qualify as candidates for local
740 public office shall file their statements of financial interests
741 with the officer before whom they qualify.

742 (3) The statement of financial interests for state
743 officers, specified state employees, local officers, and persons
744 seeking to qualify as candidates for state or local office shall
745 be filed even if the reporting person holds no financial
746 interests requiring disclosure, in which case the statement
747 shall be marked "not applicable." Otherwise, the statement of
748 financial interests shall include, at the filer's option,
749 either:

750 (a)1. All sources of income in excess of 5 percent of the
751 gross income received during the disclosure period by the person
752 in his or her own name or by any other person for his or her use
753 or benefit, excluding public salary. However, this shall not be
754 construed to require disclosure of a business partner's sources

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755 of income. The person reporting shall list such sources in
756 descending order of value with the largest source first;

757 2. All sources of income to a business entity in excess of
758 10 percent of the gross income of a business entity in which the
759 reporting person held a material interest and from which he or
760 she received an amount which was in excess of 10 percent of his
761 or her gross income during the disclosure period and which
762 exceeds \$1,500. The period for computing the gross income of the
763 business entity is the fiscal year of the business entity which
764 ended on, or immediately prior to, the end of the disclosure
765 period of the person reporting;

766 3. The location or description of real property in this
767 state, except for residences and vacation homes, owned directly
768 or indirectly by the person reporting, when such person owns in
769 excess of 5 percent of the value of such real property, and a
770 general description of any intangible personal property worth in
771 excess of 10 percent of such person's total assets. For the
772 purposes of this paragraph, indirect ownership does not include
773 ownership by a spouse or minor child; and

774 4. Every individual liability that equals more than the
775 reporting person's net worth; or

776 (b)1. All sources of gross income in excess of \$2,500
777 received during the disclosure period by the person in his or
778 her own name or by any other person for his or her use or
779 benefit, excluding public salary. However, this shall not be
780 construed to require disclosure of a business partner's sources
781 of income. The person reporting shall list such sources in
782 descending order of value with the largest source first;

783 2. All sources of income to a business entity in excess of

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784 10 percent of the gross income of a business entity in which the
785 reporting person held a material interest and from which he or
786 she received gross income exceeding \$5,000 during the disclosure
787 period. The period for computing the gross income of the
788 business entity is the fiscal year of the business entity which
789 ended on, or immediately prior to, the end of the disclosure
790 period of the person reporting;

791 3. The location or description of real property in this
792 state, except for residence and vacation homes, owned directly
793 or indirectly by the person reporting, when such person owns in
794 excess of 5 percent of the value of such real property, and a
795 general description of any intangible personal property worth in
796 excess of \$10,000. For the purpose of this paragraph, indirect
797 ownership does not include ownership by a spouse or minor child;
798 and

799 4. Every liability in excess of \$10,000.

800

801 A person filing a statement of financial interests shall
802 indicate on the statement whether he or she is using the method
803 specified in paragraph (a) or the method specified in paragraph
804 (b).

805 Section 8. Subsections (2), (3), (4), and (5) of section
806 112.3148, Florida Statutes, are amended to read:

807 112.3148 Reporting and prohibited receipt of gifts by
808 individuals filing full or limited public disclosure of
809 financial interests and by procurement employees.—

810 (2) As used in this section:

811 (a) "Immediate family" means any parent, spouse, child, or
812 sibling.

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813 (b)1. "Lobbyist" means a ~~any~~ natural person who, for
814 compensation, seeks, or sought during the preceding 12 months,
815 to influence the governmental decisionmaking of a reporting
816 individual or procurement employee or his or her agency or
817 seeks, or sought during the preceding 12 months, to encourage
818 the passage, defeat, or modification of a ~~any~~ proposal or
819 recommendation by the reporting individual or procurement
820 employee or his or her agency.

821 2. With respect to an agency that has established by rule,
822 ordinance, or law a registration process for persons seeking to
823 influence decisionmaking or to encourage the passage, defeat, or
824 modification of a ~~any~~ proposal or recommendation by the ~~such~~
825 agency or an employee or official of the agency, the term
826 "lobbyist" includes only a person who is required to be
827 registered as a lobbyist in accordance with such rule,
828 ordinance, or law or who was during the preceding 12 months
829 required to be registered as a lobbyist in accordance with such
830 rule, ordinance, or law. At a minimum, such a registration
831 system must require the registration of, or must designate,
832 persons as "lobbyists" who engage in the same activities as
833 require registration to lobby the Legislature pursuant to s.
834 11.045.

835 (c) "Person" includes individuals, firms, associations,
836 joint ventures, partnerships, estates, trusts, business trusts,
837 syndicates, fiduciaries, corporations, and all other groups or
838 combinations.

839 (d) "Reporting individual" means an ~~any~~ individual,
840 including a candidate upon qualifying, who is required by law,
841 pursuant to s. 8, Art. II of the State Constitution or s.

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842 112.3145, to file full or limited public disclosure of his or
843 her financial interests or an ~~any~~ individual who has been
844 elected to, but has yet to officially assume the
845 responsibilities of, public office. For purposes of implementing
846 this section, the "agency" of a reporting individual who is not
847 an officer or employee in public service is the agency to which
848 the candidate seeks election, or in the case of an individual
849 elected to but yet to formally take office, the agency in which
850 the individual has been elected to serve.

