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1 A bill to be entitled

2 An act relating to the Commission on Ethics; amending  
3 ss. 55.10 and 55.202, F.S.; authorizing the commission  
4 to acquire liens on real and personal property for  
5 certain fines imposed by final order of the  
6 commission; amending s. 55.209, F.S.; conforming a  
7 cross-reference; amending s. 112.3143, F.S.; providing  
8 a definition; providing circumstances under which a  
9 state public officer who holds an elective office must  
10 disclose certain interests when voting on a matter;  
11 prohibiting a state public officer who holds an  
12 appointive position from voting upon certain matters;  
13 requiring disclosure of certain interests of a state  
14 public officer holding an appointive position and a  
15 county, municipal, or other local public officer;  
16 prohibiting a state public officer holding an  
17 appointive position and a county, municipal, or other  
18 local public officer from participating in certain  
19 matters that would inure to his or her gain or that of  
20 others; providing exceptions; amending s. 112.324,  
21 F.S.; expanding the authority of the commission to  
22 initiate an investigation of an alleged violation or  
23 breach of the public trust upon the receipt of a  
24 written referral from certain individuals and which  
25 seven members of the commission deem sufficient;  
26 requiring the transmission of a referral to an alleged  
27 violator under certain circumstances; amending s.

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28 411.01, F.S.; conforming a cross-reference; providing  
 29 an effective date.

30

31 Be It Enacted by the Legislature of the State of Florida:

32

33 Section 1. Subsection (8) is added to section 55.10,  
 34 Florida Statutes, to read:

35 55.10 Judgments, orders, and decrees; lien of all,  
 36 generally; extension of liens; transfer of liens to other  
 37 security.—

38 (8) For purposes of this section and s. 55.202, a final  
 39 order issued by the Commission on Ethics for any fine  
 40 automatically imposed pursuant to s. 112.3144(5)(e) or s.  
 41 112.3145(6)(f) shall be treated in the same manner as a  
 42 judgment, order, or decree issued by a court.

43 Section 2. Section 55.202, Florida Statutes, is amended to  
 44 read:

45 55.202 Judgments, orders, and decrees; lien on personal  
 46 property.—

47 (1) A judgment lien securing the unpaid amount of any  
 48 money judgment may be acquired by the holder of a judgment that  
 49 is:

50 (a) Enforceable in this state under its laws or the laws  
 51 of the United States;

52 (b) Entered by an issuing tribunal with respect to a  
 53 support order being enforced in this state pursuant to chapter  
 54 88; or

55 (c) Enforceable by operation of law pursuant to s.

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56 61.14(6).

57 (2) A judgment lien securing the unpaid amount of any fine  
 58 described in s. 55.10(8) which is due to the Commission on  
 59 Ethics may be acquired by the commission.

60 (3)~~(2)~~ A judgment lien may be acquired on a judgment  
 61 debtor's interest in all personal property in this state subject  
 62 to execution under s. 56.061, other than fixtures, money,  
 63 negotiable instruments, and mortgages.

64 (a) A judgment lien is acquired by filing a judgment lien  
 65 certificate in accordance with s. 55.203 with the Department of  
 66 State after the judgment has become final and if the time to  
 67 move for rehearing has lapsed, no motion for rehearing is  
 68 pending, and no stay of the judgment or its enforcement is then  
 69 in effect. A court may authorize, for cause shown, the filing of  
 70 a judgment lien certificate before a judgment has become final  
 71 when the court has authorized the issuance of a writ of  
 72 execution in the same matter. A judgment lien certificate not  
 73 filed in compliance with this subsection is permanently void and  
 74 of no effect.

75 (b) For any lien, warrant, assessment, or judgment  
 76 collected by the Department of Revenue, a judgment lien may be  
 77 acquired by filing the judgment lien certificate information or  
 78 warrant with the Department of State in accordance with  
 79 subsection (6) ~~(5)~~.

