

1 A bill to be entitled
 2 An act relating to the City of Jacksonville, Duval County;
 3 amending chapter 92-341, Laws of Florida, as amended;
 4 revising provisions of the charter of the City of
 5 Jacksonville relating to ethics; providing a declaration
 6 of ethics policy; authorizing the establishment of an
 7 ethics code and ethics commission; providing duties of the
 8 ethics commission; requiring the ethics code to include a
 9 citywide ethics oversight and compliance office; providing
 10 administrative support for the commission and office;
 11 requiring certain elected officials to complete certain
 12 ethics training; repealing s. 18.10 of chapter 92-341,
 13 Laws of Florida, as amended, relating to ethics education
 14 and the application of ethics laws; providing an effective
 15 date.

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

18
 19 Section 1. Sections 1.01 and 1.02 of Article 1 of section
 20 1 of chapter 92-341, Laws of Florida, as amended, are renumbered
 21 as sections 1.101 and 1.102, respectively, and designated as
 22 chapter 1 of that article, and chapter 2 is added to that
 23 article, to read:

24 ARTICLE 1. GOVERNMENT AND ETHICS
 25 CHAPTER 1. CONSOLIDATED GOVERNMENT

26 Section 1.101. ~~1.01.~~ Consolidated government.-

27 (a) The county government of Duval County, the municipal
 28 government of the City of Jacksonville, the Duval County Air

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29 Improvement Authority, the east Duval County Mosquito Control
30 District, the northeast Duval County Mosquito Control District,
31 and all boards, bodies, and officers thereof were and are
32 consolidated into a single body politic and corporate pursuant
33 to the power granted by former s. 9 of Article VIII of the
34 Constitution of 1885, as amended, of the State of Florida, which
35 section was continued by and remains in full force and effect
36 under s. 6(e) of Article VIII of the Constitution of the State
37 of Florida. The name of the consolidated government is City of
38 Jacksonville (herein called "city" or "consolidated
39 government"). The consolidated government succeeds to and
40 possesses all the properties (of whatever nature), rights,
41 capacities, privileges, powers, franchises, immunities,
42 liabilities, obligations, and duties of the former governments
43 and former special districts named in the first sentence of this
44 subsection, without including or affecting the existence,
45 properties, rights, capacities, privileges, powers, franchises,
46 immunities, liabilities, obligations, and duties of the Cities
47 of Jacksonville Beach, Atlantic Beach, and Neptune Beach and the
48 Town of Baldwin. The consolidated government shall have
49 perpetual existence and shall have only such officers,
50 departments, and other agencies as are provided in this charter
51 or as may be established by the council.

52 (b) The consolidated government has and shall have
53 jurisdiction as a chartered county government and extend
54 territorially throughout Duval County, and has and shall have
55 jurisdiction as a municipality throughout Duval County except in

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56 | the Cities of Jacksonville Beach, Atlantic Beach, and Neptune
57 | Beach and the Town of Baldwin.

58 | Section 1.102. ~~1.02.~~ Cities of Jacksonville Beach,
59 | Atlantic Beach, and Neptune Beach and Town of Baldwin.-

60 | (a) The territories of the Cities of Jacksonville Beach,
61 | Atlantic Beach, and Neptune Beach and the Town of Baldwin were
62 | and are also consolidated into the territory of the consolidated
63 | government. The Cities of Jacksonville Beach, Atlantic Beach,
64 | and Neptune Beach and the Town of Baldwin shall each continue to
65 | exist and have and retain the same local governmental structure,
66 | boards, bodies, officers, laws, municipal charters, and special
67 | acts which existed in those areas on September 30, 1968, unless
68 | changed in accordance with law. The persons who were officers
69 | and members of boards and bodies of the Cities of Jacksonville
70 | Beach, Atlantic Beach, and Neptune Beach and the Town of Baldwin
71 | on September 30, 1968, continued after that date to occupy the
72 | same position and were entitled to the same compensation
73 | therefor, unless changed in accordance with law. All such
74 | boards, bodies, and officers continue since October 1, 1968, to
75 | be elected at the times, in the manner, and for the terms which
76 | were provided under their respective municipal charters and
77 | continue to have the same powers and duties which they had under
78 | those charters, unless changed in accordance with law. All
79 | municipal charters and special and general laws which applied to
80 | the Cities of Jacksonville Beach, Atlantic Beach, and Neptune
81 | Beach and the Town of Baldwin on September 30, 1968, continue to
82 | apply to the respective governments, boards, bodies, and
83 | officers unless changed in accordance with law. These Cities of

84 Jacksonville Beach, Atlantic Beach, and Neptune Beach and the
 85 Town of Baldwin each continue to be entitled to own, acquire,
 86 encumber, and transfer property in its own name, by the duly
 87 authorized action of its boards, bodies, and officers. The
 88 Cities of Jacksonville Beach, Atlantic Beach, and Neptune Beach
 89 and the Town of Baldwin are continued as municipalities having
 90 all governmental, corporate, and proprietary powers to enable
 91 them to conduct municipal government, perform municipal
 92 functions, and render municipal services, and shall be treated,
 93 considered, and dealt with as municipalities under the
 94 Constitution and laws of the State of Florida and shall be
 95 entitled to exercise the same functions, powers, and duties
 96 granted to municipalities under the general laws and
 97 Constitution of the State of Florida.