851 (e) "Procurement employee" means any employee of an
852 officer, department, board, commission, ~~or~~ council, or agency of
853 the executive branch or judicial branch of state government who
854 participated in the preceding 12 months ~~participates~~ through
855 decision, approval, disapproval, recommendation, preparation of
856 any part of a purchase request, influencing the content of any
857 specification or procurement standard, rendering of advice,
858 investigation, or auditing or in any other advisory capacity in
859 the procurement of contractual services or commodities as
860 defined in s. 287.012, if the cost of such services or
861 commodities exceeds or is expected to exceed \$10,000 ~~\$1,000~~ in
862 any fiscal year.

863 (f) "Vendor" means a business entity doing business
864 directly with an agency, such as renting, leasing, or selling
865 any realty, goods, or services.

866 (3) A reporting individual or procurement employee is
867 prohibited from soliciting any gift from a political committee
868 or committee of continuous existence, as defined in s. 106.011,
869 from a vendor doing business with the reporting individual's or
870 procurement employee's agency, or from a lobbyist who lobbies

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871 the reporting individual's or procurement employee's agency, or
872 the partner, firm, employer, or principal of such lobbyist,
873 where such gift is for the personal benefit of the reporting
874 individual or procurement employee, another reporting individual
875 or procurement employee, or any member of the immediate family
876 of a reporting individual or procurement employee.

877 (4) A reporting individual or procurement employee or any
878 other person on his or her behalf is prohibited from knowingly
879 accepting, directly or indirectly, a gift or gifts from a
880 political committee or committee of continuous existence, as
881 defined in s. 106.011, from a vendor doing business with the
882 reporting individual's or procurement employee's agency, or from
883 a lobbyist who lobbies the reporting individual's or procurement
884 employee's agency, or directly or indirectly on behalf of the
885 partner, firm, employer, or principal of a lobbyist, if he or
886 she knows or reasonably believes that the gift or gifts ~~have~~
887 a total value in excess of \$100 within a calendar year; however,
888 such a gift or gifts may be accepted by such person on behalf of
889 a governmental entity or a charitable organization. If the gift
890 or gifts ~~are~~ accepted on behalf of a governmental entity or
891 charitable organization, the person receiving the gift or gifts
892 may ~~shall~~ not maintain custody of the gift or gifts for any
893 period of time beyond that reasonably necessary to arrange for
894 the transfer of custody and ownership of the gift or gifts.

895 (5) (a) A political committee or a committee of continuous
896 existence, as defined in s. 106.011; a vendor doing business
897 with the reporting individual's or procurement employee's
898 agency; a lobbyist who lobbies a reporting individual's or
899 procurement employee's agency; the partner, firm, employer, or

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900 principal of a lobbyist; or another on behalf of the lobbyist or
901 partner, firm, principal, or employer of the lobbyist is
902 prohibited from giving, either directly or indirectly, a gift or
903 gifts that have an aggregate ~~has a~~ value in excess of \$100
904 within a calendar year to the reporting individual or
905 procurement employee or any other person on his or her behalf;
906 however, such person may give a gift or gifts having a total
907 value in excess of \$100 to a reporting individual or procurement
908 employee if the gift or gifts are ~~is~~ intended to be transferred
909 to a governmental entity or a charitable organization.

910 (b) ~~However,~~ A person who is regulated by this subsection,
911 who is not regulated by subsection (6), and who makes, or
912 directs another to make, an individual gift having a value in
913 excess of \$25, but not in excess of \$100, other than a gift
914 which the donor knows will be accepted on behalf of a
915 governmental entity or charitable organization, must file a
916 report on the last day of each calendar quarter, for the
917 previous calendar quarter in which a reportable gift is made.
918 The report shall be filed with the Commission on Ethics, except
919 with respect to gifts to reporting individuals of the
920 legislative branch, in which case the report shall be filed with
921 the Division of Legislative Information Services in the Office
922 of Legislative Services. The report must contain a description
923 of each gift, the monetary value thereof, the name and address
924 of the person making such gift, the name and address of the
925 recipient of the gift, and the date such gift is given. In
926 addition, when a gift is made which requires the filing of a
927 report under this subsection, the donor must notify the intended
928 recipient at the time the gift is made that the donor, or

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929 another on his or her behalf, will report the gift under this
930 subsection. Under this paragraph, a gift need not be reported by
931 more than one person or entity.

932 (c) In addition, each reporting individual or procurement
933 employee shall file a statement with the commission, except with
934 respect to a gift to a reporting individual of the legislative
935 branch, in which case the report shall be filed with the
936 Division of Legislative Information Services in the Office of
937 Legislative Services, not later than the last day of each
938 calendar quarter, for the previous calendar quarter, containing
939 a list of gifts which he or she believes to have a value in
940 excess of \$25, if any, accepted by him or her, from a person who
941 is regulated by this subsection, except the following:

- 942 1. Gifts from relatives.
943 2. Gifts prohibited by subsection (4) or s. 112.313(4).
944 3. Gifts otherwise required to be disclosed by this
945 section.

946
947 The report must contain a description of each gift, the monetary
948 value thereof, the name and address of the person making the
949 gift, the name and address of the recipient of the gift, and the
950 date the gift was given.