80 (c) For the unpaid amount of any fine described in s.  
 81 55.10(8) which is due to the Commission on Ethics, a judgment  
 82 lien may be acquired by filing a copy of the commission's final  
 83 order with the Department of State.

84 (d)~~(e)~~ Except as provided in s. 55.208, the effective date  
 85 of a judgment lien is the date, including the time of day, of  
 86 filing the judgment lien certificate or copy of the final order  
 87 of the Commission on Ethics. Although no lien attaches to  
 88 property, and a creditor does not become a lien creditor as to  
 89 liens under chapter 679, until the debtor acquires an interest  
 90 in the property, priority among competing judgment liens is  
 91 determined in order of filing date and time.

92 (e)~~(d)~~ Except as provided in s. 55.204(3), a judgment  
 93 creditor may file only one effective judgment lien certificate  
 94 based upon a particular judgment.

95 (4)~~(3)~~ Except as otherwise provided in s. 55.208, the  
 96 priority of a judgment lien acquired in accordance with this  
 97 section or s. 55.204(3) is established at the date and time that  
 98 the judgment lien certificate or final order of the Commission  
 99 on Ethics is filed.

100 (5)~~(4)~~ As used in ss. 55.201-55.209, the terms "holder of  
 101 a judgment" and "judgment creditor" include the Department of  
 102 Revenue with respect to a judgment being enforced by the  
 103 Department of Revenue as the state IV-D agency.

104 (6)~~(5)~~ Liens, assessments, warrants, or judgments filed  
 105 pursuant to paragraph (3) (b) ~~(2) (b)~~ may be filed directly into  
 106 the central database by the Department of Revenue, or its  
 107 designee as determined by its executive director, through  
 108 electronic or information data exchange programs approved by the  
 109 Department of State. Such filings must contain the information  
 110 set forth in s. 55.203(1).

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111 Section 3. Subsection (1) of section 55.209, Florida  
 112 Statutes, is amended to read:

113 55.209 Department of State; processing fees,  
 114 responsibilities.—

115 (1) Except for liens, assessments, warrants, or judgments  
 116 filed electronically as provided in s. 55.202(3)(b)  
 117 ~~55.202(2)(b)~~, the Department of State shall collect the  
 118 following nonrefundable processing fees for all documents filed  
 119 in accordance with ss. 55.201-55.209:

120 (a) For any judgment lien certificate or other documents  
 121 permitted to be filed, \$20.

122 (b) For the certification of any filed document, \$10.

123 (c) For copies of judgment lien documents which are  
 124 produced by the Department of State, \$1 per page or part  
 125 thereof. However, no charge may be collected for copies provided  
 126 in an online electronic format via the Internet.

127 (d) For indexing a judgment lien by multiple judgment  
 128 debtor names, \$5 per additional name.

129 (e) For each additional facing page attached to a judgment  
 130 lien certificate or document permitted to be filed, \$5.

131 Section 4. Section 112.3143, Florida Statutes, is amended  
 132 to read:

133 112.3143 Voting conflicts.—

134 (1) As used in this section, the term:

135 (a) "Principal by whom retained" means an individual or  
 136 entity, other than an agency as defined in s. 112.312(2), that  
 137 for compensation, salary, pay, consideration, or similar thing  
 138 of value, has permitted or directed another to act for the

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139 individual or entity. The term includes, but is not limited to,  
 140 one's client, employer, or master, or the parent, subsidiary, or  
 141 sibling organization of one's client, employer, or master.

142 (b)-(a) "Public officer" includes any person elected or  
 143 appointed to hold office in any agency, including any person  
 144 serving on an advisory body.

145 (c)-(b) "Relative" means any father, mother, son, daughter,  
 146 husband, wife, brother, sister, father-in-law, mother-in-law,  
 147 son-in-law, or daughter-in-law.

