

1 A bill to be entitled
 2 An act relating to standards of conduct; providing a short
 3 title; amending s. 838.022, F.S.; providing that it is a
 4 third-degree felony for a public servant, with corrupt
 5 intent, to willfully fail to disclose certain direct or
 6 indirect financial interests or benefits; defining the
 7 term "with corrupt intent"; providing an effective date.

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

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 11 Section 1. This act may be cited as the "Restoring Faith
 12 in Public Office Act."

13 Section 2. Section 838.022, Florida Statutes, is amended
 14 to read:

15 838.022 Official misconduct.—

16 (1) It is unlawful for a public servant, with corrupt
 17 intent to obtain a benefit for any person or to cause harm to
 18 another, to:

19 (a) Falsify, or cause another person to falsify, any
 20 official record or official document;

21 (b) Conceal, cover up, destroy, mutilate, or alter any
 22 official record or official document or cause another person to
 23 perform such an act; or

24 (c) Obstruct, delay, or prevent the communication of
 25 information relating to the commission of a felony that directly
 26 involves or affects the public agency or public entity served by
 27 the public servant.

28 (2) It is unlawful for a public servant, with corrupt

HB 585

2010

29 intent, in a matter falling within the public servant's duties,
30 to willfully fail to disclose:

31 (a) A direct or indirect financial interest, or future
32 financial interest, of the public servant or any member of his
33 or her immediate family; or

34 (b) Any direct or indirect benefit, or future benefit,
35 inuring to the public servant or any member of his or her
36 immediate family.

37 (3)-(2) For the purposes of this section:

38 (a) The term "public servant" does not include a candidate
39 who does not otherwise qualify as a public servant.

40 (b) The term "with corrupt intent" means acting knowingly
41 and dishonestly for a wrongful purpose.

42 (c)-(b) An official record or official document includes
43 only public records.

44 (4)-(3) Any person who violates this section commits a
45 felony of the third degree, punishable as provided in s.
46 775.082, s. 775.083, or s. 775.084.

47 Section 3. This act shall take effect July 1, 2010.