

By Senator Posey

24-495A-06

1 A bill to be entitled

2 An act relating to ethics; amending s. 112.321,

3 F.S.; prohibiting an individual who qualifies

4 as a lobbyist from serving on the Commission on

5 Ethics; prohibiting a member of the commission

6 from lobbying any state or local government

7 entity; providing exceptions for individuals

8 who are members of the commission on July 1,

9 2006, until the expiration of their current

10 terms; amending s. 112.313, F.S.; providing

11 that it is a conflict of interest for a member

12 of the Legislature to accept compensation from

13 an agency or business entity receiving state

14 funds under specified circumstances; providing

15 penalties; providing effective dates.

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

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19 Section 1. Subsection (1) of section 112.321, Florida

20 Statutes, is amended to read:

21 112.321 Membership, terms; travel expenses; staff.--

22 (1) The commission shall be composed of nine members.

23 Five of these members shall be appointed by the Governor, no

24 more than three of whom shall be from the same political

25 party, subject to confirmation by the Senate. One member

26 appointed by the Governor shall be a former city or county

27 official and may be a former member of a local planning or

28 zoning board which has only advisory duties. Two members shall

29 be appointed by the Speaker of the House of Representatives,

30 and two members shall be appointed by the President of the

31 Senate. Neither the Speaker of the House of Representatives

1 nor the President of the Senate shall appoint more than one
2 member from the same political party. Of the nine members of
3 the Commission, no more than five members shall be from the
4 same political party at any one time. No member may hold any
5 public employment. An individual who qualifies as a lobbyist
6 pursuant to s. 11.045 or s. 112.3215 or pursuant to any local
7 government charter or ordinance may not serve as a member of
8 the commission, except that this prohibition does not apply to
9 an individual who is a member of the commission on July 1,
10 2006, until the expiration of his or her current term. A
11 member of the commission may not lobby any state or local
12 governmental entity as provided in s. 11.045 or s. 112.3215 or
13 as provided by any local government charter or ordinance,
14 except that this prohibition does not apply to an individual
15 who is a member of the commission on July 1, 2006, until the
16 expiration of his or her current term. All members shall serve
17 2-year terms. No member shall serve more than two full terms
18 in succession. Any member of the commission may be removed for
19 cause by majority vote of the Governor, the President of the
20 Senate, the Speaker of the House of Representatives, and the
21 Chief Justice of the Supreme Court.

22 Section 2. Effective January 1, 2016, subsection (18)
23 is added to section 112.313, Florida Statutes, to read:

24 112.313 Standards of conduct for public officers,
25 employees of agencies, and local government attorneys.--

26 (18) LEGISLATORS; ADDITIONAL PROVISIONS.--It is a
27 conflict of interest for a member of the Legislature to
28 receive compensation from any agency or business entity that,
29 directly or indirectly, receives state funds. However, this
30 subsection does not apply if the member receives compensation
31 for any service provided as part of the member's regular

1 occupation or profession if that service is procured by the
2 agency or business entity through a selection process in which
3 the status of the member is not known to the agency or
4 business entity or in which such status can be, and is,
5 disregarded if known.

6 Section 3. Except as otherwise expressly provided in
7 this act, this act shall take effect upon becoming a law.

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SENATE SUMMARY

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Prohibits an individual who qualifies as a lobbyist from serving on the Commission on Ethics. Prohibits a member of the commission from lobbying any state or local governmental entity. Provides that the prohibitions do not apply to an individual who is a commission member on July 1, 2006, until the expiration of his or her current term. Provides that on or after January 1, 2016, it is a conflict of interest for a member of the Legislature to receive compensation from an agency or business entity that receives state funds. Provides certain exceptions.