148 (2) A ~~Ne~~ state public officer holding an elective office  
 149 is not prohibited from voting in that ~~an~~ official capacity on  
 150 any matter. However, when ~~any state public officer~~ voting in an  
 151 official capacity upon any measure that ~~which~~ would inure to the  
 152 officer's special private gain or loss; that ~~which~~ he or she  
 153 knows would inure to the special private gain or loss of any  
 154 principal by whom the officer is retained ~~or to the parent~~  
 155 ~~organization or subsidiary of a corporate principal by which the~~  
 156 ~~officer is retained;~~ or that ~~which~~ the officer knows would inure  
 157 to the special private gain or loss of a relative or business  
 158 associate of the public officer, the officer shall, within 15  
 159 days after the vote occurs, disclose the nature of all of his or  
 160 her interests in the matter, and disclose the nature of all of  
 161 the interests of his or her principals, relatives, or business  
 162 associates which are known to him or her, ~~his or her interest~~ as  
 163 a public record in a memorandum filed with the person  
 164 responsible for recording the minutes of the meeting, who shall  
 165 incorporate the memorandum in the minutes.

166 (3)-(a) A state public officer holding an appointive

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167 position, and a ~~No~~ county, municipal, or other local public  
168 officer may not ~~shall~~ vote in an official capacity upon any  
169 measure that ~~which~~ would inure to his or her special private  
170 gain or loss; that ~~which~~ he or she knows would inure to the  
171 special private gain or loss of any principal by whom he or she  
172 is retained ~~or to the parent organization or subsidiary of a~~  
173 ~~corporate principal by which he or she is retained, other than~~  
174 ~~an agency as defined in s. 112.312(2); or~~ that ~~which~~ he or she  
175 knows would inure to the special private gain or loss of a  
176 relative or business associate of the public officer. Such  
177 public officer shall, before ~~prior to~~ the vote is ~~being~~ taken,  
178 publicly state to the assembly the nature of all of the  
179 officer's interests, and all of the interests of his or her  
180 principals, relatives, or business associates which are known to  
181 him or her, ~~interest~~ in the matter from which he or she is  
182 abstaining from voting and, within 15 days after the vote  
183 occurs, disclose the nature of all of his or her interests in  
184 the matter, and disclose the nature of all of the interests of  
185 his or her principals, relatives, or business associates which  
186 are known to him or her, ~~his or her interest~~ as a public record  
187 in a memorandum filed with the person responsible for recording  
188 the minutes of the meeting, who shall incorporate the memorandum  
189 in the minutes.

190 ~~(b) However, a commissioner of a community redevelopment~~  
191 ~~agency created or designated pursuant to s. 163.356 or s.~~  
192 ~~163.357, or an officer of an independent special tax district~~  
193 ~~elected on a one-acre, one-vote basis, is not prohibited from~~  
194 ~~voting, when voting in said capacity.~~

195           (4) A state public officer holding an appointive position,  
 196 and a county, municipal, or other local public officer may not  
 197 ~~No appointed public officer shall~~ participate in any matter that  
 198 ~~which~~ would inure to the officer's special private gain or loss;  
 199 that ~~which~~ the officer knows would inure to the special private  
 200 gain or loss of any principal by whom he or she is retained ~~or~~  
 201 ~~to the parent organization or subsidiary of a corporate~~  
 202 ~~principal by which he or she is retained;~~ or that ~~which~~ he or  
 203 she knows would inure to the special private gain or loss of a  
 204 relative or business associate of the public officer, ~~without~~  
 205 ~~first disclosing the nature of his or her interest in the~~  
 206 ~~matter.~~

207           (5) However, a commissioner of a community redevelopment  
 208 agency created or designated pursuant to s. 163.356 or s.  
 209 163.357, or an officer of an independent special tax district  
 210 elected on a one-acre, one-vote basis, is not prohibited from  
 211 voting in that capacity, but must make the disclosures provided  
 212 for in section (3). In addition, the officer may not participate  
 213 in such a measure without first disclosing the nature of his or  
 214 her interests and the interests of his or her principal,  
 215 relative, or business associate in the matter.

