

By Senator Crist

20-776-98

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A bill to be entitled  
An act relating to public officers; requiring  
public officers to pay for all personal  
transportation expenses; amending s. 112.312,  
F.S.; redefining the term "gift"; repealing s.  
112.3148(7)(d), F.S., which provides for  
determining the value of transportation for  
purposes of gift disclosure; providing an  
effective date.

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

Section 1. A public officer as defined in section  
112.313(1), Florida Statutes, shall pay for all transportation  
expenses not provided by an agency in relation to officially  
approved governmental business.

Section 2. Subsection (12) of section 112.312, Florida  
Statutes, is amended to read:

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

(12)(a) "Gift," for purposes of ethics in government  
and financial disclosure required by law, means that which is  
accepted by a donee or by another on the donee's behalf, or  
that which is paid or given to another for or on behalf of a  
donee, directly, indirectly, or in trust for the donee's  
benefit or by any other means, for which equal or greater  
consideration is not given, including:

- 1. Real property.
- 2. The use of real property.
- 3. Tangible or intangible personal property.

1           4. The use of tangible or intangible personal  
2 property.

3           5. A preferential rate or terms on a debt, loan,  
4 goods, or services, which rate is below the customary rate and  
5 is not either a government rate available to all other  
6 similarly situated government employees or officials or a rate  
7 which is available to similarly situated members of the public  
8 by virtue of occupation, affiliation, age, religion, sex, or  
9 national origin.

10           6. Forgiveness of an indebtedness.

11           ~~7. Transportation, other than that provided to a~~  
12 ~~public officer or employee by an agency in relation to~~  
13 ~~officially approved governmental business, lodging, or~~  
14 ~~parking.~~

15           7.8. Food or beverage.

16           8.9. Membership dues.

17           9.10. Entrance fees, admission fees, or tickets to  
18 events, performances, or facilities.

19           10.11. Plants, flowers, or floral arrangements.

20           11.12. Services provided by persons pursuant to a  
21 professional license or certificate.

22           12.13. Other personal services for which a fee is  
23 normally charged by the person providing the services.

24           13.14. Any other similar service or thing having an  
25 attributable value not already provided for in this section.

26           (b) "Gift" does not include:

27           1. Salary, benefits, services, fees, commissions,  
28 gifts, or expenses associated primarily with the donee's  
29 employment, business, or service as an officer or director of  
30 a corporation or organization.

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1           2. Contributions or expenditures reported pursuant to  
2 chapter 106, campaign-related personal services provided  
3 without compensation by individuals volunteering their time,  
4 or any other contribution or expenditure by a political party.

5           3. An honorarium or an expense related to an  
6 honorarium event paid to a person or the person's spouse.

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

10          5. An honorary membership in a service or fraternal  
11 organization presented merely as a courtesy by such  
12 organization.

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

15          ~~7. Transportation provided to a public officer or~~  
16 ~~employee by an agency in relation to officially approved~~  
17 ~~governmental business.~~

18          ~~7.8.~~ Gifts provided directly or indirectly by a state,  
19 regional, or national organization which promotes the exchange  
20 of ideas between, or the professional development of,  
21 governmental officials or employees, and whose membership is  
22 primarily composed of elected or appointed public officials or  
23 staff, to members of that organization or officials or staff  
24 of a governmental agency that is a member of that  
25 organization.

26          (c) For the purposes of paragraph (a), "intangible  
27 personal property" means property as defined in s.

28 192.001(11)(b).

29          Section 3. Paragraph (d) of subsection (7) of section  
30 112.3148, Florida Statutes, is repealed.

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1           Section 4. This act shall take effect upon becoming a  
2 law.

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5                               SENATE SUMMARY

6           Requires public officers to pay for all transportation  
7 expenses not provided by an agency in relation to  
8 officially approved governmental business. Removes  
9 transportation from the definition of gift for disclosure  
10 purposes.

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