951 Section 9. Paragraph (e) of subsection (1) and subsections
952 (3) and (4) of section 112.3149, Florida Statutes, are amended,
953 and paragraph (f) is added to subsection (1) of that section, to
954 read:

955 112.3149 Solicitation and disclosure of honoraria.—

956 (1) As used in this section:

957 (e) "Procurement employee" means any employee of an

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958 officer, department, board, commission, ~~or~~ council, or agency of
959 the executive branch or judicial branch of state government who
960 participated in the preceding 12 months ~~participates~~ through
961 decision, approval, disapproval, recommendation, preparation of
962 any part of a purchase request, influencing the content of any
963 specification or procurement standard, rendering of advice,
964 investigation, or auditing or in any other advisory capacity in
965 the procurement of contractual services or commodities as
966 defined in s. 287.012, if the cost of such services or
967 commodities exceeds \$10,000 ~~\$1,000~~ in any fiscal year.

968 (f) "Vendor" means a business entity doing business
969 directly with an agency, such as renting, leasing, or selling
970 any realty, goods, or services.

971 (3) A reporting individual or procurement employee is
972 prohibited from knowingly accepting an honorarium from a
973 political committee or committee of continuous existence, as
974 defined in s. 106.011, from a vendor doing business with the
975 reporting individual's or procurement employee's agency, from a
976 lobbyist who lobbies the reporting individual's or procurement
977 employee's agency, or from the employer, principal, partner, or
978 firm of such a lobbyist.

979 (4) A political committee or committee of continuous
980 existence, as defined in s. 106.011, a vendor doing business
981 with the reporting individual's or the procurement employee's
982 agency, a lobbyist who lobbies a reporting individual's or
983 procurement employee's agency, or the employer, principal,
984 partner, or firm of such a lobbyist is prohibited from giving an
985 honorarium to a reporting individual or procurement employee.

986 Section 10. Section 112.317, Florida Statutes, is amended

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987 to read:

988 112.317 Penalties.—

989 (1) Violation of any provision of this part, including, but
990 not limited to, any failure to file any disclosures required by
991 this part or violation of any standard of conduct imposed by
992 this part, or violation of any provision of s. 8, Art. II of the
993 State Constitution, in addition to any criminal penalty or other
994 civil penalty involved, shall, under applicable constitutional
995 and statutory procedures, constitute grounds for, and may be
996 punished by, one or more of the following:

997 (a) In the case of a public officer:

998 1. Impeachment.

999 2. Removal from office.

1000 3. Suspension from office.

1001 4. Public censure and reprimand.

1002 5. Forfeiture of no more than one-third salary per month
1003 for no more than 12 months.

1004 6. A civil penalty not to exceed \$100,000 ~~\$10,000~~.

1005 7. Restitution of any pecuniary benefits received because
1006 of the violation committed. The commission may recommend that
1007 the restitution penalty be paid to the agency of which the
1008 public officer was a member or to the General Revenue Fund.

1009 (b) In the case of an employee or a person designated as a
1010 public officer by this part who otherwise would be deemed to be
1011 an employee:

1012 1. Dismissal from employment.

1013 2. Suspension from employment for not more than 90 days
1014 without pay.

1015 3. Demotion.

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- 1016 4. Reduction in salary level.
- 1017 5. Forfeiture of no more than one-third salary per month
1018 for no more than 12 months.
- 1019 6. A civil penalty not to exceed \$100,000 ~~\$10,000~~.
- 1020 7. Restitution of any pecuniary benefits received because
1021 of the violation committed. The commission may recommend that
1022 the restitution penalty be paid to the agency by which the
1023 public employee was employed, or of which the officer was deemed
1024 to be an employee, or to the General Revenue Fund.
- 1025 8. Public censure and reprimand.
- 1026 (c) In the case of a candidate who violates the provisions
1027 of this part or s. 8(a) and (i), Art. II of the State
1028 Constitution:
- 1029 1. Disqualification from being on the ballot.
- 1030 2. Public censure.
- 1031 3. Reprimand.
- 1032 4. A civil penalty not to exceed \$100,000 ~~\$10,000~~.
- 1033 (d) In the case of a former public officer or employee who
1034 has violated a provision applicable to former officers or
1035 employees or whose violation occurred before the officer's or
1036 employee's leaving public office or employment:
- 1037 1. Public censure and reprimand.
- 1038 2. A civil penalty not to exceed \$100,000 ~~\$10,000~~.
- 1039 3. Restitution of any pecuniary benefits received because
1040 of the violation committed. The commission may recommend that
1041 the restitution penalty be paid to the agency of the public
1042 officer or employee or to the General Revenue Fund.
- 1043 (e) In the case of a person who is subject to the standards
1044 of this part, other than a lobbyist or lobbying firm under s.

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1045 112.3215 for a violation of s. 112.3215, but who is not a public
1046 officer or employee:

1047 1. Public censure and reprimand.

1048 2. A civil penalty not to exceed \$100,000 ~~\$10,000~~.

1049 3. Restitution of any pecuniary benefits received because
1050 of the violation committed. The commission may recommend that
1051 the restitution penalty be paid to the agency of the person or
1052 to the General Revenue Fund.

1053 (2) A person who knowingly fails to file a disclosure
1054 required by this part within 90 days after the specified date
1055 required by law commits a misdemeanor of the first degree,
1056 punishable as provided in s. 775.082 or s. 775.083.