98 (b) The Cities of Jacksonville Beach, Atlantic Beach, and
 99 Neptune Beach and the Town of Baldwin shall not be subject to
 100 the provisions of s. 5.11, article 14, article 16, article 17,
 101 or article 19. The council may provide for management or fiscal
 102 audits by the council auditor of the second, third, fourth, and
 103 fifth urban services districts or their boards, bodies, or
 104 officers.

105 CHAPTER 2. ETHICS

106 Section 1.201. Declaration of ethics policy.-The proper
 107 operation of responsible government requires that public
 108 officials and employees be independent, impartial, and
 109 responsible to the people; that government decisions and policy
 110 be made in the best interests of the people, the community, and
 111 the government; that public office not be used for personal

112 gain; and that the public have confidence in the integrity of
 113 its government.

114 Section 1.202. Ethics code; ethics commission.-The City of
 115 Jacksonville, acting in its capacity as a county, shall enact an
 116 ethics code with jurisdiction over the officers and employees of
 117 the consolidated government of the City of Jacksonville; its
 118 constitutional officers; independent agencies and districts,
 119 whether elected or appointed, paid or unpaid; and officers and
 120 employees of the school district. However, such jurisdiction
 121 shall be limited to the General Services District, less Urban
 122 Services Districts 2, 3, 4, and 5, being the Cities of Neptune
 123 Beach, Atlantic Beach, and Jacksonville Beach and the Town of
 124 Baldwin. The ethics code may, as allowed by law, supplement
 125 state ethics codes. The ethics code shall provide for an
 126 independent ethics commission, whose membership shall have
 127 appropriate subject matter expertise, which shall:

128 (a) Manage a citywide ethics hotline for receiving
 129 allegations of ethics code violations.

130 (b) Manage and coordinate the training and education of
 131 local officers and state employees in the state and local ethics
 132 code.

133 (c) Have the authority to refer ethics matters to
 134 appropriate enforcement agencies.

135 (d) Recommend changes in legislation to city councils in
 136 the areas of ethics laws and administration, conflicts of
 137 interests, hotline policies, ethics education, ethics in
 138 procurement, campaign ethics, and lobbying.

139 (e) Have jurisdiction to levy civil fines or penalties

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140 authorized by the city council for violations of the city's
141 ethics code.

142 (f) Act as the hiring committee for the administrative
143 staff of the ethics oversight and compliance office, whose
144 enforcement power is limited to the ethics code authorized by
145 this section and enacted by the city council. A structure shall
146 be established for the ethics commission that ensures
147 independence and impartiality.

148 Section 1.203. Ethics oversight and compliance office.-The
149 ethics code shall include the establishment of an independent
150 citywide ethics oversight and compliance office to coordinate
151 ethics training, ethics compliance, and ethics oversight issues
152 and to staff the ethics commission. The ethics code, ethics
153 commission, and ethics oversight and compliance office in place
154 at the time of enactment of this section shall continue until
155 amended or altered by the city council.

156 Section 1.204. Administrative support.-Appropriate
157 support, as determined by the city council, shall be provided to
158 the ethics commission and to the citywide ethics oversight and
159 compliance office to carry out their duties and
160 responsibilities. This support shall include a process to obtain
161 documents and testimony in connection with violations of the
162 city's ethics code.

163 Section 1.205. Ethics education and application of ethics
164 laws.-Within 90 days after taking office, every elected official
165 within the consolidated government shall complete such ethics
166 training as may be required by the ethics code. This requirement
167 shall apply to all elected officials within the consolidated

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168 government, including, but not limited to, the Mayor, all city
169 council Members, all Duval County School Board Members, the
170 Sheriff, the Supervisor of Elections, the Property Appraiser,
171 the Tax Collector, and the Clerk of the Circuit and County
172 Court. Additionally, all elected officials shall be included in
173 the definition of the term "officer" regarding any ethics code
174 definition referring to officers as any person elected to any
175 city office, and all elected officials shall comply with all
176 laws applicable to officers in the city's ethics code.

177 Section 2. Section 18.10 of Article 18 of chapter 92-341,
178 Laws of Florida, as amended by chapter 2003-340, Laws of
179 Florida, is repealed.

180 Section 3. This act shall take effect upon becoming a law.