216           (a) Such disclosure, indicating the nature of the  
 217 conflict, shall be made in a written memorandum filed with the  
 218 person responsible for recording the minutes of the meeting,  
 219 prior to the meeting in which consideration of the matter will  
 220 take place, and shall be incorporated into the minutes. Any such  
 221 memorandum shall become a public record upon filing, shall  
 222 immediately be provided to the other members of the agency, and



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223 shall be read publicly at the next meeting held subsequent to  
 224 the filing of this written memorandum.

225 (b) In the event that disclosure has not been made prior  
 226 to the meeting or that any conflict is unknown prior to the  
 227 meeting, the disclosure shall be made orally at the meeting when  
 228 it becomes known that a conflict exists. A written memorandum  
 229 disclosing the nature of the conflict shall then be filed within  
 230 15 days after the oral disclosure with the person responsible  
 231 for recording the minutes of the meeting and shall be  
 232 incorporated into the minutes of the meeting at which the oral  
 233 disclosure was made. Any such memorandum shall become a public  
 234 record upon filing, shall immediately be provided to the other  
 235 members of the agency, and shall be read publicly at the next  
 236 meeting held subsequent to the filing of this written  
 237 memorandum.

238 ~~(6)(e)~~ For purposes of this section ~~subsection~~, the term  
 239 "participate" means any attempt to influence the decision by  
 240 oral or written communication to any officer, employee, or  
 241 member of the agency, whether made by the officer or at the  
 242 officer's direction.

243 ~~(7)(5)~~ Whenever a public officer or former public officer  
 244 is being considered for appointment or reappointment to public  
 245 office, the appointing body shall consider the number and nature  
 246 of the memoranda of conflict previously filed under this section  
 247 by the ~~said~~ officer.

248 Section 5. Subsections (1), (3), (4), (5), (8), and (11)  
 249 of section 112.324, Florida Statutes, are amended to read:

250 112.324 Procedures on complaints or referrals of

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251 | violations; public records and meeting exemptions.—

252 |       (1) ~~Upon a written complaint executed on a form prescribed~~  
 253 | ~~by the commission and signed under oath or affirmation by any~~  
 254 | ~~person,~~ The commission shall investigate any alleged violation  
 255 | of this part or any other alleged breach of the public trust  
 256 | within the jurisdiction of the commission as provided in s.  
 257 | 8(f), Art. II of the State Constitution, in accordance with  
 258 | procedures set forth herein:

259 |       (a) Upon receipt of a written complaint executed on a form  
 260 | prescribed by the commission and signed under oath or  
 261 | affirmation by any person; or

262 |       (b) Upon receipt of a written referral of a possible  
 263 | violation of this part or other possible breach of the public  
 264 | trust from the Governor, the Chief Financial Officer, a state  
 265 | attorney, or the executive director of the Department of Law  
 266 | Enforcement, which seven members of the commission deem  
 267 | sufficient to indicate a breach of the public trust.

268 |  
 269 | Within 5 days after receipt of a complaint by the commission or  
 270 | within 5 days after determination by the commission that a  
 271 | referral received is deemed sufficient, a copy shall be  
 272 | transmitted to the alleged violator.

273 |       (3) A preliminary investigation shall be undertaken by the  
 274 | commission of each legally sufficient complaint or referral over  
 275 | which the commission has jurisdiction to determine whether there  
 276 | is probable cause to believe that a violation has occurred. If,  
 277 | upon completion of the preliminary investigation, the commission  
 278 | finds no probable cause to believe that this part has been