1057 (3)~~(2)~~ In any case in which the commission finds a
1058 violation of this part or of s. 8, Art. II of the State
1059 Constitution and the proper disciplinary official or body under
1060 s. 112.324 imposes a civil penalty or restitution penalty, the
1061 Attorney General shall bring a civil action to recover such
1062 penalty. A ~~No~~ defense may not be raised in the civil action to
1063 enforce the civil penalty or order of restitution that could
1064 have been raised by judicial review of the administrative
1065 findings and recommendations of the commission by certiorari to
1066 the district court of appeal. The Attorney General shall collect
1067 any costs, attorney's fees, expert witness fees, or other costs
1068 of collection incurred in bringing the action.

1069 (4)~~(3)~~ The penalties prescribed in this part do ~~shall~~ not
1070 ~~be construed to~~ limit or ~~to~~ conflict with:

1071 (a) The power of either house of the Legislature to
1072 discipline its own members or impeach a public officer.

1073 (b) The power of agencies to discipline officers or

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1074 employees.

1075 (5)~~(4)~~ Any violation of this part or of s. 8, Art. II of
1076 the State Constitution by a public officer constitutes ~~shall~~
1077 ~~constitute~~ malfeasance, misfeasance, or neglect of duty in
1078 office within the meaning of s. 7, Art. IV of the State
1079 Constitution.

1080 (6)~~(5)~~ By order of the Governor, upon recommendation of the
1081 commission, any elected municipal officer who violates any
1082 provision of this part or of s. 8, Art. II of the State
1083 Constitution may be suspended from office and the office filled
1084 by appointment for the period of suspension. The suspended
1085 officer may at any time before removal be reinstated by the
1086 Governor. The Senate may, in proceedings prescribed by law,
1087 remove from office, or reinstate, the suspended officer
1088 ~~official~~, and for such purpose the Senate may be convened in
1089 special session by its President or by a majority of its
1090 membership.

1091 (7)~~(6)~~ In any case in which the commission finds probable
1092 cause to believe that a complainant has committed perjury in
1093 regard to any document filed with, or any testimony given
1094 before, the commission, it shall refer such evidence to the
1095 appropriate law enforcement agency for prosecution and taxation
1096 of costs.

1097 (8)~~(7)~~ In any case in which the commission determines that
1098 a person has filed a complaint against a public officer or
1099 employee with actual malice ~~a malicious intent to injure the~~
1100 ~~reputation of such officer or employee by filing the complaint~~
1101 ~~with knowledge that the complaint contains one or more false~~
1102 ~~allegations or with reckless disregard for whether the complaint~~

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1103 ~~contains false allegations of fact material to a violation of~~
1104 ~~this part~~, the complainant shall be liable for costs plus
1105 reasonable attorney's fees incurred in the defense of the person
1106 complained against, including the costs and reasonable
1107 attorney's fees incurred in proving entitlement to and the
1108 amount of costs and fees. If the complainant fails to pay such
1109 costs and fees voluntarily within 30 days following such finding
1110 by the commission, the commission shall forward such information
1111 to the Department of Legal Affairs, which shall bring a civil
1112 action in a court of competent jurisdiction to recover the
1113 amount of such costs and fees awarded by the commission.

1114 Section 11. Paragraphs (a) and (c) of subsection (8) of
1115 section 112.3215, Florida Statutes, are amended, present
1116 subsection (14) of that section is redesignated as subsection
1117 (15), and a new subsection (14) is added to that section, to
1118 read:

1119 112.3215 Lobbying before the executive branch or the
1120 Constitution Revision Commission; registration and reporting;
1121 investigation by commission.—

1122 (8) (a) The commission shall investigate every sworn
1123 complaint that is filed with it alleging that a person covered
1124 by this section has failed to register, has failed to submit a
1125 compensation report, has made a prohibited expenditure, or has
1126 knowingly submitted false information in any report or
1127 registration required in this section.

1128 (c) The commission shall investigate any lobbying firm,
1129 lobbyist, principal, agency, officer, or employee upon receipt
1130 of information from a sworn complaint or from a random audit of
1131 lobbying reports indicating a possible violation other than a

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1132 late-filed report.

1133 (14) Any person who is required to be registered or to
1134 provide information under this section or under rules adopted
1135 pursuant to this section and who knowingly fails to disclose any
1136 material fact that is required by this section or by rules
1137 adopted pursuant to this section, or who knowingly provides
1138 false information on any report required by this section or by
1139 rules adopted pursuant to this section, commits a noncriminal
1140 infraction, punishable by a fine not to exceed \$5,000. This fine
1141 is in addition to any other penalty assessed by the Governor and
1142 Cabinet pursuant to subsection (10).

1143 Section 12. Section 112.324, Florida Statutes, is amended
1144 to read:

1145 112.324 Procedures on complaints of violations; public
1146 records and meeting exemptions.-

1147 ~~(1) Upon a written complaint executed on a form prescribed~~
1148 ~~by the commission and signed under oath or affirmation by any~~
1149 ~~person,~~ The commission shall investigate any alleged violation
1150 of this part or any other alleged breach of the public trust
1151 within the jurisdiction of the commission as provided in s.
1152 8(f), Art. II of the State Constitution in accordance with
1153 procedures set forth herein:-

1154 (a) Upon a written complaint executed on a form prescribed
1155 by the commission and signed under oath or affirmation by any
1156 person;

1157 (b) Upon receipt of reliable and publicly disseminated
1158 information that seven members of the commission deem sufficient
1159 to indicate a breach of the public trust, except that commission
1160 staff may not undertake a formal investigation other than the

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1161 collection of publicly disseminated information before a
1162 determination of sufficiency by the commission; or

1163 (c) Upon receipt of a written referral of a possible
1164 violation of this part or other possible breach of the public
1165 trust from the Governor, the Chief Financial Officer, a state
1166 attorney, the executive director of the Department of Law
1167 Enforcement, or the statewide prosecutor, which seven members of
1168 the commission deem sufficient to indicate a breach of the
1169 public trust.

