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CHAMBER ACTION

Senate

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House

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1 The Committee on Judiciary (Joyner) recommended the following
2 **amendment:**

3
4 **Senate Amendment (with title amendment)**

5 Delete line(s) 174-275

6 and insert:

7 (4)(3)(a) An elected or appointed ~~Ne~~ county, municipal, or
8 other local public officer may not shall vote or participate in
9 an official capacity in any matter that ~~upon any measure which~~
10 would inure to the officer's ~~his or her~~ special private gain or
11 loss; that the officer ~~which he or she~~ knows would inure to the
12 special private gain or loss of any principal by whom he or she
13 is retained or to the parent organization, sibling, or subsidiary
14 of a corporate principal by which he or she is retained, other
15 than an agency as defined in s. 112.312(2); or that ~~which~~ he or
16 she knows would inure to the special private gain or loss of a
17 relative or business associate of the public officer. Such local



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18 public officer shall, before ~~prior to~~ the vote is being taken,
19 publicly state to the assembly the nature of all of the officer's
20 interests and all of the interests of his or her principals,
21 relatives, or business associates which are known to him or her
22 in the matter from which he or she is abstaining from voting and
23 participating and, at the time of the vote or within 15 days
24 after the vote occurs, disclose the nature of all of his or her
25 interests and the interests of his or her principals, relatives,
26 or business associates which are known to him or her, ~~his or her~~
27 ~~interest~~ as a public record in a memorandum filed with the person
28 responsible for recording the minutes of the meeting, who shall
29 incorporate the memorandum in the minutes.

30 (b) ~~However,~~ A commissioner of a community redevelopment
31 agency created or designated pursuant to s. 163.356 or s.
32 163.357, or an officer of an independent special tax district
33 elected on a one-acre, one-vote basis, is not prohibited from
34 voting or participating when acting in an official, ~~when voting~~
35 ~~in said~~ capacity. However, before a vote is taken, the
36 commissioner or officer must publicly state to the assembly the
37 nature of all of the his or her interests and all of the
38 interests of his or her principals, relatives, or business
39 associates which are known to him or her in the matter and, at
40 the time of the vote or within 15 days after the vote, disclose
41 the nature of all of his or her interests and the interests of
42 his or her principals, relatives, or business associates which
43 are known to him or her, as a public record in a memorandum filed
44 with the person responsible for recording the minutes of the
45 meeting, who shall incorporate the memorandum in the minutes.

46 ~~(4) No appointed public officer shall participate in any~~
47 ~~matter which would inure to the officer's special private gain or~~



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48 ~~loss; which the officer knows would inure to the special private~~
49 ~~gain or loss of any principal by whom he or she is retained or to~~
50 ~~the parent organization or subsidiary of a corporate principal by~~
51 ~~which he or she is retained; or which he or she knows would inure~~
52 ~~to the special private gain or loss of a relative or business~~
53 ~~associate of the public officer, without first disclosing the~~
54 ~~nature of his or her interest in the matter.~~

55 ~~(a) Such disclosure, indicating the nature of the conflict,~~
56 ~~shall be made in a written memorandum filed with the person~~
57 ~~responsible for recording the minutes of the meeting, prior to~~
58 ~~the meeting in which consideration of the matter will take place,~~
59 ~~and shall be incorporated into the minutes. Any such memorandum~~
60 ~~shall become a public record upon filing, shall immediately be~~
61 ~~provided to the other members of the agency, and shall be read~~
62 ~~publicly at the next meeting held subsequent to the filing of~~
63 ~~this written memorandum.~~

64 ~~(b) In the event that disclosure has not been made prior to~~
65 ~~the meeting or that any conflict is unknown prior to the meeting,~~
66 ~~the disclosure shall be made orally at the meeting when it~~
67 ~~becomes known that a conflict exists. A written memorandum~~
68 ~~disclosing the nature of the conflict shall then be filed within~~
69 ~~15 days after the oral disclosure with the person responsible for~~
70 ~~recording the minutes of the meeting and shall be incorporated~~
71 ~~into the minutes of the meeting at which the oral disclosure was~~
72 ~~made. Any such memorandum shall become a public record upon~~
73 ~~filing, shall immediately be provided to the other members of the~~
74 ~~agency, and shall be read publicly at the next meeting held~~
75 ~~subsequent to the filing of this written memorandum.~~

76 ~~(5)(e) For purposes of this section ~~subsection~~, the term~~
77 ~~"participate" means any attempt to influence the decision by oral~~



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78 | or written communication, whether made by the officer or at the
79 | officer's direction.

80 | ~~(6)(5)~~ Whenever a public officer or former public officer
81 | is being considered for appointment or reappointment to public
82 | office, the appointing body shall consider the number and nature
83 | of the memoranda of conflict previously filed under this section
84 | by the ~~said~~ officer.

85 |
86 | ===== T I T L E A M E N D M E N T =====

87 | And the title is amended as follows:

88 | Delete line(s) 22-25

89 | and insert:

90 | a local officer when prohibited from voting; prohibiting
91 | certain local officers from voting or participating in any
92 | matter involving special gain or loss to the officer or
93 | certain parties; requiring an officer to provide public
94 | disclosure before a vote is taken on the matter; providing