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279 | violated or that any other breach of the public trust has been  
280 | committed, the commission shall dismiss the complaint or  
281 | proceeding with the issuance of a public report to the  
282 | complainant and the alleged violator, stating with particularity  
283 | its reasons for dismissal ~~of the complaint~~. At that time, the  
284 | complaint, the proceeding, and all materials relating to the  
285 | complaint and proceeding shall become a matter of public record.  
286 | If the commission finds from the preliminary investigation  
287 | probable cause to believe that this part has been violated or  
288 | that any other breach of the public trust has been committed, it  
289 | shall so notify the complainant and the alleged violator in  
290 | writing. Such notification and all documents made or received in  
291 | the disposition of the complaint or proceeding shall then become  
292 | public records. Upon request submitted to the commission in  
293 | writing, any person who the commission finds probable cause to  
294 | believe has violated any provision of this part or has committed  
295 | any other breach of the public trust shall be entitled to a  
296 | public hearing. Such person shall be deemed to have waived the  
297 | right to a public hearing if the request is not received within  
298 | 14 days after ~~following~~ the mailing of the probable cause  
299 | notification required by this subsection. However, the  
300 | commission may on its own motion, require a public hearing, may  
301 | conduct such further investigation as it deems necessary, and  
302 | may enter into such stipulations and settlements as it finds to  
303 | be just and in the best interest of the State. The commission is  
304 | without jurisdiction to, and no respondent may voluntarily or  
305 | involuntarily, enter into a stipulation or settlement which  
306 | imposes any penalty, including, but not limited to, a sanction

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307 or admonition or any other penalty contained in s. 112.317.  
308 Penalties shall be imposed only by the appropriate disciplinary  
309 authority as designated in this section.

310 (4) If, in cases pertaining to members of the Legislature,  
311 upon completion of a full and final investigation by the  
312 commission, the commission finds that there has been a violation  
313 of this part or of any provision of s. 8, Art. II of the State  
314 Constitution, the commission shall forward a copy of the  
315 complaint or referral and its findings by certified mail to the  
316 President of the Senate or the Speaker of the House of  
317 Representatives, whichever is applicable, who shall refer the  
318 matter ~~complaint~~ to the appropriate committee for investigation  
319 and action which shall be governed by the rules of its  
320 respective house. It shall be the duty of the committee to  
321 report its final action upon the matter ~~complaint~~ to the  
322 commission within 90 days after ~~of~~ the date of transmittal to  
323 the respective house. Upon request of the committee, the  
324 commission shall submit a recommendation as to what penalty, if  
325 any, should be imposed. In the case of a member of the  
326 Legislature, the house in which the member serves shall have the  
327 power to invoke the penalty provisions of this part.

328 (5) If, in cases ~~pertaining to complaints~~ against  
329 impeachable officers, upon completion of a full and final  
330 investigation by the commission, the commission finds that there  
331 has been a violation of this part or of any provision of s. 8,  
332 Art. II of the State Constitution, and the commission finds that  
333 the violation may constitute grounds for impeachment, the  
334 commission shall forward a copy of the complaint or referral and

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335 its findings by certified mail to the Speaker of the House of  
336 Representatives, who shall refer the matter ~~complaint~~ to the  
337 appropriate committee for investigation and action which shall  
338 be governed by the rules of the House of Representatives. It  
339 shall be the duty of the committee to report its final action  
340 upon the matter ~~complaint~~ to the commission within 90 days after  
341 ~~of~~ the date of transmittal.

342 (8) If, in cases ~~pertaining to complaints~~ other than  
343 ~~complaints~~ against impeachable officers or members of the  
344 Legislature, upon completion of a full and final investigation  
345 by the commission, the commission finds that there has been a  
346 violation of this part or of s. 8, Art. II of the State  
347 Constitution, it shall be the duty of the commission to report  
348 its findings and recommend appropriate action to the proper  
349 disciplinary official or body as follows, and such official or  
350 body shall have the power to invoke the penalty provisions of  
351 this part, including the power to order the appropriate  
352 elections official to remove a candidate from the ballot for a  
353 violation of s. 112.3145 or s. 8(a) and (i), Art. II of the  
354 State Constitution:

355 (a) The President of the Senate and the Speaker of the  
356 House of Representatives, jointly, in any case concerning the  
357 Public Counsel, members of the Public Service Commission,  
358 members of the Public Service Commission Nominating Council, the  
359 Auditor General, or the director of the Office of Program Policy  
360 Analysis and Government Accountability.