1170
1171 Within 5 days after the commission receives ~~receipt~~ of a
1172 complaint or after the commission determines that the
1173 information or referral received is sufficient ~~by the~~
1174 ~~commission~~, a copy shall be transmitted to the alleged violator.

1175 (2) (a) The complaint and records relating to the complaint
1176 or to any preliminary investigation or the commission's
1177 determination regarding the information or the referral, as
1178 provided in this section, held by the commission or its agents,
1179 by a Commission on Ethics and Public Trust established by any
1180 county defined in s. 125.011(1) or by any municipality defined
1181 in s. 165.031, or by any county or municipality that has
1182 established a local investigatory process to enforce more
1183 stringent standards of conduct and disclosure requirements as
1184 provided in s. 112.326 are confidential and exempt from ~~the~~
1185 ~~provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State
1186 Constitution.

1187 (b) Any proceeding conducted by the commission, a
1188 Commission on Ethics and Public Trust, or a county or
1189 municipality that has established such local investigatory

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1190 process, pursuant to a complaint, information, or referral as
1191 provided in this section, or a preliminary investigation, is
1192 exempt from the provisions of s. 286.011, s. 24(b), Art. I of
1193 the State Constitution, and s. 120.525.

1194 (c)1. The exemptions in paragraphs (a) and (b) apply until
1195 the complaint is dismissed as legally insufficient, until the
1196 alleged violator requests in writing that such records and
1197 proceedings be made public, until the commission determines that
1198 it will not investigate the complaint or referral, or until the
1199 commission, a Commission on Ethics and Public Trust, or a county
1200 or municipality that has established such local investigatory
1201 process determines, based on such investigation, whether
1202 probable cause exists to believe that a violation has occurred.

1203 2. ~~In no event shall~~ A complaint under this part against a
1204 candidate in any general, special, or primary election may not
1205 be filed and ~~or~~ any intention of filing such a complaint may not
1206 be disclosed on the day of any such election or within the 5
1207 days immediately preceding the date of the election.

1208 3. The confidentiality requirements of this section do not
1209 prohibit the commission or its staff from sharing investigative
1210 information with criminal investigative agencies.

1211 (d) This subsection is subject to the Open Government
1212 Sunset Review Act in accordance with s. 119.15 and shall stand
1213 repealed on October 2, 2016 ~~October 2, 2015~~, unless reviewed and
1214 saved from repeal through reenactment by the Legislature.

1215 (3) A preliminary investigation shall be undertaken by the
1216 commission of each legally sufficient complaint, information, or
1217 referral over which the commission has jurisdiction to determine
1218 whether there is probable cause to believe that a violation has

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1219 occurred. If, upon completion of the preliminary investigation,
1220 the commission finds no probable cause to believe that this part
1221 has been violated or that any other breach of the public trust
1222 has been committed, the commission shall dismiss the complaint
1223 or proceeding with the issuance of a public report to the
1224 complainant and the alleged violator, stating with particularity
1225 its reasons for dismissal ~~of the complaint~~. At that time, the
1226 complaint, the proceeding, and all materials relating to the
1227 complaint and proceeding ~~shall~~ become a matter of public record.
1228 If the commission finds from the preliminary investigation
1229 probable cause to believe that this part has been violated or
1230 that any other breach of the public trust has been committed, it
1231 shall so notify the complainant and the alleged violator in
1232 writing. ~~The~~ Such notification and all documents made or
1233 received in the disposition of the complaint or proceeding shall
1234 then become public records. Upon request submitted to the
1235 commission in writing, any person who the commission finds
1236 probable cause to believe has violated any provision of this
1237 part or has committed any other breach of the public trust shall
1238 be entitled to a public hearing. Such person shall be deemed to
1239 have waived the right to a public hearing if the request is not
1240 received within 14 days following the mailing of the probable
1241 cause notification required by this subsection. However, the
1242 commission may on its own motion, require a public hearing, may
1243 conduct such further investigation as it deems necessary, and
1244 may enter into such stipulations and settlements as it finds to
1245 be just and in the best interest of the state. The commission is
1246 without jurisdiction to, and no respondent may voluntarily or
1247 involuntarily, enter into a stipulation or settlement which

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1248 imposes any penalty, including, but not limited to, a sanction
1249 or admonition or any other penalty contained in s. 112.317.
1250 Penalties shall be imposed only by the appropriate disciplinary
1251 authority as designated in this section.

1252 (4) If, in cases pertaining to members of the Legislature,
1253 upon completion of a full and final investigation by the
1254 commission, the commission finds that there has been a violation
1255 of this part or of any provision of s. 8, Art. II of the State
1256 Constitution, the commission shall forward a copy of the
1257 complaint, information, or referral and its findings by
1258 certified mail to the President of the Senate or the Speaker of
1259 the House of Representatives, whichever is applicable, who shall
1260 refer the matter ~~complaint~~ to the appropriate committee for
1261 investigation and action which shall be governed by the rules of
1262 its respective house. It ~~is shall be~~ the duty of the committee
1263 to report its final action upon the matter ~~complaint~~ to the
1264 commission within 90 days of the date of transmittal to the
1265 respective house. Upon request of the committee, the commission
1266 shall submit a recommendation as to what penalty, if any, should
1267 be imposed. In the case of a member of the Legislature, the
1268 house in which the member serves shall have the power to invoke
1269 the penalty provisions of this part.

