

1 A bill to be entitled

2 An act relating to voting conflicts; providing a short
3 title; amending s. 112.3143, F.S.; providing an exception
4 to provisions relating to voting conflicts; creating s.
5 112.31435, F.S.; providing definitions; prohibiting a
6 member of the Legislature from voting upon or
7 participating in any legislation inuring to the personal
8 gain or loss of the member or his or her relative;
9 prohibiting a member of the Legislature from participating
10 in any legislation inuring to the personal gain or loss of
11 a principal by whom the member is retained, or parent
12 corporation or subsidiary of such principal, a business
13 associate, employer, or board on which the member sits;
14 requiring that a member disclose all such interests to the
15 applicable legislative body or committee before such
16 legislation is considered; requiring that the member
17 disclose the specific nature of any such interests within
18 a specified period after the date on which a vote on the
19 legislation occurs; requiring that such disclosure be made
20 by written memorandum and filed with the Secretary of the
21 Senate or the Clerk of the House of Representatives;
22 requiring that the memorandum be displayed in the journal
23 of the house of which the legislator is a member;
24 providing an effective date.

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26 Be It Enacted by the Legislature of the State of Florida:
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28 Section 1. This act may be cited as the "Restoration of
 29 Trust in Government Act."

30 Section 2. Subsection (2) of section 112.3143, Florida
 31 Statutes, is amended to read:

32 112.3143 Voting conflicts.--

33 (2) Except as provided in s. 112.31435, no state public
 34 officer is prohibited from voting in an official capacity on any
 35 matter. However, any state public officer voting in an official
 36 capacity upon any measure which would inure to the officer's
 37 special private gain or loss; which he or she knows would inure
 38 to the special private gain or loss of any principal by whom the
 39 officer is retained or to the parent organization or subsidiary
 40 of a corporate principal by which the officer is retained; or
 41 which the officer knows would inure to the special private gain
 42 or loss of a relative or business associate of the public
 43 officer shall, within 15 days after the vote occurs, disclose
 44 the nature of his or her interest as a public record in a
 45 memorandum filed with the person responsible for recording the
 46 minutes of the meeting, who shall incorporate the memorandum in
 47 the minutes.

48 Section 3. Section 112.31435, Florida Statutes, is created
 49 to read:

50 112.31435 Voting conflicts; state legislators.--

51 (1) For purposes of this section, the term:

52 (a) "Participate" means any attempt, other than casting a
 53 vote, to influence the passage, defeat, or amendment of
 54 legislation by oral or written communication made by a
 55 legislator or at such legislator's direction.

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56 (b) "Relative" means any father, mother, son, daughter,
57 husband, wife, brother, sister, father-in-law, mother-in-law,
58 son-in-law, or daughter-in-law.

59 (2) A member of the Legislature may not vote upon or
60 participate in any legislation that would inure to his or her
61 special private gain or loss or that he or she knows would inure
62 to the special private gain or loss of his or her relative. The
63 member shall, before any consideration of the legislation by the
64 legislative body of which he or she is a member or any committee
65 on which the member sits, publicly state to the body or
66 committee all of his or her interests in the legislation or all
67 of the relative's interests in the legislation which are known
68 to the member and, within 15 days after the date on which a vote
69 on the legislation occurs, disclose the specific nature of those
70 interests as a public record in a memorandum filed with the
71 Secretary of the Senate, if the member is a Senator, or the
72 Clerk of the House of Representatives, if the member is a
73 Representative. The memorandum shall be spread upon the pages of
74 the journal of the house of which the legislator is a member.

75 (3) A member of the Legislature may not participate in any
76 legislation that he or she knows would inure to the special
77 private gain or loss of a principal by whom he or she is
78 retained, the parent organization or subsidiary of a corporate
79 principal by which he or she is retained, a business associate,
80 an employer, or a board upon which the member sits. The member
81 shall, before any consideration of the legislation by the
82 legislative body of which he or she is a member or any committee
83 on which the member sits, publicly state to the body or

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84 committee all of the interests in the legislation of such
85 principals, parent organizations or subsidiaries of a corporate
86 principal, business associates, employers, or boards which are
87 known to the member and, within 15 days after the date on which
88 a vote on the legislation occurs, disclose the specific nature
89 of those interests as a public record in a memorandum filed with
90 the Secretary of the Senate, if the member is a Senator, or the
91 Clerk of the House of Representatives, if the member is a
92 Representative. The memorandum shall be spread upon the pages of
93 the journal of the house of which the legislator is a member.

94 Section 4. This act shall take effect July 1, 2008.