



604778

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/27/2011	.	
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The Committee on Rules (Gardiner) recommended the following:

Senate Amendment (with title amendment)

Delete lines 167 - 176
and insert:

(b) A vote on legislation does not inure to a member's special private gain or loss if:

1. The vote being taken is preliminary or procedural in nature;

2. The chance that any gain or loss received from the legislation is remote or speculative; or

3. The legislation affects a large number of people or entities but does not affect the member, the member's relative, business associate, employer, board upon which the member sits,



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14 principal, or corporate parent or subsidiary organization of a
15 principal by whom the member is retained differently than the
16 rest of those affected by the legislation.

17 (c) A member of the Legislature is not prohibited from
18 voting on, and is not required to make any disclosure
19 concerning, any legislation that would inure to the special
20 private gain or loss of the member's employer, principal, or a
21 board upon which the member sits, if the entity is an agency as
22 defined in s. 112.312(2).

23 (d) A member of the Legislature serving as an independent
24 contractor attorney or "of counsel" attorney in a law firm is
25 not prohibited from voting on, and is not required to make any
26 disclosure concerning, any legislation that would inure to the
27 special private gain or loss of any of the firm's clients, if
28 the member is not involved in the representation of the client,
29 is not involved in the firm's management, and the member's
30 compensation as an attorney is not derived from money received
31 from that client.

32 (3) This section does not prevent a member of the
33 Legislature from voting on a General Appropriations Act or
34 implementing legislation on the floor of the Senate or House of
35 Representatives.

36 (4) A member of the Legislature may request an advisory
37 opinion from the general counsel of the house of which he or she
38 is a member as to the application of this section to a specific
39 situation. The general counsel shall issue the opinion within 10
40 days after receiving the request. The member of the Legislature
41 may reasonably rely on such opinion.

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43 ===== T I T L E A M E N D M E N T =====

44 And the title is amended as follows:

45 Delete lines 37 - 41

46 and insert:

47 such entity is an agency; providing that a member's
48 vote does not inure to the member's special private
49 gain or loss under certain circumstances; providing
50 that the act does not require disclosure if a member's
51 vote will inure to the special private gain or loss of
52 a member's employer, principal, or board upon which
53 the member sits, if such entity is an agency;
54 providing that a member of the Legislature who is
55 serving as an independent contractor attorney or "of
56 counsel" attorney in a law firm is not prohibited from
57 voting on and is not required to make a disclosure
58 concerning legislation that would inure to the special
59 private gain or loss of any of the firm's clients;
60 authorizing a member to request an advisory opinion
61 from the general counsel of the house of which he or
62 she is a member; providing that the