1270 (5) If, in cases ~~pertaining to complaints~~ against
1271 impeachable officers, upon completion of a full and final
1272 investigation by the commission, the commission finds that there
1273 has been a violation of this part or of any provision of s. 8,
1274 Art. II of the State Constitution, and the commission finds that
1275 the violation may constitute grounds for impeachment, the
1276 commission shall forward a copy of the complaint, information,

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1277 or referral and its findings by certified mail to the Speaker of
1278 the House of Representatives, who shall refer the matter
1279 ~~complaint~~ to the appropriate committee for investigation and
1280 action which shall be governed by the rules of the House of
1281 Representatives. It is ~~shall be~~ the duty of the committee to
1282 report its final action upon the matter ~~complaint~~ to the
1283 commission within 90 days of the date of transmittal.

1284 (6) If the commission finds that there has been a violation
1285 of this part or of any provision of s. 8, Art. II of the State
1286 Constitution by an impeachable officer other than the Governor,
1287 and the commission recommends public censure and reprimand,
1288 forfeiture of a portion of the officer's salary, a civil
1289 penalty, or restitution, the commission shall report its
1290 findings and recommendation of disciplinary action to the
1291 Governor, who shall have the power to invoke the penalty
1292 provisions of this part.

1293 (7) If the commission finds that there has been a violation
1294 of this part or of any provision of s. 8, Art. II of the State
1295 Constitution by the Governor, and the commission recommends
1296 public censure and reprimand, forfeiture of a portion of the
1297 Governor's salary, a civil penalty, or restitution, the
1298 commission shall report its findings and recommendation of
1299 disciplinary action to the Attorney General, who shall have the
1300 power to invoke the penalty provisions of this part.

1301 (8) If, in cases ~~pertaining to complaints~~ other than
1302 ~~complaints~~ against impeachable officers or members of the
1303 Legislature, upon completion of a full and final investigation
1304 by the commission, the commission finds that there has been a
1305 violation of this part or of s. 8, Art. II of the State

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1306 Constitution, it shall be the duty of the commission to report
1307 its findings and recommend appropriate action to the proper
1308 disciplinary official or body as follows, and such official or
1309 body shall have the power to invoke the penalty provisions of
1310 this part, including the power to order the appropriate
1311 elections official to remove a candidate from the ballot for a
1312 violation of s. 112.3145 or s. 8(a) and (i), Art. II of the
1313 State Constitution:

1314 (a) The President of the Senate and the Speaker of the
1315 House of Representatives, jointly, in any case concerning the
1316 Public Counsel, members of the Public Service Commission,
1317 members of the Public Service Commission Nominating Council, the
1318 Auditor General, the director of the Office of Program Policy
1319 Analysis and Government Accountability, or members of the
1320 Legislative Committee on Intergovernmental Relations.

1321 (b) The Supreme Court, in any case concerning an employee
1322 of the judicial branch.

1323 (c) The President of the Senate, in any case concerning an
1324 employee of the Senate; the Speaker of the House of
1325 Representatives, in any case concerning an employee of the House
1326 of Representatives; or the President and the Speaker, jointly,
1327 in any case concerning an employee of a committee of the
1328 Legislature whose members are appointed solely by the President
1329 and the Speaker or in any case concerning an employee of the
1330 Public Counsel, Public Service Commission, Auditor General,
1331 Office of Program Policy Analysis and Government Accountability,
1332 or Legislative Committee on Intergovernmental Relations.

1333 (d) Except as otherwise provided by this part, the
1334 Governor, in the case of any other public officer, public

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1335 employee, former public officer or public employee, candidate or
1336 former candidate, or person who is not a public officer or
1337 employee, other than lobbyists and lobbying firms under s.
1338 112.3215 for violations of s. 112.3215.

1339 (e) The President of the Senate or the Speaker of the House
1340 of Representatives, whichever is applicable, in any case
1341 concerning a former member of the Legislature who has violated a
1342 provision applicable to former members or whose violation
1343 occurred while a member of the Legislature.

1344 (9) In addition to reporting its findings to the proper
1345 disciplinary body or official, the commission shall report these
1346 findings to the state attorney or any other appropriate official
1347 or agency having authority to initiate prosecution when
1348 violation of criminal law is indicated.

1349 (10) Notwithstanding the foregoing procedures of this
1350 section, a sworn complaint against any member or employee of the
1351 Commission on Ethics for violation of this part or of s. 8, Art.
1352 II of the State Constitution shall be filed with the President
1353 of the Senate and the Speaker of the House of Representatives.
1354 Each presiding officer shall, after determining that there are
1355 sufficient grounds for review, appoint three members of their
1356 respective bodies to a special joint committee who shall
1357 investigate the complaint. The members shall elect a chair from
1358 among their number. If the special joint committee finds
1359 insufficient evidence to establish probable cause to believe a
1360 violation of this part or of s. 8, Art. II of the State
1361 Constitution has occurred, it shall dismiss the complaint. If,
1362 upon completion of its preliminary investigation, the committee
1363 finds sufficient evidence to establish probable cause to believe

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1364 a violation has occurred, the chair thereof shall transmit such
1365 findings to the Governor who shall convene a meeting of the
1366 Governor, the President of the Senate, the Speaker of the House
1367 of Representatives, and the Chief Justice of the Supreme Court
1368 to take such final action on the complaint as they shall deem
1369 appropriate, consistent with the penalty provisions of this
1370 part. Upon request of a majority of the Governor, the President
1371 of the Senate, the Speaker of the House of Representatives, and
1372 the Chief Justice of the Supreme Court, the special joint
1373 committee shall submit a recommendation as to what penalty, if
1374 any, should be imposed.

