

By Senator Sobel

31-00244A-12

2012258__

1 A bill to be entitled
2 An act relating to integrity of public investigations;
3 providing a short title; amending s. 112.313, F.S.;
4 prohibiting an employee of a state agency having
5 investigatory or regulatory functions from performing
6 work for an individual or organization that is the
7 subject of a civil or criminal investigation or
8 judicial proceeding by that agency during the pendency
9 of the investigation or judicial proceeding or for a
10 specified period thereafter; defining the term "state
11 agency" to specify certain agencies whose employees
12 are affected; defining the term "employee" for
13 purposes of the act to include only those persons
14 whose scope of employment consists of regulatory or
15 investigatory functions; providing an effective date.

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

18
19 Section 1. This act may be cited as the "Florida
20 Investigatory Integrity Act."

21 Section 2. Subsection (18) is added to section 112.313,
22 Florida Statutes, to read:

23 112.313 Standards of conduct for public officers, employees
24 of agencies, and local government attorneys.—

25 (18) EMPLOYEES OF AGENCIES WITH INVESTIGATORY OR REGULATORY
26 FUNCTIONS.—

27 (a) An employee of a state agency that has investigatory or
28 regulatory functions may not perform work for any individual or
29 organization that is the subject of a civil or criminal

31-00244A-12

2012258__

30 investigation or judicial proceeding by that agency during the
31 pendency of the investigation or judicial proceeding or for a
32 period of 2 years thereafter.

33 (b) As used in this subsection, the term:

34 1. "State agency" includes, but is not limited to, the
35 Attorney General's Office, the Department of Financial Services,
36 the Department of Agriculture and Consumer Services, the Office
37 of Insurance Regulation, the Agency for Health Care
38 Administration, the Department of Business and Professional
39 Regulation, the Public Service Commission, the Department of Law
40 Enforcement, and the Florida Highway Patrol, as well as any
41 other state agency with investigatory powers.

42 2. "Employee" means an employee of a state agency whose
43 scope of employment includes a regulatory or investigatory
44 function. The term does not include an employee of a state
45 agency whose scope of employment consists solely of secretarial
46 services or nonregulatory or noninvestigatory administrative
47 services.

48 Section 3. This act shall take effect July 1, 2012.