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

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363 (c) The President of the Senate, in any case concerning an  
 364 employee of the Senate; the Speaker of the House of  
 365 Representatives, in any case concerning an employee of the House  
 366 of Representatives; or the President and the Speaker, jointly,  
 367 in any case concerning an employee of a committee of the  
 368 Legislature whose members are appointed solely by the President  
 369 and the Speaker or in any case concerning an employee of the  
 370 Public Counsel, Public Service Commission, Auditor General, or  
 371 Office of Program Policy Analysis and Government Accountability.

372 (d) Except as otherwise provided by this part, the  
 373 Governor, in the case of any other public officer, public  
 374 employee, former public officer or public employee, candidate or  
 375 former candidate, or person who is not a public officer or  
 376 employee, other than lobbyists and lobbying firms under s.  
 377 112.3215 for violations of s. 112.3215.

378 (e) The President of the Senate or the Speaker of the  
 379 House of Representatives, whichever is applicable, in any case  
 380 concerning a former member of the Legislature who has violated a  
 381 provision applicable to former members or whose violation  
 382 occurred while a member of the Legislature.

383 (11) Notwithstanding the provisions of subsections (1)-  
 384 (8), the commission may, at its discretion, dismiss any  
 385 complaint or referral at any stage of disposition should it  
 386 determine that the public interest would not be served by  
 387 proceeding further, in which case the commission shall issue a  
 388 public report stating with particularity its reasons for the  
 389 dismissal.

390 Section 6. Paragraph (a) of subsection (5) of section

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391 411.01, Florida Statutes, is amended to read:

392 411.01 School readiness programs; early learning  
393 coalitions.—

394 (5) CREATION OF EARLY LEARNING COALITIONS.—

395 (a) Early learning coalitions.—

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

399 2. The Office of Early Learning shall establish the  
400 minimum number of children to be served by each early learning  
401 coalition through the coalition's school readiness program. The  
402 office ~~of Early Learning~~ may only approve school readiness plans  
403 in accordance with this minimum number. The minimum number must  
404 be uniform for every early learning coalition and must:

405 a. Permit 31 or fewer coalitions to be established; and

406 b. Require each coalition to serve at least 2,000 children  
407 based upon the average number of all children served per month  
408 through the coalition's school readiness program during the  
409 previous 12 months.

410 3. If an early learning coalition would serve fewer  
411 children than the minimum number established under subparagraph  
412 2., the coalition must merge with another county to form a  
413 multicounty coalition. The office ~~of Early Learning~~ shall adopt  
414 procedures for merging early learning coalitions, including  
415 procedures for the consolidation of merging coalitions, and for  
416 the early termination of the terms of coalition members which  
417 are necessary to accomplish the mergers. However, the office ~~of~~  
418 ~~Early Learning~~ shall grant a waiver to an early learning

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419 coalition to serve fewer children than the minimum number  
420 established under subparagraph 2., if:

421 a. The office ~~of Early Learning~~ has determined during the  
422 most recent review of the coalition's school readiness plan, or  
423 through monitoring and performance evaluations conducted under  
424 paragraph (4)(1), that the coalition has substantially  
425 implemented its plan;

426 b. The coalition demonstrates to the office ~~of Early~~  
427 ~~Learning~~ the coalition's ability to effectively and efficiently  
428 implement the Voluntary Prekindergarten Education Program; and

429 c. The coalition demonstrates to the office ~~of Early~~  
430 ~~Learning~~ that the coalition can perform its duties in accordance  
431 with law.

432  
433 If an early learning coalition fails or refuses to merge as  
434 required by this subparagraph, the office ~~of Early Learning~~ may  
435 dissolve the coalition and temporarily contract with a qualified  
436 entity to continue school readiness and prekindergarten services  
437 in the coalition's county or multicounty region until the office  
438 reestablishes the coalition and a new school readiness plan is  
439 approved by the office.

440 4. Each early learning coalition shall be composed of at  
441 least 15 members but not more than 30 members. The office ~~of~~  
442 ~~Early Learning~~ shall adopt standards establishing within this  
443 range the minimum and maximum number of members that may be  
444 appointed to an early learning coalition and procedures for  
445 identifying which members have voting privileges under  
446 subparagraph 6. These standards must include variations for a



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447 coalition serving a multicounty region. Each early learning  
448 coalition must comply with these standards.