1375 (11) Notwithstanding the provisions of subsections (1)-(8),
1376 the commission may, at its discretion, dismiss any complaint,
1377 information, or referral at any stage of disposition should it
1378 determine that the public interest would not be served by
1379 proceeding further, in which case the commission shall issue a
1380 public report stating with particularity its reasons for the
1381 dismissal.

1382 Section 13. Paragraph (a) of subsection (5) of section
1383 411.01, Florida Statutes, is amended to read:

1384 411.01 School readiness programs; early learning
1385 coalitions.—

1386 (5) CREATION OF EARLY LEARNING COALITIONS.—

1387 (a) *Early learning coalitions.*—

1388 1. Each early learning coalition shall maintain direct
1389 enhancement services at the local level and ensure access to
1390 such services in all 67 counties.

1391 2. The Agency for Workforce Innovation shall establish the
1392 minimum number of children to be served by each early learning

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1393 coalition through the coalition's school readiness program. The
1394 Agency for Workforce Innovation may only approve school
1395 readiness plans in accordance with this minimum number. The
1396 minimum number must be uniform for every early learning
1397 coalition and must:

1398 a. Permit 31 or fewer coalitions to be established; and
1399 b. Require each coalition to serve at least 2,000 children
1400 based upon the average number of all children served per month
1401 through the coalition's school readiness program during the
1402 previous 12 months.

1403 3. If an early learning coalition would serve fewer
1404 children than the minimum number established under subparagraph
1405 2., the coalition must merge with another county to form a
1406 multicounty coalition. The Agency for Workforce Innovation shall
1407 adopt procedures for merging early learning coalitions,
1408 including procedures for the consolidation of merging
1409 coalitions, and for the early termination of the terms of
1410 coalition members which are necessary to accomplish the mergers.
1411 However, the Agency for Workforce Innovation shall grant a
1412 waiver to an early learning coalition to serve fewer children
1413 than the minimum number established under subparagraph 2., if:

1414 a. The Agency for Workforce Innovation has determined
1415 during the most recent review of the coalition's school
1416 readiness plan, or through monitoring and performance
1417 evaluations conducted under paragraph (4)(1), that the coalition
1418 has substantially implemented its plan;

1419 b. The coalition demonstrates to the Agency for Workforce
1420 Innovation the coalition's ability to effectively and
1421 efficiently implement the Voluntary Prekindergarten Education

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1422 Program; and

1423 c. The coalition demonstrates to the Agency for Workforce
1424 Innovation that the coalition can perform its duties in
1425 accordance with law.

1426

1427 If an early learning coalition fails or refuses to merge as
1428 required by this subparagraph, the Agency for Workforce
1429 Innovation may dissolve the coalition and temporarily contract
1430 with a qualified entity to continue school readiness and
1431 prekindergarten services in the coalition's county or
1432 multicounty region until the agency reestablishes the coalition
1433 and a new school readiness plan is approved by the agency.

1434 4. Each early learning coalition shall be composed of at
1435 least 15 members but not more than 30 members. The Agency for
1436 Workforce Innovation shall adopt standards establishing within
1437 this range the minimum and maximum number of members that may be
1438 appointed to an early learning coalition and procedures for
1439 identifying which members have voting privileges under
1440 subparagraph 6. These standards must include variations for a
1441 coalition serving a multicounty region. Each early learning
1442 coalition must comply with these standards.

1443 5. The Governor shall appoint the chair and two other
1444 members of each early learning coalition, who must each meet the
1445 same qualifications as private sector business members appointed
1446 by the coalition under subparagraph 7.

1447 6. Each early learning coalition must include the following
1448 member positions; however, in a multicounty coalition, each ex
1449 officio member position may be filled by multiple nonvoting
1450 members but no more than one voting member shall be seated per

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1451 member position. If an early learning coalition has more than
1452 one member representing the same entity, only one of such
1453 members may serve as a voting member:

1454 a. A Department of Children and Family Services circuit
1455 administrator or his or her designee who is authorized to make
1456 decisions on behalf of the department.

1457 b. A district superintendent of schools or his or her
1458 designee who is authorized to make decisions on behalf of the
1459 district.

1460 c. A regional workforce board executive director or his or
1461 her designee.

1462 d. A county health department director or his or her
1463 designee.

1464 e. A children's services council or juvenile welfare board
1465 chair or executive director, if applicable.

1466 f. An agency head of a local licensing agency as defined in
1467 s. 402.302, where applicable.

1468 g. A president of a community college or his or her
1469 designee.

1470 h. One member appointed by a board of county commissioners
1471 or the governing board of a municipality.

1472 i. A central agency administrator, where applicable.

1473 j. A Head Start director.

1474 k. A representative of private for-profit child care
1475 providers, including private for-profit family day care homes.

1476 l. A representative of faith-based child care providers.

