

By Representative Arnold

1 A bill to be entitled
2 An act relating to public officers and
3 employees; amending s. 112.3148, F.S.;
4 providing that a gift from a direct-support
5 organization to a governmental entity shall be
6 for the benefit of the governmental entity only
7 and may not be used for the personal benefit of
8 any officer or employee of the governmental
9 entity who is a reporting individual or
10 procurement employee or of any member of the
11 immediate family of such an officer or
12 employee, violation of which is subject to
13 penalties provided by law; requiring the
14 reporting of the purpose of such gifts;
15 providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Subsection (6) of section 112.3148, Florida
20 Statutes, is amended to read:

21 112.3148 Reporting and prohibited receipt of gifts by
22 individuals filing full or limited public disclosure of
23 financial interests and by procurement employees.--

24 (6)(a) Notwithstanding the provisions of subsection
25 (5), an entity of the legislative or judicial branch, a
26 department or commission of the executive branch, a water
27 management district created pursuant to s. 373.069, Tri-County
28 Commuter Rail Authority, a county, a municipality, an airport
29 authority, or a school board may give, either directly or
30 indirectly, a gift having a value in excess of \$100 to any
31 reporting individual or procurement employee if a public

1 purpose can be shown for the gift; and a direct-support
2 organization specifically authorized by law to support a
3 governmental entity may give such a gift to a reporting
4 individual or procurement employee who is an officer or
5 employee of such governmental entity, provided the gift is for
6 the benefit of such governmental entity and not for the
7 personal benefit of such officer or employee or of any member
8 of the immediate family of such officer or employee.

9 (b) Notwithstanding the provisions of subsection (4),
10 a reporting individual or procurement employee may accept a
11 gift having a value in excess of \$100 from an entity of the
12 legislative or judicial branch, a department or commission of
13 the executive branch, a water management district created
14 pursuant to s. 373.069, Tri-County Commuter Rail Authority, a
15 county, a municipality, an airport authority, or a school
16 board if a public purpose can be shown for the gift; and a
17 reporting individual or procurement employee who is an officer
18 or employee of a governmental entity supported by a
19 direct-support organization specifically authorized by law to
20 support such governmental entity may accept such a gift from
21 such direct-support organization, provided the gift is for the
22 benefit of such governmental entity and not for his or her own
23 personal benefit or the personal benefit of any member of his
24 or her immediate family.

25 (c) No later than March 1 of each year, each
26 governmental entity or direct-support organization
27 specifically authorized by law to support a governmental
28 entity which has given a gift to a reporting individual or
29 procurement employee under paragraph (a) shall provide the
30 reporting individual or procurement employee with a statement
31 of each gift having a value in excess of \$100 given to such

1 reporting individual or procurement employee by the
2 governmental entity or direct-support organization during the
3 preceding calendar year. Such report shall contain a
4 description of each gift, the date on which the gift was
5 given, the purpose for which the gift was given, and the value
6 of the total gifts given by the governmental entity or
7 direct-support organization to the reporting individual or
8 procurement employee during the calendar year for which the
9 report is made. A governmental entity may provide a single
10 report to the reporting individual or procurement employee of
11 gifts provided by the governmental entity and any
12 direct-support organization specifically authorized by law to
13 support such governmental entity.

14 (d) No later than July 1 of each year, each reporting
15 individual or procurement employee shall file a statement
16 listing each gift having a value in excess of \$100 received by
17 the reporting individual or procurement employee, either
18 directly or indirectly, from a governmental entity or a
19 direct-support organization specifically authorized by law to
20 support a governmental entity. The statement shall list the
21 name of the person providing the gift, a description of the
22 gift, the date or dates on which the gift was given, the
23 purpose for which the gift was given, and the value of the
24 total gifts given during the calendar year for which the
25 report is made. The reporting individual or procurement
26 employee shall attach to such statement any report received by
27 him or her in accordance with paragraph (c), which report
28 shall become a public record when filed with the statement of
29 the reporting individual or procurement employee. The
30 reporting individual or procurement employee may explain any
31 differences between the report of the reporting individual or

1 procurement employee and the attached reports. The annual
2 report filed by a reporting individual shall be filed with the
3 financial disclosure statement required by either s. 8, Art.
4 II of the State Constitution or s. 112.3145, as applicable to
5 the reporting individual. The annual report filed by a
6 procurement employee shall be filed with the Department of
7 State.

8 Section 2. This act shall take effect upon becoming a
9 law.

10 *****

11 HOUSE SUMMARY

12 Provides that gifts from a direct-support organization to
13 a governmental entity shall be for the benefit of the
14 governmental entity only and may not be used for the
15 personal benefit of any officer or employee of the
16 governmental entity who is a reporting individual or
17 procurement employee or of any member of the immediate
18 family of such an officer or employee, violation of which
19 is subject to penalties provided by law. Requires the
20 reporting of the purpose of such gifts.

21
22
23
24
25
26
27
28
29
30
31