

By Senator Steube

23-00268-17

2017126\_\_

1                   A bill to be entitled  
2           An act relating to public officers and employees;  
3           amending s. 112.3135, F.S.; authorizing an agency to  
4           promote or advance an employee who is a relative of a  
5           public official if certain conditions are met;  
6           providing an effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:  
9

10           Section 1. Subsection (2) of section 112.3135, Florida  
11 Statutes, is amended to read:

12           112.3135 Restriction on employment of relatives.—

13           (2) (a) A public official may not appoint, employ, promote,  
14 or advance, or advocate for appointment, employment, promotion,  
15 or advancement, in or to a position in the agency in which the  
16 official is serving or over which the official exercises  
17 jurisdiction or control any individual who is a relative of the  
18 public official. An individual may not be appointed, employed,  
19 promoted, or advanced in or to a position in an agency if such  
20 appointment, employment, promotion, or advancement has been  
21 advocated by a public official, serving in or exercising  
22 jurisdiction or control over the agency, who is a relative of  
23 the individual or if such appointment, employment, promotion, or  
24 advancement is made by a collegial body of which a relative of  
25 the individual is a member. However, this subsection shall not  
26 apply to appointments to boards other than those with land-  
27 planning or zoning responsibilities in those municipalities with  
28 less than 35,000 population. This subsection does not apply to  
29 persons serving in a volunteer capacity who provide emergency  
30 medical, firefighting, or police services. Such persons may  
31 receive, without losing their volunteer status, reimbursements  
32 for the costs of any training they get relating to the provision

23-00268-17

2017126\_\_

33 of volunteer emergency medical, firefighting, or police services  
34 and payment for any incidental expenses relating to those  
35 services that they provide.

36 (b) An agency that uses a comprehensive application and  
37 hiring process that includes an independent promotional  
38 examination may promote or advance a relative to a new position  
39 if the relative had been previously employed with such agency  
40 before the public official's appointment or election to the  
41 agency.

42 (c) Mere approval of budgets shall not be sufficient to  
43 constitute "jurisdiction or control" for the purposes of this  
44 section.

45 Section 2. This act shall take effect July 1, 2017.