1477 m. A representative of programs for children with
1478 disabilities under the federal Individuals with Disabilities
1479 Education Act.

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1480 7. Including the members appointed by the Governor under
1481 subparagraph 5., more than one-third of the members of each
1482 early learning coalition must be private sector business members
1483 who do not have, and none of whose relatives as defined in s.
1484 112.3143 has, a substantial financial interest in the design or
1485 delivery of the Voluntary Prekindergarten Education Program
1486 created under part V of chapter 1002 or the coalition's school
1487 readiness program. To meet this requirement an early learning
1488 coalition must appoint additional members. The Agency for
1489 Workforce Innovation shall establish criteria for appointing
1490 private sector business members. These criteria must include
1491 standards for determining whether a member or relative has a
1492 substantial financial interest in the design or delivery of the
1493 Voluntary Prekindergarten Education Program or the coalition's
1494 school readiness program.

1495 8. A majority of the voting membership of an early learning
1496 coalition constitutes a quorum required to conduct the business
1497 of the coalition. An early learning coalition board may use any
1498 method of telecommunications to conduct meetings, including
1499 establishing a quorum through telecommunications, provided that
1500 the public is given proper notice of a telecommunications
1501 meeting and reasonable access to observe and, when appropriate,
1502 participate.

1503 9. A voting member of an early learning coalition may not
1504 appoint a designee to act in his or her place, except as
1505 otherwise provided in this paragraph. A voting member may send a
1506 representative to coalition meetings, but that representative
1507 does not have voting privileges. When a district administrator
1508 for the Department of Children and Family Services appoints a

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1509 designee to an early learning coalition, the designee is the
1510 voting member of the coalition, and any individual attending in
1511 the designee's place, including the district administrator, does
1512 not have voting privileges.

1513 10. Each member of an early learning coalition is subject
1514 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
1515 112.3143(3) ~~s. 112.3143(3)(a)~~, each voting member is a local
1516 public officer who must abstain from voting when a voting
1517 conflict exists.

1518 11. For purposes of tort liability, each member or employee
1519 of an early learning coalition shall be governed by s. 768.28.

1520 12. An early learning coalition serving a multicounty
1521 region must include representation from each county.

1522 13. Each early learning coalition shall establish terms for
1523 all appointed members of the coalition. The terms must be
1524 staggered and must be a uniform length that does not exceed 4
1525 years per term. Coalition chairs shall be appointed for 4 years
1526 in conjunction with their membership on the Early Learning
1527 Advisory Council under s. 20.052. Appointed members may serve a
1528 maximum of two consecutive terms. When a vacancy occurs in an
1529 appointed position, the coalition must advertise the vacancy.

1530 Section 14. Subsection (11) of section 445.007, Florida
1531 Statutes, is amended to read:

1532 445.007 Regional workforce boards.—

1533 (11) To increase transparency and accountability, regional
1534 workforce boards shall comply with the requirements of this
1535 section before contracting with a member of the regional
1536 workforce board. Such contracts shall not be executed before or
1537 without the approval of Workforce Florida, Inc. Such contracts,

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1538 as well as documentation demonstrating adherence to this section
1539 as specified by Workforce Florida, Inc., must be submitted to
1540 the Agency for Workforce Innovation for review and
1541 recommendation according to criteria to be determined by
1542 Workforce Florida, Inc. Contracts between relatives, as defined
1543 in s. 112.3143(1)(c) ~~s. 112.3143(1)(b)~~, of a board member or
1544 employee of a board must be approved by a two-thirds vote of the
1545 entire board; all conflicts must be disclosed prior to the vote;
1546 and any member who may benefit from the contract, or whose
1547 relative may benefit from the contract, must abstain from the
1548 vote and the contract must be reviewed and approved as stated
1549 above. Contracts under \$25,000 between a regional workforce
1550 board and a member of that board or between relatives, as
1551 defined in s. 112.3143(1)(c) ~~s. 112.3143(1)(b)~~, of a board
1552 member or employees of a board are exempt from the review and
1553 recommendation process but must be approved by a two-thirds vote
1554 of the entire board and must be reported to the Agency for
1555 Workforce Innovation and Workforce Florida, Inc., within 30 days
1556 after approval. If a contract cannot be approved by Workforce
1557 Florida, Inc., a review of the decision to disapprove the
1558 contract may be requested by the regional workforce board or
1559 other parties to the disapproved contract. This subsection
1560 expires July 1, 2012 ~~July 1, 2011~~.

1561 Section 15. For the purpose of incorporating the amendment
1562 made by this act to section 112.3143, Florida Statutes, in a
1563 reference thereto, paragraph (c) of subsection (1) of section
1564 310.151, Florida Statutes, is reenacted to read:

1565 310.151 Rates of pilotage; Pilotage Rate Review Committee.—
1566 (1)

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1567 (c) Committee members shall comply with the disclosure
1568 requirements of s. 112.3143(4) if participating in any matter
1569 that would result in special private gain or loss as described
1570 in that subsection.

1571 Section 16. For the purpose of incorporating the amendment
1572 made by this act to section 112.3143, Florida Statutes, in a
1573 reference thereto, paragraph (a) of subsection (25) of section
1574 1002.33, Florida Statutes, is reenacted to read:

1575 1002.33 Charter schools.—

1576 (25) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

1577 (a) A member of a governing board of a charter school,
1578 including a charter school operated by a private entity, is
1579 subject to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

1580 Section 17. This act shall take effect July 1, 2011.