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

453 6. Each early learning coalition must include the  
454 following member positions; however, in a multicounty coalition,  
455 each ex officio member position may be filled by multiple  
456 nonvoting members but no more than one voting member shall be  
457 seated per member position. If an early learning coalition has  
458 more than one member representing the same entity, only one of  
459 such members may serve as a voting member:

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

463 b. A district superintendent of schools or his or her  
464 designee who is authorized to make decisions on behalf of the  
465 district.

466 c. A regional workforce board executive director or his or  
467 her designee.

468 d. A county health department director or his or her  
469 designee.

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

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

474 g. A president of a community college or his or her

475 | designee.

476 |       h. One member appointed by a board of county commissioners  
477 | or the governing board of a municipality.

478 |       i. A central agency administrator, where applicable.

479 |       j. A Head Start director.

480 |       k. A representative of private for-profit child care  
481 | providers, including private for-profit family day care homes.

482 |       l. A representative of faith-based child care providers.

483 |       m. A representative of programs for children with  
484 | disabilities under the federal Individuals with Disabilities  
485 | Education Act.

486 |       7. Including the members appointed by the Governor under  
487 | subparagraph 5., more than one-third of the members of each  
488 | early learning coalition must be private sector business members  
489 | who do not have, and none of whose relatives as defined in s.  
490 | 112.3143 has, a substantial financial interest in the design or  
491 | delivery of the Voluntary Prekindergarten Education Program  
492 | created under part V of chapter 1002 or the coalition's school  
493 | readiness program. To meet this requirement an early learning  
494 | coalition must appoint additional members. The office ~~of Early~~  
495 | ~~Learning~~ shall establish criteria for appointing private sector  
496 | business members. These criteria must include standards for  
497 | determining whether a member or relative has a substantial  
498 | financial interest in the design or delivery of the Voluntary  
499 | Prekindergarten Education Program or the coalition's school  
500 | readiness program.

501 |       8. A majority of the voting membership of an early  
502 | learning coalition constitutes a quorum required to conduct the

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503 business of the coalition. An early learning coalition board may  
 504 use any method of telecommunications to conduct meetings,  
 505 including establishing a quorum through telecommunications if,  
 506 ~~provided that~~ the public is given proper notice of a  
 507 telecommunications meeting and reasonable access to observe and,  
 508 when appropriate, participate.

509 9. A voting member of an early learning coalition may not  
 510 appoint a designee to act in his or her place, except as  
 511 otherwise provided in this paragraph. A voting member may send a  
 512 representative to coalition meetings, but that representative  
 513 does not have voting privileges. If ~~When~~ a district  
 514 administrator for the Department of Children and Family Services  
 515 appoints a designee to an early learning coalition, the designee  
 516 is the voting member of the coalition, and any individual  
 517 attending in the designee's place, including the district  
 518 administrator, does not have voting privileges.

519 10. Each member of an early learning coalition is subject  
 520 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
 521 112.3143(3) ~~s. 112.3143(3)(a)~~, each voting member is a local  
 522 public officer who must abstain from voting when a voting  
 523 conflict exists.

524 11. For purposes of tort liability, each member or  
 525 employee of an early learning coalition is ~~shall be~~ governed by  
 526 s. 768.28.

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

529 13. Each early learning coalition shall establish terms  
 530 for all appointed members of the coalition. The terms must be

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531 | staggered and must be a uniform length that does not exceed 4  
532 | years per term. Coalition chairs shall be appointed for 4 years  
533 | in conjunction with their membership on the Early Learning  
534 | Advisory Council under s. 20.052. Appointed members may serve a  
535 | maximum of two consecutive terms. If ~~When~~ a vacancy occurs in an  
536 | appointed position, the coalition must advertise the vacancy.

537 | Section 7. This act shall take effect July 1, 2013.