

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Fasano offered the following:

Amendment (with title amendment)

Remove lines 519-560 and insert:

Section 6. Subsections (2), (3), and (4) of section 112.3143, Florida Statutes, are amended, subsection (5) is renumbered as subsection (6), and a new subsection (5) is added to that section, to read:

112.3143 Voting conflicts.—

(2) (a) A No state public officer may not vote on any matter that the officer knows would inure to his or her special private gain or loss is prohibited from voting in an official capacity on any matter. However, Any state public officer who abstains from voting in an official capacity upon any measure that which the officer knows would inure to the officer's special private gain or loss, or who votes in an official capacity on a measure that; which he or she knows would inure to the special private gain or loss of any principal by whom the

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20 officer is retained or to the parent organization or subsidiary
21 of a business entity ~~corporate principal~~ by which the officer is
22 retained other than an agency as defined in s. 112.312(2); or
23 which the officer knows would inure to the special private gain
24 or loss of a relative or business associate of the public
25 officer, shall make every reasonable effort to ~~, within 15 days~~
26 ~~after the vote occurs,~~ disclose the nature of his or her
27 interest as a public record in a memorandum filed with the
28 person responsible for recording the minutes of the meeting, who
29 shall incorporate the memorandum in the minutes. If it is not
30 possible for the state public officer to file a memorandum
31 before the vote, the memorandum must be filed with the person
32 responsible for recording the minutes of the meeting no later
33 than 15 days after the vote.

34 (b) A member of the Legislature may satisfy the disclosure
35 requirements of this section by filing a disclosure form created
36 pursuant to the rules of the member's respective house if the
37 member discloses the information required by this subsection.

38 (3) (a) No county, municipal, or other local public officer
39 shall vote in an official capacity upon any measure which would
40 inure to his or her special private gain or loss; which he or
41 she knows would inure to the special private gain or loss of any
42 principal by whom he or she is retained or to the parent
43 organization or subsidiary of a business entity ~~corporate~~
44 ~~principal~~ by which he or she is retained, other than an agency
45 as defined in s. 112.312(2); or which he or she knows would
46 inure to the special private gain or loss of a relative or
47 business associate of the public officer. Such public officer

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48 shall, prior to the vote being taken, publicly state to the
49 assembly the nature of the officer's interest in the matter from
50 which he or she is abstaining from voting and, within 15 days
51 after the vote occurs, disclose the nature of his or her
52 interest as a public record in a memorandum filed with the
53 person responsible for recording the minutes of the meeting, who
54 shall incorporate the memorandum in the minutes.

55 (b) However, a commissioner of a community redevelopment
56 agency created or designated pursuant to s. 163.356 or s.
57 163.357, or an officer of an independent special tax district
58 elected on a one-acre, one-vote basis, is not prohibited from
59 voting, when voting in said capacity.

60 (4) No appointed public officer shall participate in any
61 matter which would inure to the officer's special private gain
62 or loss; which the officer knows would inure to the special
63 private gain or loss of any principal by whom he or she is
64 retained or to the parent organization or subsidiary of a
65 business entity ~~corporate principal~~ by which he or she is
66 retained; or which he or she knows would inure to the special
67 private gain or loss of a relative or business associate of the
68 public officer, without first disclosing the nature of his or
69 her interest in the matter.

70 (a) Such disclosure, indicating the nature of the
71 conflict, shall be made in a written memorandum filed with the
72 person responsible for recording the minutes of the meeting,
73 prior to the meeting in which consideration of the matter will
74 take place, and shall be incorporated into the minutes. Any such
75 memorandum shall become a public record upon filing, shall

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76 immediately be provided to the other members of the agency, and
77 shall be read publicly at the next meeting held subsequent to
78 the filing of this written memorandum.

79 (b) In the event that disclosure has not been made prior
80 to the meeting or that any conflict is unknown prior to the
81 meeting, the disclosure shall be made orally at the meeting when
82 it becomes known that a conflict exists. A written memorandum
83 disclosing the nature of the conflict shall then be filed within
84 15 days after the oral disclosure with the person responsible
85 for recording the minutes of the meeting and shall be
86 incorporated into the minutes of the meeting at which the oral
87 disclosure was made. Any such memorandum shall become a public
88 record upon filing, shall immediately be provided to the other
89 members of the agency, and shall be read publicly at the next
90 meeting held subsequent to the filing of this written
91 memorandum.

92 (c) For purposes of this subsection, the term
93 "participate" means any attempt to influence the decision by
94 oral or written communication, whether made by the officer or at
95 the officer's direction.

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97

98 **T I T L E A M E N D M E N T**

99 Remove lines 46-56 and insert:

100 conditions; amending s. 112.3143, F.S.; prohibiting certain
101 public officers from voting on matters that they know would
102 inure to their special private gain or loss or the gain or loss

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103 of certain other persons or entities; providing disclosure
104 requirements; amending s. 112.3144, F.S.;